

Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-FIRST DAY—FRIDAY, MAY 12, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The end of the matter; all has been heard. Fear God and keep his commandments; for that is the whole duty of everyone.” (Ecclesiastes 12:13)

Heavenly Father in a few short hours we will bring this session to its constitutional end. So we are thankful for all the blessings You have provided us throughout this session. We pray that we have not wasted our time here nor the use of the talents each has provided. Fill our hearts with the richness of Your grace so we rejoice in Your presence and promise and know that You will never let us go. And once again we ask that You watch our “going out and coming in” bringing us safely back to loved ones who so enrich our lives and share the joys You have provided. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio, KSDK-TV, MissouriNet, KRCG-TV, Associated Press, KMOV-4, Columbia Missourian and KMOX were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

On motion of Senator Kehoe, the Senate recessed until 10:00 a.m.

RECESS

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

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 139**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 139

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, with House Amendment No. 1, House Amendment Nos. 1 & 2 to House Amendment No. 2, House Amendment No. 2 as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 139;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Jeanie Riddle
/s/ Caleb Rowden
Jill Schupp
Scott Sifton

FOR THE HOUSE:

/s/ David Wood
/s/ Justin Alferman
/s/ Marsha Haefner
Kip Kendrick
Cora Faith Walker

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Hummel	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Nasheed	Rizzo	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SCS** for **SB 139**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 139

An Act to repeal sections 208.227, 208.790, 208.798, and 334.506, RSMo, and to enact in lieu thereof eight new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 283**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 283

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 283, with House Amendment Nos. 1, 2, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, House

Amendment No. 6, as amended, House Amendments Nos. 7 and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9, as amended, and House Amendment Nos. 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 283, as amended;

2. That the Senate recede from its position on Senate Bill No. 283;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 283 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman
/s/ Paul Wieland
/s/ Dave Schatz
/s/ John Rizzo
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Allen Andrews
/s/ John D. Wiemann
/s/ Kirk Mathews
/s/ Peter J. Merideth
/s/ Fred Wessels

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Koenig Kraus—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Hegeman, **CCS** for **HCS** for **SB 283**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 283

An Act to repeal sections 67.402, 67.505, 67.547, 67.1364, 68.075, 94.510, 137.565, 162.492, 229.150, 233.180, and 304.120, RSMo, and to enact in lieu thereof eleven new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Koenig	Kraus	Onder—4
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Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **SB 503**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 503

The Conference Committee appointed on Senate Bill No. 503, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 503, as amended;
2. That the Senate recede from its position on Senate Bill No. 503;
3. That the attached Conference Committee Substitute for Senate Bill No. 503 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Andrew Koenig
/s/ Will Kraus
/s/ S. “Kiki” Curls
/s/ Jacob Hummel

FOR THE HOUSE:

/s/ Jeanie Lauer
/s/ Kevin Engler
/s/ Shawn Rhoads
/s/ Tracy McCreery
/s/ Bruce Franks, Jr.

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, **CCS for SB 503**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 503

An Act to repeal sections 190.103, 190.144, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof eight new sections relating to emergency services, with an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

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 Kehoe moved that motion lay on the table, which motion prevailed.

Senator Rizzo, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 421**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 421

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 421;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Rizzo
/s/ Jacob Hummel
/s/ Denny Hoskins
/s/ Jay Wasson
/s/ Will Kraus

FOR THE HOUSE:

/s/ Bill E. Kidd
/s/ Kevin Engler
/s/ Mike Kelley
/s/ Rory Rowland
/s/ Ira Anders

Senator Rizzo moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Rizzo, **CCS** for **HCS** for **SCS** for **SB 421**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 421

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof two new sections relating to the conveyance of state property.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 95**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 95

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 95, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 95, as amended;
2. That the Senate recede from its position on Senate Bill No. 95;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 95 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
 /s/ Jay Wasson
 /s/ Dan Hegeman
 /s/ John Rizzo
 /s/ Scott Sifton

FOR THE HOUSE:

/s/ Lyndall Fraker
 /s/ Elijah Haahr
 /s/ Shawn Rhoads
 /s/ Donna Baringer
 /s/ Tracy McCreery

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SB 95**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 95

An Act to repeal sections 50.622, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof eight new sections relating to public funds.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 112**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 112

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, and House Amendment Nos. 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 112;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz
Dan Hegeman
/s/ Denny Hoskins
/s/ S. “Kiki” Curls
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Nathan Tate
/s/ Lyndall Fraker
/s/ Jack Bondon
/s/ Joe Adams
Tracy McCreery

President Pro Tem Richard assumed the Chair.

Pursuant to Senate Rule 91, Senator Hegeman requested to be excused from voting on the adoption of the conference committee report no. 2 on **HCS** for **SCS** for **SB 112** and third reading of **CCS No. 2** for **HCS** for **SCS** for **SB 112**, which request was granted.

President Parson assumed the Chair.

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Emery	Holsman	Hoskins	Hummel
Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Eigel	Koenig	Kraus—3
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Absent—Senators

Chappelle-Nadal	Dixon	Walsh—3
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Absent with leave—Senators—None

Excused from voting—Senator Hegeman—1

Vacancies—1

On motion of Senator Schatz, **CCS No. 2** for **HCS** for **SCS** for **SB 112**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 112

An Act to repeal sections 50.622, 50.740, 54.040, 54.261, 68.075, 94.900, 94.902, 105.145, 139.100, 182.640, 182.660, 233.295, 242.460, 243.350, 245.185, 321.242, 321.246, 393.1075, 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof twenty-four new sections relating to political subdivisions, with a penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Emery	Holsman	Hoskins	Hummel
Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Eigel	Koenig	Kraus—3
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Absent—Senators

Chappelle-Nadal	Dixon	Walsh—3
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Absent with leave—Senators—None

Excused from voting—Senator Hegeman—1

Vacancies—1

The President declared the bill passed.

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

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

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

HOUSE BILLS ON THIRD READING

HB 655, introduced by Representative Engler, entitled:

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to maternity homes and pregnancy resource centers.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HB 655**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 655

An Act to repeal sections 135.090, 135.341, 135.562, 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof seven new sections relating to tax credits for contributions to certain benevolent organizations.

Senator Dixon moved that **SS** for **HB 655** be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Rowden assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Dixon, **HB 655**, with **SS** (pending), was placed on the Informal Calendar.

Senator Hegeman moved that **HCS** for **HBs 1194** and **1193**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Hegeman, **SS** for **HCS** for **HBs 1194** and **1193** was withdrawn, rendering **SA 1** moot.

Senator Hegeman offered **SS No. 2** for **HCS** for **HBs 1194** and **1193**, entitled:

SENATE SUBSTITUTE NO. 2 FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 1194 & 1193

An Act to repeal sections 285.055, 288.062, and 290.528, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage, with an emergency clause.

