

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIFTH DAY—WEDNESDAY, APRIL 18, 2018

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Reverend Carl Gauck offered the following prayer:

“Inquire first for the word of the Lord.” (2 Chronicles 18:4)

Heavenly Father, each day we seek You to know that You are God and have a plan for us to fulfill. So bless us with Your word first thing each day so we may truly know and live as those who know how to serve those for whom we are responsible. 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 Post Dispatch 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	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1735, regarding Eagle Scout Larry Matthew Hart, Jefferson City, which was adopted.

Senator Schupp offered Senate Resolution No. 1736, regarding the 2017-2018 Champion Christian Brothers College High School Cadets Junior Varsity Purple Hockey Team, St. Louis, which was adopted.

Senator Riddle offered Senate Resolution No. 1737, regarding Taylor Anthony, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1738, regarding Joelina Kuhn, Warrenton, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SRB 975** and **SRB 1024**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SRBs 975** and **1024**, entitled:

REVISION**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 975 and 1024**

An Act to repeal sections 8.800, 8.805, 8.830, 8.843, 33.295, 33.700, 33.710, 33.720, 33.730, 42.300, 44.105, 51.165, 61.081, 67.5016, 71.005, 100.710, 104.342, 104.620, 104.1024, 104.1042, 104.1054, 105.300, 105.310, 105.330, 105.340, 105.350, 105.353, 105.370, 105.375, 105.380, 105.385, 105.390, 105.400, 105.420, 105.430, 105.440, 105.445, 105.463, 115.001, 115.002, 115.003, 115.005, 115.007, 115.009, 115.023, 115.049, 115.155, 115.177, 115.227, 115.243, 115.247, 115.287, 115.421, 115.429, 115.453, 115.507, 115.515, 115.629, 115.631, 115.641, 135.210, 135.311, 135.575, 135.900, 135.903, 135.906, 135.909, 135.950, 137.106, 141.540, 143.105, 143.106, 143.107, 143.811, 143.1007, 144.030, 144.810, 147.020, 147.050, 160.459, 161.215, 165.011, 167.194, 168.700, 168.702, 170.051, 170.055, 170.061, 170.071, 170.081, 170.091, 170.101, 170.111, 170.131, 170.141, 170.151, 170.161, 173.197, 178.930, 181.100, 181.110, 181.130, 196.973, 205.580, 205.590, 205.600, 205.610, 205.620, 205.630, 205.640, 205.650, 205.660, 205.670, 205.680, 205.690, 205.700, 205.710, 205.720, 205.730, 205.740, 205.750, 205.760, 208.156, 208.178, 208.630, 208.975, 208.993, 209.015, 210.027, 210.105, 210.114, 211.447, 226.805, 251.650, 261.295, 288.121, 288.128, 288.131, 301.562, 302.700, 324.028, 324.159, 324.406, 327.451, 329.025, 330.190, 332.041, 334.100, 334.570, 334.610, 334.613, 334.618, 334.686, 335.036, 336.160, 337.030, 337.347, 337.507, 337.612, 337.662, 337.712, 338.130, 339.120, 345.035, 376.1192, 382.277, 386.145, 386.890, 393.1025, 393.1030, 407.485, 414.350, 414.353, 414.356, 414.359, 414.400, 414.406, 414.412, 414.417, 414.510, 442.018, 620.050, 620.511, 620.512, 620.513, 640.150, 640.153, 640.155, 640.157, 640.160, 640.219, 640.651, 640.653, 660.135, 701.500, and 701.509, RSMo, and sections 105.456, 105.473, 105.485, 105.957, 105.959, 105.961, 105.963, and 105.966 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and sections 130.011, 130.021, 130.026, 130.041, 130.044, 130.046, 130.057, and 130.071 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof one hundred twenty new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with existing penalty provisions.

Was taken up.

Senator Dixon moved that **SCS** for **SRBs 975** and **1024** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Revision Bills Nos. 975 and 1024, Pages 294-295, Section 251.650, Lines 1-28, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

Senator Dixon moved that **SCS** for **SRBs 975** and **1024**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SRBs 975** and **1024**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 982** and **SB 655**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 1003** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 1003**, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 1003**

An Act to repeal section 144.011, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for nonprofit organization fees and dues.