Senator Hegeman moved that **SS No. 2** for **HCS** for **HBs 1194** and **1193** be adopted and submitted the

following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman	/s/ Denny Hoskins
/s/ Dave Schatz	/s/ Caleb Rowden
/s/ Paul Wieland	/s/ Will Kraus
/s/ Bob Onder	/s/ Bill Eigel
/s/ David Sater	/s/ Ron Richard
/s/ Brian Munzlinger	/s/ Jay Wasson
/s/ Mike Cunningham	/s/ Dan Brown

Senator Sifton moved that the motion for the previous question lay on the table.

Senator Sifton offered a substitute motion that the Senate postpone consideration of the above motion until 5:59 p.m., Friday, May 12, 2017.

Senator Sifton offered an amendment to the substitute motion to strike “5:59 p.m.” and insert “indefinitely”.

Senator Sifton moved the above amendment be adopted.

Senator Kraus raised the point of order that pursuant to Senate Rules 85 and 73, the previous question is a non-debatable motion.

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

At the request of Senator Kraus, the point of order was withdrawn.

Senator Kraus raised the point of order that the substitute motion is not a superceding motion and not in order pursuant to Senate Rule 73.

The point of order was referred to the President Pro Tem, who ruled it well taken, rendering the amendment to the substitute motion moot.

Senator Sifton offered a substitute motion to postpone indefinitely the consideration of the motion for the previous question.

Senator Kraus raised the point of order that the substitute motion is not a superceding motion under Senate Rule 73.

At the request of Senator Sifton, the substitute motion was withdrawn, rendering the point of order moot.

Senator Sifton offered a substitute motion to lay the preceding motion on the table.

Senator Onder raised the point of order that under Senate Rule 73 there are two superceding motions to the previous question and that the present amendment to the superceding motion is not one of them and therefore is out of order.

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

Senator Schaaf raised the point of order that he was seeking recognition to speak on the point of order prior to the President Pro Tem ruling on it.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

The President Pro Tem again ruled that the point of order raised by Senator Onder was well taken.

The motion for the previous question to lay on the table was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Dixon	Libla	Romine	Schaaf	Silvey—6
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NAYS—Senators

Brown	Cunningham	Curls	Eigel	Emery	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Koenig	Kraus	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—27	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

Having voted on the prevailing side, Senator Holsman moved that the vote by which the motion to lay on the table was defeated, be reconsidered.

Senator Schatz raised the point of order that pursuant to Senate Rule 84, the motion for the previous question should be put to a vote without debate, therefore the motion for the previous question to lay on the table under Rule 73 is out of order.

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

At the request of Senator Schatz, the point of order was withdrawn.

The motion to reconsider the vote by which the motion to lay the previous question on the table was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Schaaf	Schupp	Sifton	Walsh—11			

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schatz	Silvey	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh moved that pursuant to Senate Rule 73, the Senate adjourn to 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Hummel, Schupp and Sifton.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Sifton	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Wallingford	Wasson	Wieland—19		

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Libla	Nasheed
Rizzo	Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

SS No. 2 for HCS for HBs 1194 and 1193 was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Hegeman moved that **SS No. 2** for **HCS** for **HBs 1194** and **1193** be third read and passed and submitted the following privileged motion:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman	/s/ Caleb Rowden
/s/ Paul Wieland	/s/ Will Kraus
/s/ Dave Schatz	/s/ Bill Eigel
/s/ Bob Onder	/s/ Ron Richard
/s/ Brian Munzlinger	/s/ Jay Wasson
/s/ Mike Cunningham	/s/ Dan Brown
/s/ Denny Hoskins	

Senator Sifton moved that the bill be laid on the table, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Sifton	Walsh—9					

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Nasheed moved that the Senate adjourn until 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Hummel, Schupp and Sifton.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

SS No. 2 for HCS for HBs 1194 and 1193 was 3rd read and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
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Schupp Sifton Walsh—10

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The president declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Rizzo	Schaaf	Schupp
Sifton	Walsh—9					

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested a verification of the roll.

Senator Hegeman moved that the title to the bill be agreed to.

Pursuant to Senate Rule 86, Senator Sifton joined by Senator Schupp, requested that the titling motion be reduced to writing and distributed, which request was granted.

Senator Hegeman submitted the following privileged motion:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman /s/ Denny Hoskins

/s/ Paul Wieland /s/ Caleb Rowden

/s/ Dave Schatz /s/ Will Kraus

/s/ Bob Onder /s/ Bill Eigel

/s/ Brian Munzlinger /s/ Ron Richard

/s/ Mike Cunningham /s/ Dan Brown

/s/ Jay Wasson

Senator Sifton offered a substitute motion that the bill lay on the table and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Curls, Hummel and Rizzo.

The substitute motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Rizzo	Schaaf	Schupp	Sifton—7
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NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Romine	Rowden	Sater	Schatz
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

Having voted on the prevailing side, Senator Holsman moved that the vote by which the substitute motion to lay the bill on the table was defeated be reconsidered, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh moved the Senate adjourn to 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Rizzo, Schaaf, Sifton and Schupp.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

Having voted on the prevailing side, Senator Holsman requested the vote by which the motion to adjourn was defeated be reconsidered.

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The motion for the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The title to the bill was agreed to.

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

Senator Kehoe moved that motion lay on the table.

Senator Holsman requested a roll call vote be taken on the motion to lay on the table and was joined in his request by Senators Hummel, Schaaf, Schupp and Sifton.

The motion to lay on the table was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Sifton
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

Having voted on the prevailing side, Senator Sifton moved that the vote by which the motion to lay on the table was adopted be reconsidered, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

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 **HCS** for **SCS** for **SB 309**, entitled:

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, 56.840, 169.324, 169.460, 169.490, 169.560, and 488.2206, RSMo, and to enact in lieu thereof twelve new sections relating to public employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 326**, entitled:

An Act to repeal sections 347.015, 347.020, 347.048, 347.740, 351.127, 355.023, 356.233, 359.653, 400-9.528, and 417.018, RSMo, and to enact in lieu thereof eleven new sections relating to business organizations.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 84**, entitled:

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 84, Page 1, Section 542.400, Line 13, by deleting immediately after the word “**waves**” the comma “,”; and

Further amend said bill, Page 4, Section 542.405, Lines 22-23, by deleting the phrase “**targeted including,**” and inserting in lieu thereof the phrase “**targeted, including**”; and

Further amend said bill, page, and section, Line 26, by deleting the phrase “**warrant, and if so**” and inserting in lieu thereof the phrase “**warrant and, if so**”; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 125**, entitled:

An Act to repeal sections 191.1100, 191.1110, 324.001, 326.256, 326.259, 326.265, 326.280, 326.283, 326.286, 326.289, 326.292, 326.307, 326.310, 326.313, 326.316, 326.325, 327.313, 327.321, 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 332.081, 334.037, 334.104, 334.735, 336.080, and 345.051, RSMo, and to enact in lieu thereof fifty-eight new sections relating to the regulation of certain professions.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 125, Page 1, Section A, Line 11, by inserting immediately after all of said section and line the following:

“36.020. Unless the context clearly requires otherwise, the following terms mean:

(1) “Agency”, “state agency” or “agency of the state”, each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;

(2) “Appointing authority”, an officer or agency subject to this chapter having power to make appointments;

(3) “Board”, the personnel advisory board as established by section 36.050;

(4) “Broad classification band”, a grouping of positions with similar levels of responsibility or expertise;

(5) “Class” or “class of positions”, a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;

(6) “Director”, the director of the division of personnel of the office of administration;

(7) “Disabled veteran”, a veteran who has served on active duty in the Armed Forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran’s affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a National Guard veteran who was permanently disabled as a result of active service to the state at the call of the governor;

(8) “Division of service” or “division”, a state department or any division or branch of the state, or any agency of the state government, all the positions and employees in which are under the same appointing authority;

(9) “Eligible”, a person whose name is on a register or who has been determined to meet the qualifications for a class or position;

(10) “Examination”, a means of determining eligibility or fitness for a class or position;

[(10)] (11) “Open competitive examination”, a [test] **selections process** for positions in a particular class, admission to which is not limited to persons employed in positions subject to this chapter;

[(11)] (12) “Promotional examination”, a [test] **selections process** for positions in a particular class, admission to which is limited to employees with regular status in positions subject to this chapter;

[(12)] (13) “Public hearing”, a hearing held after public notice at which any person has a reasonable opportunity to be heard;

[(13)] (14) “Register of eligibles”, a list of persons who have been found qualified by an open competitive examination for appointment to a position;

[(14)] (15) “Regular employee”, an employee who has successfully completed a probationary period as provided in section 36.250;

[(15)] (16) “Reinstatement register”, a list of persons who have been regular employees and who have been laid off in good standing due to lack of work or funds, or other similar cause, or who have been demoted in lieu of layoff;

[(16)] (17) “State equal employment opportunity officer”, the individual designated by the governor or the commissioner of administration as having responsibility for monitoring the compliance of the state as an employer with applicable equal employment opportunity law and regulation and for leadership in efforts to establish a state workforce which reflects the diversity of Missouri citizens at all levels of employment;

[(17)] (18) “Surviving spouse”, the unmarried surviving spouse of a disabled veteran or any person who was killed while on active duty in the Armed Forces of the United States or an unmarried surviving spouse of a National Guard veteran who was killed as a result of active service to the state at the call of the governor;

[(18)] (19) “Veteran”, any person who is a citizen of this state who has been separated under honorable conditions from the Armed Forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or National Guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President and participated in any campaign or expedition for which a campaign badge or service medal has been authorized.

36.100. 1. The director shall ascertain the duties, authority and responsibilities of all positions subject to this chapter. After consultation with the appointing authorities, the director shall prepare and recommend to the board, and maintain on a continuing basis, a position classification plan, which shall group all positions in the classified service in classes, based on their duties, authority and responsibilities. Except as provided in subsection 2 of this section, The position classification plan shall set forth, for each class of positions, a class title and a statement of the duties, authority and responsibilities thereof, and the qualifications that are necessary or desirable for the satisfactory performance of the duties of the class; provided, that no plan shall be adopted which prohibits the substitution of experience for education for each class of positions, except that, the board may determine that there is no equivalent substitution in particular cases. Classifications should be sufficiently broad in scope to include as many comparable positions as possible both on an intra- and inter-departmental basis, including both merit and nonmerit agencies.

2. The classification plan may group [management] positions with similar levels of responsibility or

expertise into broad classification bands.

3. The director shall require an initial and ongoing review of the number of classifications in each division of service and shall, in consultation with the agencies, eliminate and combine classes when possible, taking into consideration the recruitment, examination, selection and compensation of personnel in the various classes.

36.120. 1. Before establishing a new position in divisions of the service subject to this chapter, or before making any permanent and substantial change of the duties, authority or responsibilities of a position subject to this chapter, an appointing authority shall notify the director in writing of the appointing authority's intention to do so, except where the positions may be allocated by the appointing authority.

2. The director may at any time allocate any new position to a class, or change the allocation of any position to a class, or recommend to the board changes in the classification plan. Any change in the classification plan recommended by the director shall take effect when approved by the board, or on the ninetieth day after it is recommended to the board if prior thereto the board has not approved it. In case of necessity requiring the immediate establishment of a new class, the director may establish such a class on an interim basis pending approval of the class by the board as recommended by the director.

3. When the allocation of a position to a class is changed, the director shall notify the appointing authority. If allocation authority is delegated, the appointing authority shall notify the director of any changes in the allocation. If the position is filled at the time of reallocation to a class, the appointing authority shall immediately notify the incumbent of the position regarding the allocation change. If the incumbent does not agree with the new allocation, the incumbent may, under conditions specified in the rules, submit to the director a request for a review of the allocation of the position.

4. If any change is made in the classification plan by which a class of positions is divided, altered, or abolished, or classes are combined, the director shall forthwith reallocate the positions affected to their appropriate classes in the amended classification plan. An employee who is occupying a position reallocated to a different class shall, subject to the regulations, be given the same status in the new class as previously held in the class from which his or her position is reallocated. [The director may require that the employee achieve a satisfactory grade on a noncompetitive test of fitness for the class to which his or her position has been reallocated.] **The employee shall possess the minimum qualifications for the class to which his or her position has been reallocated.**

5. After a class of positions has been approved by the board, the director is authorized to make such changes in the class title or in the statement of duties and qualifications for the class as the director finds necessary for current maintenance of the classification plan; provided, however, that changes which materially affect the nature and level of a class or which involve a change in salary range for the class shall be approved by the board.

36.140. 1. After consultation with appointing authorities and the state fiscal officers, and after a public hearing, the director shall prepare and recommend to the board a pay plan for all classes subject to this chapter. The pay plan shall include, for each class of positions, a minimum and a maximum rate, and such provision for intermediate rates as the director considers necessary or equitable. **The pay plan may also provide for the use of open, or stepless, pay ranges.** The pay plan may include provision for grouping of [management] positions with similar levels of responsibility or expertise into broad classification bands for purposes of determining compensation and for such salary differentials and other pay structures as the director considers necessary or equitable. In establishing the rates, the director shall give consideration to

the experience in recruiting for positions in the state service, the rates of pay prevailing in the state for the services performed, and for comparable services in public and private employment, living costs, maintenance, or other benefits received by employees, and the financial condition and policies of the state. These considerations shall be made on a statewide basis and shall not make any distinction based on geographical areas or urban and rural conditions. The pay plan shall take effect when approved by the board and the governor, and each employee appointed to a position subject to this chapter after the adoption of the pay plan shall be paid according to the provisions of the pay plan for the position in which he or she is employed; provided, that the commissioner of administration certifies that there are funds appropriated and available to pay the adopted pay plan. The pay plan shall also be used as the basis for preparing budget estimates for submission to the legislature insofar as such budget estimates concern payment for services performed in positions subject to this chapter. Amendments to the pay plan may be recommended by the director from time to time as circumstances require and such amendments shall take effect when approved as provided by this section. The conditions under which employees may be appointed at a rate above the minimum provided for the class, or advance from one rate to another within the rates applicable to their positions, shall be determined by the regulations.