Senator Wasson moved that **SS** for **SB 1003** be adopted.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 1003, Page 4, Section 144.011, Line 21, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, motor vehicle and public highway shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways.

For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member

institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(44) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the

extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) “Tax”, any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under section 67.1830 or 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All sales made by nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state’s executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an “affiliated person” means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

At the request of Senator Wasson, **SB 1003**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Rizzo moved that **SB 973** be taken up for perfection, which motion prevailed.

On motion of Senator Rizzo, **SB 973** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 824**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 824**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 824

An Act to repeal sections 335.036, 335.066, and 335.067, RSMo, and to enact in lieu thereof three new sections relating to nurses.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 824** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 824** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for **HBs 1729, 1621** and **1436** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1578** was placed on the Informal Calendar.

HB 2044, introduced by Representative Taylor, with **SCS**, entitled:

An Act to repeal sections 169.020, 169.291, 169.324, 169.350, and 169.360, RSMo, and to enact in lieu thereof seven new sections relating to retirement benefits for public employees.

Was taken up by Senator Dixon.

SCS for **HB 2044**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2044

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.833, 56.840, 87.135, 169.020, 169.291, 169.324, 169.350, 169.360, 169.370, 169.510, 169.560, and 476.521, RSMo, and to enact in lieu thereof eighteen new sections relating to public employee retirement.

Was taken up.

Senator Dixon moved that **SCS** for **HB 2044** be adopted.

Senator Libla offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 2044, Page 9, Section 56.840, Line 13, by inserting after “position” as it appears the second time on said line the following: “**on or after the effective date of this subsection**”.

Senator Libla moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Riddle requested unanimous consent to be excused from all votes on SCS for **HB 2044**, which request was granted.

On motion of Senator Libla, **SA 1** was adopted.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 2044, Page 11, Section 87.135, Line 43, by inserting immediately after said line the following:

“105.666. 1. Each plan shall, in conjunction with its staff and advisors, establish a board member education program, which shall be in effect on or after January 1, 2008. The curriculum shall include, at a minimum, education in the areas of duties and responsibilities of board members as trustees, ethics, governance process and procedures, pension plan design and administration of benefits, investments including but not limited to the fiduciary duties as defined under section 105.688, legal liability and risks associated with the administration of a plan, sunshine law requirements under chapter 610, actuarial principles and methods related to plan administration, and the role of staff and consultants in plan administration. Board members appointed or elected on a board on or after January 1, 2008, shall complete a board member education program **of at least six hours** designated to orient new board members in the areas described in this section within ninety days of becoming a new board member. Board members who have served one or more years shall attend at least a total of [six] **two** hours of continuing education programs each year in the areas described in this section.

2. Routine annual presentation by outside plan service providers shall not be used to satisfy board member education or continuing education program requirements contained in subsection 1 of this section. Such service providers may be utilized to perform education programs with such programs being separate and apart from routine annual presentations.

3. Plan governing body or staff shall maintain a record of board member education including, but not limited to, date, time length, location, education material, and any facilitator utilized. The record shall be signed and attested to by the attending board member or board chairperson or designee. Such information shall be maintained for public record and disclosure for at least three years or until the expiration of such board member’s term, whichever occurs first.

4. A board member who is knowingly not participating in the required education programs under this section may be removed from such board by a majority of the board members which shall result in a vacancy to be filled in accordance with plan provisions except that ex officio board members shall not be removed under this subsection.

5. Each plan shall, upon the request of any individual participant, provide an annual pension benefit statement which shall be written in a manner calculated to be understood by the average plan participant and may be delivered in written, electronic, or other appropriate form to the extent such form is reasonably accessible to each participant or beneficiary. Such pension benefit statement shall include, but not be limited to, accrued participant contributions to the plan, total benefits accrued, date first eligible for a normal retirement benefit, and projected benefit at normal retirement. Any plan failing to do so shall submit in writing to the joint committee on public employee retirement as to why the information may not be provided as requested.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Dixon, **HB 2044**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 824**; **SB 973**; and **SCS** for **SRBs 975** and **1024**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Wallingford assumed the Chair.