2. Any change in the pay plan shall be made on a uniform statewide basis. No employee in a position subject to this chapter shall receive more or less compensation than another employee solely because of the geographical area in which the employee lives or works.

36.170. 1. The director [shall from time to time] **may** conduct such open competitive and promotional examinations as the director considers necessary. The examinations shall be of such character as to determine the [relative] qualifications, fitness and ability of the persons tested to perform the duties of the **position or** class for which a register is to be established. No question shall be so framed as to elicit information concerning the political or religious opinions or affiliations of an applicant.

2. Agencies may request authority from the director, **or the director may delegate authority to agencies**, to administer examinations for **some or** all positions[, in accordance with rules adopted by the board] **or job classes**. When such [a request is approved] **action is taken**, the director[, in accordance with rules established by the board,] shall establish standards and guidelines to be followed.

3. Pursuant to rules promulgated by the board, appointing authorities may request that the division of personnel administer promotional examinations limited to those already employed by the state or within the department or division of service involved.

4. All examinations **requiring an applicant's physical presence** conducted by the director shall be conducted in a location which is [fully] accessible to persons with disabilities or if such a facility is not available in a given location for such regular examinations, a special examination will be arranged upon request of an applicant with a disability in a facility which is [fully] accessible.

36.180. 1. The standards of education or experience in the classification plan for each class shall be established on the basis of specified knowledge, skills and abilities. Admission to examinations **or the opportunity to be considered for appointment** shall be open to all persons who possess the qualifications and who may be lawfully appointed to a position in the class for which a register is to be established. [The regulations may also require that applicants achieve at least a satisfactory grade in each progressive part of the examination in order to be admitted to subsequent parts of the examination or to receive a final passing score.]

2. [To ensure competitive equality between the hearing impaired or the blind and persons not so

disabled, the applicant may request from the director the furnishing of a certified interpreter for the hearing impaired or an amanuensis or a reader for the blind when necessary, and the furnishing of a place to take such examination, or such other similar prerequisites to ensure equality in such examination.] **An applicant may request a reasonable accommodation in order to have an opportunity to compete for positions subject to this chapter. The director and the appointing authority filling the particular position shall ensure that reasonable accommodations are granted to applicants to offer them an opportunity to compete for positions.**

3. The director may reject the application of any person for admission to an examination, strike the name of any person from the register, refuse to certify the name of any person, or withdraw the certification of a person if the director finds that the person lacks any of the qualifications, has been convicted of a crime which raises questions about his or her qualifications, has been dismissed from the public service for delinquency, has made a false statement of a material fact or practiced or attempted to practice any fraud or deception, in his or her application or examination or in attempting to secure appointment.

4. The director may take such action as is authorized in subsection 3 of this section if the director finds the person has a health condition or disability which would clearly prohibit the person from performing the duties required for the position for which the applicant has applied.

36.190. 1. [The director shall give] **Appropriate** public notice [of] **shall be given for** each open competitive [and promotional] examination **or when a job class is opened for recruitment** sufficiently in advance [of such examination] and sufficiently widespread in scope to afford persons who are interested [in participating in the examination] a reasonable opportunity to apply. [The time elapsing between the official announcement of an examination and the holding of such examination shall be not less than two calendar weeks, except that a lesser period of advance notice may be permissible under the regulations when the examination is conducted under the provisions of subsection 3 of section 36.320 or when the needs of the service pursuant to subsection 1 of section 36.260 require special notices.]

2. Each official notice of an examination **or of when a job class or position is opened for recruitment** shall state the title, duties, pay and qualifications of [positions for which the examination is to be held] **the job class or position**; the time, place and manner of making application [for admission to such examination;] and any other information which [the director consider] **may be considered** pertinent and useful.

3. The director shall ensure that the official announcement of an examination is given the widest distribution necessary to inform qualified persons that the examination is being given. The director may use any means that the director considers necessary to inform qualified persons about the examination. These include, but are not limited to, paid advertisements in newspapers, periodicals, electronic media and announcements to educational institutions. The director may also publish a periodic bulletin containing information about examinations to be sent to subscribers at a price approximating the cost of publication.

36.200. The methods for [rating the various parts of the examinations and the minimum satisfactory grade] **evaluating the qualifications of each applicant** shall be determined by the regulations. Each person who takes any examination shall be given written notice, **which may be by electronic means**, as to whether [he passed or failed the examination] **the applicant is eligible for a particular job class**, and [he] shall be entitled to inspect [his ratings and] **the applicant's** examination papers, but examination papers shall not be open to the general public. A manifest error in [rating an examination which affects the relative ranking of persons] **an eligibility determination** shall be corrected if called to the attention of the director within

thirty days after the [establishment of the register] **determination**, but such correction shall not invalidate any appointment previously made from such a register unless it is established that the error was made in bad faith and with intent to deprive a person of certification **or to gain certification for a person that does not meet the minimum qualifications for the class involved.**

36.210. Other provision of the law to the contrary notwithstanding, special procedures for the examination and selection of personnel are authorized as follows:

[(1) For positions involving unskilled or semiskilled labor, or domestic, attendant, custodial or comparable work, when the character or place of the work makes it impracticable to supply the needs of the service by appointments made in accordance with the procedure prescribed in other provisions of this chapter, the director, in accordance with the regulations, shall authorize the use of such other procedures as the director determines to be appropriate in order to meet the needs of the service, while assuring the selection of such employees on the basis of merit and fitness. Such procedures, subject to the regulations, may include the testing of applicants and maintenance of registers of eligibles by localities; the testing of applicants, singly or in groups, at periodic intervals, at the place of employment or elsewhere, after such notice as the director considers adequate; the registration of applicants who pass a noncompetitive examination or submit satisfactory evidence of their qualifications, and appointment of registered applicants; or any variation or combination of the foregoing or other suitable methods. When the director finds noncompetitive registration and selection procedures to be appropriate, the director is hereby authorized to delegate to each appointing authority the responsibility for such registration and for selection and appointment of registered applicants. When such delegation is made, the director shall establish the necessary guidelines and standards for appointing authorities and shall require such reports and perform such audits as the director deems necessary to ensure compliance with these guidelines and standards.]