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 **HB 1261**, entitled:

An Act to amend chapter 324, RSMo, by adding thereto four new sections relating to professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2286**, entitled:

An Act to repeal sections 301.010 and 301.140, RSMo, and to enact in lieu thereof two new sections relating to local log trucks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2360**, entitled:

An Act to repeal sections 173.260 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to public safety officer or employee survivor benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2117**, entitled:

An Act to repeal section 210.070, RSMo, and to enact in lieu thereof one new section relating to eye drops for newborn infants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1591**, entitled:

An Act to repeal sections 306.030, 306.100, 306.125, and 306.126, RSMo, and to enact in lieu thereof four new sections relating to watercraft operation, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1264**, entitled:

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to certain civil actions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1249**, entitled:

An Act to repeal sections 479.020, 479.190, and 479.353, RSMo, and to enact in lieu thereof five new sections relating to municipal courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 2540**, entitled:

An Act to repeal sections 32.087, 32.200, 34.040, 34.042, 34.044, 34.047, 34.353, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 100.286, 100.297,

135.025, 135.030, 135.110, 135.305, 135.313, 137.010, 143.011, 143.021, 143.022, 143.071, 143.151, 143.161, 143.171, 143.225, 143.261, 143.451, 143.461, 144.008, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.060, 144.069, 144.070, 144.080, 144.083, 144.100, 144.121, 144.140, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.635, 144.655, 144.710, 144.759, 144.761, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 148.030, 148.140, 148.620, 184.845, 208.431, 208.432, 208.433, 208.434, 208.435, 208.436, 208.437, 208.1050, 221.407, 238.235, 238.410, 254.075, 254.150, 254.160, 254.170, 254.180, 254.210, 301.025, 301.032, 301.041, 301.050, 301.055, 301.057, 301.058, 301.059, 301.061, 301.062, 301.063, 301.064, 301.065, 301.066, 301.067, 301.069, 301.114, 301.131, 301.134, 301.136, 301.140, 301.142, 301.144, 301.175, 301.190, 301.191, 301.192, 301.219, 301.227, 301.265, 301.266, 301.267, 301.300, 301.370, 301.380, 301.449, 301.457, 301.458, 301.459, 301.462, 301.463, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.477, 301.481, 301.560, 301.562, 301.566, 301.580, 301.711, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3051, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3086, 301.3087, 301.3088, 301.3089, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3154, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, 301.3170, 301.3172, 301.3173, 301.4000, 302.140, 302.177, 302.178, 302.181, 302.185, 302.286, 302.304, 302.312, 302.420, 302.541, 302.720, 302.735, 306.015, 306.016, 306.030, 306.031, 306.060, 306.127, 306.435, 306.535, 306.550, 313.826, 313.905, 313.935, 320.093, 479.368, and 644.032, RSMo, and to enact in lieu thereof two hundred eighty-five new sections relating to state revenues, with a contingent effective date for certain sections, a delayed effective date for certain sections, and penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2129**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to public awareness of organ donation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 623**, entitled:

An Act to repeal section 140.230, RSMo, and to enact in lieu thereof one new section relating to foreclosure proceeds.

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 569**, entitled:

An Act to repeal sections 456.1-103, 456.4-414, and 456.8-808, RSMo, and to enact in lieu thereof four new sections relating to trusts.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 569, Page 1, Section 456.006, Line 13, by inserting after all of said section and line the following:

“456.985. 1. Except as otherwise provided in the terms of an instrument creating or exercising a power of appointment, sections 456.970 to 456.1135 govern powers of appointment.

2. The terms of an instrument creating or exercising a power of appointment prevail over any provisions of sections 456.970 to 456.1135 except:

(1) **The requisites for the creation of a power of appointment under subsections 1 to 4 of section 456.990;**

(2) The transferability of a power of appointment by a powerholder under subsection 1 of section 456.995;

[(2)] (3) The limitations on the authority of a donor to extend a general power of appointment beyond the death of a powerholder under subsection 3 of section 456.995;

[(3)] (4) The power is exclusionary if the permissible appointees of a power of appointment are not defined and limited under subsection 3 of section 456.1005;

[(4)] (5) The requisites for the exercise of a power of appointment under section 456.1015;

[(5)] (6) The effect of an impermissible appointment under section 456.1045;

[(6)] (7) A general power of appointment which is presently exercisable may be reached by the creditors of the powerholder or the powerholder’s estate under section 456.1100.

456.1035. 1. A powerholder of a general power of appointment that permits appointment to the powerholder or the powerholder’s estate may make any appointment, including an appointment in trust or creating a new power of appointment, that the powerholder could make in disposing of the powerholder’s own property.

2. A powerholder of a general power of appointment that permits appointment only to the creditors of the powerholder or of the powerholder’s estate may appoint only to those creditors.

3. The powerholder of a nongeneral power may:

(1) Make an appointment in any form, including an appointment in trust, in favor of a permissible appointee;

(2) Create a general power **or nongeneral power** in a permissible appointee; or

(3) Create a nongeneral power in any person to appoint to one or more of the permissible appointees of the original nongeneral power.

456.1080. As provided by sections 469.010 to [469.210] **469.120**, a powerholder may disclaim all or part of a power of appointment, and a permissible appointee, appointee, or taker in default of appointment may disclaim all or part of an interest in appointive property.”; and

Further amend said bill, Page 2, Section 456.1-103, Lines 16-18, by deleting all of said lines and inserting in lieu thereof the following:

(7) **“Directed trust”, any trust, including a split interest trust, in which the trust instrument authorizes a trust protector to instruct or direct the trustee or that charges a trust protector with any responsibilities regarding the trust or that grants the trust protector one or more powers over the trust;”**; and

Further amend said bill and section, Page 4, Line 96, by deleting all of said line and inserting in lieu thereof the following:

“[(29)] (30) “Trust protector”, any person, group of persons, or entity not serving as a trustee and not the settlor or a beneficiary designated in a trust instrument to instruct or direct the trustee or charged in the trust instrument with any responsibilities regarding the trust or expressly granted in the trust instrument one or more powers over the trust. The term “trust protector” includes, but is not limited to, persons or entities identified in the trust instrument as trust advisors, trust directors, distribution advisors, or investment advisors;

(31) “Trustee”, includes an original, additional, and successor trustee, and a”; and

Further amend said bill and page, Section 456.4-414, Line 10, by inserting after all of said section and line the following:

“456.4-420. 1. If a trust instrument containing a no-contest clause is or has become irrevocable, an interested person may file a petition to the court for an interlocutory determination whether a particular motion, petition, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy.

2. The petition described in subsection 1 of this section shall be verified under oath. The petition may be filed by an interested person either as a separate judicial proceeding, or brought with other claims for relief in a single judicial proceeding, all in the manner prescribed generally for such proceedings under this chapter. If a petition is joined with other claims for relief, the court shall enter its order or judgment on the petition before proceeding any further with any other claim for relief joined therein. In ruling on such a petition, the court shall consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. No evidence beyond the pleadings and the trust instrument shall be taken except as required to resolve an ambiguity in the no-contest clause.

3. An order or judgment determining a petition described in subsection 1 of this section shall have the effect set forth in subsections 4 and 5 of this section, and shall be subject to appeal as with other final judgments. If the order disposes of fewer than all claims for relief in a judicial proceeding, that order is

subject to interlocutory appeal in accordance with the applicable rules for taking such an appeal. If an interlocutory appeal is taken, the court may stay the pending judicial proceeding until final disposition of said appeal on such terms and conditions as the court deems reasonable and proper under the circumstances. A final ruling on the applicability of a no-contest clause shall not preclude any later filing and adjudication of other claims related to the trust.

4. An order or judgment, in whole or in part, on a petition described in subsection 1 of this section shall result in the no-contest clause being enforceable to the extent of the court's ruling, and shall govern application of the no-contest clause to the extent that the interested person then proceeds forward with the claims described therein. In the event such an interlocutory order or judgment is vacated, reversed, or otherwise modified on appeal, no interested person shall be prejudiced by any reliance, through action, inaction, or otherwise, on the order or judgment prior to final disposition of the appeal.

5. An order or judgment shall have effect only as to the specific trust terms and factual basis recited in the petition. If claims are later filed that are materially different than those upon which the order or judgment is based, then to the extent such new claims are raised, the party in whose favor the order or judgment was entered shall have no protection from enforcement of the no-contest clause otherwise afforded by the order and judgment entered under this section.