[(2)] (1) The regulations may prescribe the conditions under which interns, trainees, and participants in special state or federal training, rehabilitation, and employment programs who successfully complete a period of internship or training may be appointed to a permanent position subject to this chapter after passing a noncompetitive qualifying examination.

[(3) The board may, in accordance with the regulations, waive competitive examinations for a class or position if it finds that the supply of qualified applicants is generally insufficient to justify competitive examinations and provide meaningful competition in the selection of employees. A request that competitive examination be waived for a particular class or position pursuant to this provision may be made to the board by the director or an appointing authority. The board shall review determinations pursuant to this provision at least annually. Upon waiving such examinations, the regulations of the board shall provide for the registration and appointment of applicants who present satisfactory evidence of their qualifications.]

[(4)] (2) Upon the approval of the director in accordance with the regulations of the board, appointing authorities may promote employees on the basis of a qualifying noncompetitive examination. Such noncompetitive promotions may be approved in, but are not necessarily limited to, situations in which the promotion represents a normal progression to the next higher level within an established occupational job series, or where the director determines that an employee has been an assistant, understudy or trainee for the position involved or otherwise has had such specific experience or training that a noncompetitive promotion to the position in question is to the best interests of the state service.

[(5)] (3) Appointing authorities may request, pursuant to regulations established by the board, to conduct alternative promotional procedures for positions and classes in their divisions of service. The board shall

approve such alternative procedures which it finds to be in keeping with merit principles and the best interest of the state service. Upon approval, the appointing authority shall be responsible to conduct promotional procedures in accordance with the board's approval and without favoritism, prejudice or discrimination. The board may withdraw approval pursuant to this provision if it finds that this responsibility has not been met.

[(6)] (4) Where appropriate, the director may establish registers by locality for selected classes.

36.220. 1. In any competitive examination given for the purpose of establishing a register of eligibles, veterans, disabled veterans, surviving spouses, and spouses of disabled veterans shall be given preference in appointment and examination [in the following manner:]. **For positions and classifications with unranked registers, a veteran, or the surviving spouse of a veteran, a disabled veteran, or the spouse of a disabled veteran shall be given preference in appointments over other eligibles if all other relevant job-related factors are equal. Applicants eligible for a veterans preference will be listed before other eligibles on each certificate. Applicants eligible for a veterans preference will also be identified on the certificate as eligible for the preference.**

[(1) A veteran, or the surviving spouse of any veteran whose name appears on a register of eligibles who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.

(2) The spouse of a disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade. This preference shall be given only if the veteran is not employed in the state service and the disability renders him or her unqualified for entrance into the state service.

(3) A disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have ten points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.]

2. Any person who has been honorably discharged from the Armed Forces of the United States shall receive appropriate credit for any training or experience gained therein in any examination if the training or experience is related to the duties of the class of positions for which the examination is given.

36.225. 1. In any competitive examination given for the purpose of establishing a register of eligibles, a parental preference shall be given to persons who were previously employed by the state but terminated such employment to care for young children. This preference shall be given only for persons who were full-time homemakers and caretakers of children under the age of ten and were not otherwise gainfully employed for a period of at least two years.

2. [If the name of a person eligible for a parental preference appears on a register of eligibles who made a passing grade, such person shall have five points added to the final grade, and the rank of such person on the register shall be determined on the basis of this augmented grade.] **For positions and classifications with unranked registers, applicants entitled to parental preference shall be given this preference in appointments over other eligibles, excluding applicants eligible for a veterans preference, if all other relevant job-related factors are equal.**

36.240. 1. Whenever an appointing authority proposes to fill one or more vacancies in a class of positions subject to this chapter, the appointing authority shall submit to the director, as far in advance of

the desired appointment date as possible, a requisition for the certification of eligible persons from an appropriate register. The requisition shall contain information as required by the director. The appointing authority, subject to conditions specified in the regulations, may also designate special requirements of domicile or the possession of special skills. If the director finds that such requirements would contribute substantially to effective performance of the duties involved, certification may be limited to persons on the register who meet such requirements.

2. When vacancies to be filled are in a class from which employees have been laid off, or demoted in lieu of layoff, certification shall be limited to previous employees until all employees of a division of service on the appropriate reinstatement register have been reinstated in order of rank on the register. Thereafter, certification from reinstatement and other registers shall be in accordance with the provisions of this section and the regulations of the board.

3. Upon a request for certification, the director shall certify for selection [the names of the top fifteen ranking available eligibles or] the names of available eligibles. [comprising the top ranking fifteen percent of available eligibles, whichever is greater, plus such additional eligibles as have a final rating equal to that of the last certified eligible. Upon request of the appointing authority, the director may also certify, for each additional vacancy to be filled from the same certification, the next five ranking available eligibles plus such additional eligibles as have a final rating equal to that of the last certified eligible.

4. If the director finds that the nature of the examination process and the type of positions involved justify alternative procedures for filling vacancies, the board may by rule prescribe such procedures which may include certification by broad category of examination rating or within a specified range of scores.]

[5] 4. When a position in divisions of the service subject to this chapter is limited in duration, certification may be limited to [the highest ranking eligible] **any eligible** who will accept employment under such conditions. A person appointed to a position under such conditions shall retain his or her [relative] position on the register and shall be eligible for certification to a permanent position [in the regular order] until the register itself has expired. If a temporary position is limited to less than ninety calendar days' duration, the appointing authority may fill the position by temporary appointment in the manner provided in section 36.270.

[6] 5. The rules shall prescribe the conditions under which the name of an eligible who has been certified to and considered for appointment by an appointing authority but has not been appointed may be withheld from further certification to such appointing authority. The eligible shall be entitled to retain his or her place on the eligible register during the life of the register, and shall be certified [in the order of his or her rank] to other vacancies in the class under other appointing authorities.

[7] 6. Eligibles who are not available for appointment when offered certification shall be granted a waiver of certification upon their request. Eligibles who do not respond within a reasonable period to a notice of certification may at the discretion of the director be dropped from the eligible register.

[8] 7. Any person who has obtained regular status in a class of positions subject to subsection 1 of section 36.030 and who has resigned from state service in good standing or who has accepted demotion or transfer for personal reasons may be reemployed without competitive certification in the same or comparable class at the discretion of the appointing authority and under conditions specified in the regulations. Any person who has successfully served at least one year in a position not subject to subsection 1 of section 36.030, but which is subject to section 36.031, and who has resigned from state service in good standing or who has accepted demotion or transfer for personal reasons, may be reemployed without

competitive certification in the same or comparable class at the discretion of the appointing authority and under conditions specified in the regulations, provided he or she possesses the qualifications [and has successfully completed a noncompetitive examination] for the class involved. No one shall be reemployed pursuant to this section until reinstatement has first been offered to all eligibles on the reinstatement register for the class and division of service involved.