6. For purposes of this section, a "no-contest clause" shall mean a provision in a trust instrument purporting to rescind a donative transfer to, or a fiduciary appointment of, any person, or that otherwise effects a forfeiture of some or all of an interested person's beneficial interest in a trust estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term "no-contest clause" shall also mean an "in terrorem clause".

7. A no-contest clause is not enforceable against an interested person in, but not limited to, the following circumstances:

(1) Filing a motion, petition, or other claim for relief objecting to the jurisdiction or venue of the court over a proceeding concerning a trust, or over any person joined, or attempted to be joined, in such a proceeding;

(2) Filing a motion, petition, or other claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee, provided the interested person otherwise has standing to do so under applicable law, including, but not limited to, section 456.6-603;

(3) Filing a motion, petition, or other claim for relief under chapter 475 concerning the appointment of a guardian or conservator for the settlor;

(4) Filing a motion, petition, or other claim for relief under chapter 404 concerning the settlor;

(5) Disclosure to any person of information concerning a trust instrument or that is relevant to a proceeding before the court concerning the trust instrument or property of the trust estate, unless such disclosure is otherwise prohibited by law;

(6) Filing a motion, pleading, or other claim for relief seeking approval of a nonjudicial settlement agreement concerning a trust instrument, as set forth in section 456.1-111;

(7) Filing a motion, pleading, or other claim for relief concerning a breach of trust by a trustee

including, but not limited to, a claim under section 456.10-1001. For purposes of this subdivision, “breach of trust” means a trustee’s violation of the terms of a trust instrument, a violation of the trustee’s general fiduciary obligations, or a trustee’s violation of a duty that equity imposes on a trustee;

(8) Filing a motion, pleading, or other claim for relief concerning removal of a trustee including, but not limited to, a claim for removal under section 456.7-706; and

(9) To the extent a petition under subsection 1 of this section is limited to the procedure and purpose described therein.

8. In any proceeding brought under this section, the court may award costs, expenses, and attorneys’ fees to any party, as provided in section 456.10-1004.”; and

Further amend said bill, Pages 5-8, Section 456.8-808, Lines 1-116, by deleting all of said lines and inserting in lieu thereof the following:

“456.8-808. 1. While a trust is revocable, the trustee may follow a direction of the settlor that is contrary to the terms of the trust.

2. A trust instrument may provide for [the appointment of a trust protector. For purposes of this section, a “trust protector”, whether referred to in the trust instrument by that name or by some other name, is a person, other than the settlor, a trustee, or a beneficiary, who is expressly granted in the trust instrument one or more powers over the trust] **one or more persons, not then serving as a trustee and not the settlor or a beneficiary, to be given any powers over the trust as expressly granted in the trust instrument. Any such person may be identified and appointed as a trust protector or similar term. Whenever a trust instrument names, appoints, authorizes, or otherwise designates a trust protector, the trust shall be deemed a directed trust.**

3. A trust protector appointed in the trust instrument shall have only the powers granted to the trust protector by the express terms of the trust instrument, and a trust protector is only authorized to act within the scope of the authority expressly granted in the trust instrument. Without limiting the authority of the settlor to grant powers to a trust protector, the express powers that may be granted include, but are not limited to, the following:

(1) Remove and appoint a trustee **or a trust protector** or name a successor trustee or trust protector;

(2) Modify or amend the trust instrument to:

(a) Achieve favorable tax status or respond to changes in the Internal Revenue Code or state law, or the rulings and regulations under such code or law;

(b) Reflect legal changes that affect trust administration;

(c) Correct errors or ambiguities that might otherwise require court construction; or

(d) Correct a drafting error that defeats a grantor’s intent;

(3) Increase, decrease, modify, or restrict the interests of the beneficiary or beneficiaries of the trust;

(4) Terminate the trust in favor of the beneficiary or beneficiaries of the trust;

(5) Change the applicable law governing the trust and the trust situs; or

(6) Such other powers as are expressly granted to the trust protector in the trust instrument.