[9] **8.** Preference in certification and appointment from promotional registers or registers of eligibles under conditions specified in the regulations, may be given to employees of the division of service in which the vacancy occurs.

36.320. 1. The director shall establish and maintain such promotional registers and registers of eligibles for the various **positions or** classes of positions subject to this chapter as the director deems necessary or desirable to meet the needs of the service. On each promotional register and register of eligibles, the eligibles [shall] **may** be ranked in the order of their ratings given for the purpose of establishing or replenishing such a register **or may be unranked and placed on the register if the applicant meets the minimum criteria for the position or class.**

2. The time during which a promotional register or register of eligibles remains in force shall be [one year from the date on which it is officially established by the director; except that, before the expiration of a register, the director may by order extend the time during which such register remains in force when the needs of the service so require] **determined by the director so as to best meet the needs of the service.** In no event shall the total period during which a register is in force exceed three years from the date on which the register was originally established. The director may consolidate or cancel promotional registers and registers of eligibles as the needs of the service require[, and as authorized by the regulations].

3. In circumstances where there is a continuous need for substantial numbers of eligibles for a certain class of positions, the director may, after first establishing such a register, replenish the register from time to time by inserting the names of additional eligibles who are found to be qualified on the basis of determinations similar to those used as a basis for establishing the original register. The method for establishing, replenishing, and cancelling such a register shall be determined by the regulations.”; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 125, Page 38, Section 328.080, Line 7, by deleting the words “and of good moral character” and inserting in lieu thereof the words “[and of good moral character]”; and

Further amend said bill and section, Page 39, Lines 23-24, by deleting all of said lines and inserting in lieu thereof the following:

“[5. For the purposes of meeting the minimum requirements for examination, the apprentice training shall be recognized by the board for a period not to exceed five years.]”; and

Further amend said bill, Page 45, Section 329.050, Lines 32-33, by deleting the phrase “[which has substantially the same requirements as an educational establishment licensed pursuant to this chapter]” and inserting in lieu thereof the phrase “which has substantially the same requirements as an educational establishment licensed pursuant to this chapter”; and

Further amend said bill, Pages 50-51, Section 329.275, Lines 5-26, by deleting all of said lines and

inserting in lieu thereof the following:

“2. No person shall engage in hair braiding for compensation in the state of Missouri without first registering with the board. The purpose of registration of hair braiders is only to maintain a listing of those persons who engage in hair braiding for compensation in the state and does not authorize the board to license or regulate the practice of hair braiding in this state, except as provided in subsection 6 of this section. Applicants for a certificate of registration to engage in hair braiding shall submit to the board an application and a required fee, as set by the board. Such fee shall not exceed twenty dollars. Prior to receiving a certificate, each applicant shall also watch an instructional video prepared by the board in accordance with subsection 4 of this section.

3. Registered hair braiders shall keep their information that the board requires for initial registration current and up to date with the board.

4. The board shall develop and prepare an instructional video, no more than two hours in length, that contains information about infection control techniques and diseases of the scalp. The instructional video shall be made available to applicants through the board’s website.

5. Any person who registers as a hair braider under this section shall post a copy of his or her certificate of registration in a conspicuous place at his or her place of business. If the person is operating outside his or her place of business he or she shall give the client or customer a copy of his or her certificate of registration.

6. (1) The board may inspect hair braiding establishments or facilities where hair braiding occurs during business hours to ensure:

(a) Persons registered as hair braiders are not operating outside the scope of practice of hair braiding; and

(b) Compliance with this section and rules promulgated thereunder;

(2) In addition to the causes listed in section 329.140, the board may also suspend or revoke a certificate of registration if a person registered as a hair braider is found to be operating outside the scope of practice of hair braiding.”; and

Further amend said bill Page 92, Section 621.280, Line 18, by inserting immediately after all of said section and line the following:

“[316.265. No employee or employer primarily engaged in the practice of combing, braiding, or curling hair without the use of potentially harmful chemicals shall be subject to the provisions of chapter 329 while working in conjunction with any licensee for any public amusement or entertainment venue as defined in this chapter.]”;

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 125, Page 4, Section 192.500, Line 18, by inserting immediately after said section and line the following:

“317.006. 1. The division shall have general charge and supervision of all professional boxing, sparring,

professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and it shall have the power, and it shall be its duty:

(1) To make and publish rules governing in every particular professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate contests, **professional mixed martial arts, and amateur mixed martial arts**;

(2) To make and publish rules governing the approval of amateur sanctioning bodies;

(3) To accept applications for and issue licenses to contestants in professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and referees, judges, matchmakers, managers, promoters, seconds, announcers, timekeepers and physicians involved in professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, as authorized herein. Such licenses shall be issued in accordance with rules duly adopted by the division;

(4) To charge fees to be determined by the director and established by rule for every license issued and to assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company, or association holding a promoter's license and permit under sections 317.001 to 317.021, derived from admission charges connected with or as an incident to the holding of any professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest in the state of Missouri. Such funds shall be paid to the division of professional registration which shall pay said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic Fund" which is hereby established;

(5) To assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company or association holding a promoter's license under sections 317.001 to 317.021 derived from the sale, lease or other exploitation in this state of broadcasting, television, pay-per-view, closed-circuit telecast, and motion picture rights for any professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest. Such funds shall be paid to the division which shall pay said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic Fund";

(6) Each cable television system operator whose pay-per-view or closed-circuit facilities are utilized to telecast a bout or contest shall, within thirty calendar days following the date of the telecast, file a report with the office stating the number of orders sold and the price per order.

2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by the director by rule in such amount as to produce sufficient revenue to fund the necessary expenses and operating costs incurred in the administration of the provisions of sections 317.001 to 317.021. All expenses shall be paid as otherwise provided by law.

317.011. 1. The division shall have the power, and it shall be its duty, to accept application for and issue permits to hold professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests

in the state of Missouri, and to charge a fee for the issuance of same in an amount established by rule; such funds to be paid to the division which shall pay such funds into the Missouri state treasury to be set apart into the athletic fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the fund for the preceding fiscal year or, if the division requires by rule renewal **of the permits** less frequently than yearly then three times the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding fiscal year.

3. The division shall not grant any permit to hold professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests in the state of Missouri except:

(1) Where such professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest is to be held under the auspices of a promoter duly licensed by the division; and

(2) Where a fee has been paid for such permit, in an amount established by rule.

4. In such contests a decision shall be rendered by three judges licensed by the division.

5. Specifically exempted from the provisions of this chapter are contests or exhibitions for amateur boxing[, amateur kickboxing,] **and** amateur wrestling [and amateur full-contact karate]. However, all amateur boxing[, amateur kickboxing,] **and** amateur wrestling [and amateur full-contact karate] must be sanctioned by a nationally recognized amateur sanctioning body approved by the office.

317.013. 1. In order to protect the health and welfare of the contestants, there shall be a mandatory medical suspension of any contestant, not to exceed one hundred eighty days, who loses consciousness or who has been injured as a result of blows received to the head or body during a professional boxing, professional wrestling, professional kickboxing, [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest. The determination of consciousness is to be made only by a physician licensed by the board of healing arts and the division. Medical suspensions issued in accordance with this section shall not be reviewable by any tribunal.

2. No license shall be issued to any person who has been injured in such a manner that they may not continue to participate in boxing, wrestling, kickboxing, [or], full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests in the future. Such a person shall be deemed medically retired. No person with a status of medically retired shall compete in any events governed by this chapter. Medical retirements issued in accordance with this section shall not be reviewable by any tribunal.

317.014. 1. Upon proper application by the director, or the director of the office, a court of competent jurisdiction may grant an injunction, restraining order or any other order as may be appropriate to enjoin a person, partnership, organization, corporation, limited liability company or association from:

(1) Promoting or offering to promote any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of**

athletics;

(2) Advertising or offering to advertise any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics;**

(3) Conducting or offering to conduct any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics;** or

(4) Competing or offering to compete in any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics.**

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition to, and not in lieu of, any penalty provided by law and may be brought concurrently with other actions to enforce this chapter.

317.017. 1. In any professional or amateur event the division regulates, no person shall be allowed to participate if such person is not eighteen years of age or older on or before the day the individual is scheduled to participate in the event.

2. Before the office issues a promoter's license, the promoter shall provide the office a surety bond in the amount of twenty-five thousand dollars or an irrevocable letter of credit in the amount of at least twenty-five thousand dollars from a lending institution approved to do business in the United States to guarantee payment of all state athletic taxes and fees to the state. The surety bond shall cover all expenses of the contestants and officials in the event of default by the promoter. The irrevocable letter of credit shall only be released upon written approval by the office. An additional bond or irrevocable letter of credit may be required in the amount specified by the office when it may be reasonably expected that the twenty-five thousand dollar bond or irrevocable letter of credit will not provide sufficient protection to the state. It shall be the duty of each promoter to maintain all required bonds on a current status.

3. There shall be a prohibition of all elbow strikes to the head of an opponent during an amateur mixed martial arts bout.

4. For the first five sanctioned amateur bouts, there shall be a prohibition of knee strikes to the head of an opponent during an amateur mixed martial arts contests. However, after the fifth sanctioned bout for both contestants, both contestants may mutually agree to allow knee strikes during a bout.

317.019. 1. The promoter of a professional boxing, professional kickboxing, [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contest shall sign written bout contracts with each professional contestant. Original bout contracts shall be filed with the division prior to the event as required by the rules of the office. The bout contract shall be on a form

supplied by the division and contain at least the following:

- (1) The weight required of the contestant at weigh-in;
- (2) The amount of the purse to be paid for the contest, **except amateur mixed martial arts contests;**
- (3) The date and location of the contest;
- (4) The glove size allotted for each contestant;
- (5) Any other payment or consideration provided to the contestant, **except amateur mixed martial arts contests;**
- (6) List of all fees, charges, and expenses including training expenses that will be assessed to the contestant or deducted from the contestant's purse, **except amateur mixed martial arts contests;**
- (7) Any advances paid to the contestant before the bout, **except amateur mixed martial arts contests;**
- (8) The amount of any compensation or consideration that a promoter has contracted to receive in connection with the bout or contest, **except amateur mixed martial arts contests;**
- (9) The signature of the promoter and contestant;
- (10) The date signed by both the promoter and the contestant; and
- (11) Any information required by the office.

2. If the bout contract between a contestant and promoter is changed, the promoter shall provide the division with the amended contract containing all contract changes at least two hours prior to the event's scheduled start time. The amended contract shall comply with all requirements for original bout contracts and shall contain the signature of the promoter and contestant.

3. A promoter of an event shall not be a manager for a contestant who is contracted for ten rounds or more at the event.

4. The promoter of an event shall provide payments for the event official's fees to the office prior to the start of the event. The form of payment shall be at the discretion of the office provided that payments remitted by check or money order shall be made payable directly to the applicable official."; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 125, Page 68, Section 336.080, Line 16, by inserting after all of said section and line the following:

"337.010. As used in sections 337.010 to 337.090 the following terms mean:

- (1) "Committee", the state committee of psychologists;
- (2) "Department", the department of insurance, financial institutions and professional registration;
- (3) "Division", the division of professional registration;
- (4) "**Internship**", **any supervised hours that occur during a formal internship of twelve to twenty-four months after all academic course work toward a doctorate has been completed but prior to completion of the full degree. Internship is part of successful completion of a doctorate in psychology, and a person cannot earn his or her doctorate without completion of an internship;**

(5) “Licensed psychologist”, any person who offers to render psychological services to individuals, groups, organizations, institutions, corporations, schools, government agencies or the general public for a fee, monetary or otherwise, implying that such person is trained, experienced and licensed to practice psychology and who holds a current and valid, whether temporary, provisional or permanent, license in this state to practice psychology;

(6) “Postdoctoral experiences”, experiences that follow the completion of a person’s doctoral degree. Such person shall not be licensed until he or she satisfies additional supervised hours. Postdoctoral experiences shall include any supervised clinical activities following the completion of the doctoral degree;

(7) “Predoctoral postinternship”, any supervised hours that occur following completion of the internship but prior to completing the degree. Such person may continue to provide supervised clinical services even after his or her internship is completed and while still completing his or her doctoral degree requirements;

(8) “Preinternship”, any supervised hours acquired as a student or in the course of seeking a doctorate in psychology but before the internship, which includes supervised practicum;

[(5)] (9) “Provisional licensed psychologist”, any person who is a graduate of a recognized educational institution with a doctoral degree in psychology as defined in section 337.025, and who otherwise meets all requirements to become a licensed psychologist except for passage of the licensing exams, oral examination and completion of the required period of postdegree supervised experience as specified in subsection 2 of section 337.025;

[(6)] (10) “Recognized educational institution”:

(a) A school, college, university or other institution of higher learning in the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and was accredited by one of the regional accrediting associations approved by the Council on Postsecondary Accreditation; or

(b) A school, college, university or other institution of higher learning outside the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and maintained a standard of training substantially equivalent to the standards of training of those programs accredited by one of the regional accrediting associations approved by the Council of Postsecondary Accreditation;

[(7)] (11) “Temporary license”, a license which is issued to a person licensed as a psychologist in another jurisdiction, who has applied for licensure in this state either by reciprocity or endorsement of the score from the Examination for Professional Practice in Psychology, and who is awaiting either a final determination by the committee relative to such person’s eligibility for licensure or who is awaiting the results of the jurisprudence examination or oral examination.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology.

3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **or the Canadian Psychological Association**; or

(2) A program designated or approved, including provisional approval, by the [American] Association of State **and Provincial** Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

(h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and

(i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:

a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;

c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;

d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;

e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.

4. Acceptable supervised professional experience **may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours** shall consist of:

(1) A minimum of fifteen hundred hours of [professional] experience [obtained] **in a successfully completed internship to be completed** in not less than twelve nor more than twenty-four [consecutive calendar] months; **and**

(2) **A minimum of two thousand hours of experience consisting of any combination of the following:**

(a) **Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after completion of a master’s degree in psychology or equivalent as defined by rule by the committee;**

(b) **Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or**

(c) **Postdoctoral professional experience obtained in no more than twenty-four consecutive calendar months.** In no case shall this experience be accumulated at a rate of [less than twenty hours per week nor] more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers **and other applicants** shall involve and relate to the delivery of psychological [health] services[. Postdoctoral supervised professional experience for other applicants shall be] in accordance with professional requirements and relevant to the applicant’s intended area of practice.

5. [Postdoctoral] Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. [Postdoctoral] Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. **For postinternship and postdoctoral hours,** the psychological activities of the applicant shall be performed pursuant to the primary supervisor’s order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant’s clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent

practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.”; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 34**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 34**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 139**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 139**.

Bill ordered enrolled.

Also,

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

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 329**.

Bill ordered enrolled.

Also,

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

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 229**.

With House Substitute Amendment No. 1 for House Amendment No. 1.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 229, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“to health care.”; and

Further amend said bill. 229, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“208.1050. 1. **As used in this section, the following terms mean:**

(1) **“Excess revenue”, the total amount of net general revenue collections collected in the fiscal year beginning July 1, 2016, and ending June 30, 2017 that is in excess of nine billion ninety seven million three hundred thousand dollars and is not more than thirty five million three hundred forty five thousand two hundred fifteen dollars;**

(2) **“Net general revenue collections”, revenue collected and required by any section except this section to be deposited into the general revenue fund less any refunds and less transfers to the general revenue fund;**

2. There is hereby created in the state treasury the “Missouri Senior Services Protection Fund”, which shall consist of money collected under subsection **subsections [2] 3 and 4** of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and, upon appropriation, [money] **moneys** in the fund shall be used solely for the administration of subsection **subsections [2] 3 and 4** of this section. **Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.** Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the **general revenue** fund.

[2.] **3. Notwithstanding any other law to the contrary**, the state treasurer shall deposit [from moneys that otherwise would have been deposited into the general revenue fund an amount equal to fifty-five million one hundred thousand dollars] **an amount equal to the excess revenue that otherwise would have been deposited into the general revenue fund** into the Missouri senior services protection fund[. At least one-quarter of such amount shall be deposited on or before July 15, 2013, an additional one-quarter by October 15, 2013, and an additional one-quarter by January 15, 2014. The remaining amount shall be deposited by March 15, 2014] **by October 1, 2017.** Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities. **, provided that under no circumstance shall the state treasurer deposit more than thirty five million three hundred forty five thousand two hundred fifteen dollars that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection fund for the period beginning July 1, 2017 and ending October 1, 2017.**

4. **Notwithstanding any other law to the contrary, if the governor determines that general revenue collections for the fiscal years beginning July 1, 2016 and ending June 30, 2018 exceed the amount necessary to balance revenues and expenditures to and from the general revenue fund and issues a proclamation stating the amount of the surplus, the state treasurer may then deposit such amount, up to thirty five million three hundred forty five thousand two hundred fifteen dollars, that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection fund by October 1, 2017, provided that under no circumstance shall the state treasurer deposit more than thirty five million three hundred forty five thousand two hundred fifteen dollars that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection**

fund for the period beginning July 1, 2017 and ending October 1, 2017.

5. Notwithstanding any other provision of law to the contrary, the governor may include, in a supplemental budget request for the 2018 fiscal year, recommendations of transfers to the general revenue fund from unexpended balances of fees, funds, and moneys received from whatever source by any department, board, bureau, commission, institution, official, or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, except not from:

(1) The senior services protection fund;

(2) Any moneys received and to be disbursed by the state on behalf of a county, city, town, or village;

(3) Any unexpended balance as may remain in any fund authorized and collected under the provisions of the Constitution of Missouri;

(4) Any moneys dedicated to the payment of interest and principal of any bonded indebtedness;

(5) Any fund created in order to receive and disburse federal funds;

(6) Any fund used to fund elementary and secondary education under section 163.031;

(7) Any fund for which at least seventy percent of moneys are derived from an appropriation of general revenue;

(8) Any fund created under section 190.818, 198.418, 208.465, or 338.535; and

(9) Any fund created under chapters 324 to 346.

6. The provisions of subsections 2, 3, and 4 of this section shall expire on July 1, 2018.”; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS, as amended for HCS for **HB 452** and has taken up and passed SS for HCS for **HB 452**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS for SCS for HCS for **HB 115** and has taken up and passed SS for SCS for HCS for **HB 115**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS#2 for HCS for **HBs 1194 & 1193** and has taken up and passed SS#2 for HCS for **HBs 1194 & 1193**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCB 3** and has taken up and passed **SS** for **HCB 3**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 501**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 501**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 8**, as amended, and has taken up and passed **CCS** for **SB 8**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 283**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 283**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 225**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 225**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 222**, as amended, and has taken up and passed **CCS** for **SB 222**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 421**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 421**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 503**, as amended, and has taken up and passed **CCS** for **SB 503**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 35**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 35**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report #2 on **HCS** for **SCS** for **SB 112**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SCS** for **SB 112**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 95**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 95**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS#2** for **SB 128**, as amended, and has taken up and passed **CCS** for **SCS#2** for **SB 128**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 52**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 88**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 376**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 26**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 65**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 4**.

Concurrent resolution ordered enrolled.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1019, regarding the Fiftieth Wedding Anniversary of Gerald and Martha Link, Huntsville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1020, regarding the Seventieth Wedding Anniversary of Eldon and Dorothy Mitchell, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 1021, regarding the Sixty-fifth Wedding Anniversary of Martin and Janice Wiederholt, Maryville, which was adopted.

Senator Sater offered Senate Resolution No. 1022, regarding the Presley family, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1023, regarding the Fortieth Wedding Anniversary of Allen and Dortha Brooks, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 1024, regarding Isaiah Smith, Lampe, which was adopted.

Senator Wasson offered Senate Resolution No. 1025, regarding Marvin D. Cooksey, Strafford, which was adopted.

Senator Wasson offered Senate Resolution No. 1026, regarding Lynne McNeese, Springfield, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. Jerry Kennett, Columbia.

Senator Kehoe introduced to the Senate, Reagan Cain, Centertown.

On motion of Senator Kehoe, the Senate adjourned until 11:00 a.m., Monday, May 22, 2017.

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