4. Notwithstanding any provision in the trust instrument to the contrary, a trust protector shall have no power to modify a trust to:

(1) Remove a requirement from a trust created to meet the requirements of 42 U.S.C. Section 1396p(d)(4) to pay back a governmental entity for benefits provided to the permissible beneficiary of the trust at the death of that beneficiary; or

(2) Reduce or eliminate an income interest of the income beneficiary of any of the following types of trusts:

(a) A trust for which a marital deduction has been taken for federal tax purposes under Section 2056 or 2523 of the Internal Revenue Code or for state tax purposes under any comparable provision of applicable state law, during the life of the settlor's spouse;

(b) A charitable remainder trust under Section 664 of the Internal Revenue Code, during the life of the noncharitable beneficiary;

(c) A grantor retained annuity trust under Section 2702 of the Internal Revenue Code, during any period in which the settlor is a beneficiary; or

(d) A trust for which an election as a qualified Sub-Chapter S Trust under Section 1361(d) of the Internal Revenue Code is currently in place.

5. Except to the extent otherwise provided in a trust instrument specifically referring to this subsection, the trust protector shall not exercise a power in a way that would result in a taxable gift for federal gift tax purposes or cause the inclusion of any assets of the trust in the trust protector's gross estate for federal estate tax purposes.

6. Except to the extent otherwise provided in the trust instrument and in subsection 7 of this section, and notwithstanding any provision of sections 456.1-101 to 456.11-1106 to the contrary:

(1) A trust protector shall act in a fiduciary capacity in carrying out the powers granted to the trust protector in the trust instrument, and shall have such duties to the beneficiaries, the settlor, or the trust as set forth in the trust instrument, **provided that the trust instrument may provide that the trust protector shall act in a nonfiduciary capacity.** A trust protector is not a trustee, and is not liable or accountable as a trustee when performing or declining to perform the express powers given to the trust protector in the trust instrument. A trust protector is not liable for the acts or omissions of any fiduciary or beneficiary under the trust instrument;

(2) A trust protector is exonerated from any and all liability for the trust protector's acts or omissions, or arising from any exercise or nonexercise of the powers expressly conferred on the trust protector in the trust instrument, unless it is established by a preponderance of the evidence that the acts or omissions of the trust protector were done or omitted in breach of the trust protector's duty, in bad faith or with reckless indifference;

(3) A trust protector is authorized to exercise the express powers granted in the trust instrument at any time and from time to time after the trust protector acquires knowledge of their appointment as trust

protector and of the powers granted. **The trust protector may take any action, judicial or otherwise, necessary to carry out the duties given to the trust protector in the trust instrument;**

(4) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reasonable compensation, and reimbursement of the reasonable costs and expenses incurred, in determining whether to carry out, and in carrying out, the express powers given to the trust protector in the trust instrument;

(5) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reimbursement of the reasonable costs and expenses, including attorney's fees, of defending any claim made against the trust protector arising from the acts or omissions of the trust protector acting in that capacity unless it is established by clear and convincing evidence that the trust protector was acting in bad faith or with reckless indifference; and

(6) The express powers granted in the trust instrument shall not be exercised by the trust protector for the trust protector's own personal benefit.

7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee's actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument **unless the trust instrument expressly provides otherwise. In carrying out any written directions given to the trustee by the trust protector concerning actual or proposed investment decisions, the trustee shall not be subject to the provisions of sections 469.900 to 469.913. For purposes of this subsection, "investment decisions" means, with respect to any investment, decisions to retain, purchase, sell, exchange, tender, or otherwise engage in transactions affecting the ownership of investments or rights therein and, with respect to nonpublicly traded investments, the valuation thereof.**

8. **Any trustee of a directed trust shall not be accountable under the law or equity for any act or omission of a trust protector and shall stand absolved from liability for executing the decisions or instructions from a trust protector or for monitoring the actions or inactions of a trust protector. A trustee shall take reasonable steps to facilitate the activity of a trust protector in a directed trust. A trustee shall carry out the written directions given to the trustee by a trust protector acting within the scope of the powers expressly granted to the trust protector in the trust instrument. Except [in cases of bad faith or reckless indifference on the part of the trustee, or] as otherwise provided in the trust instrument, the trustee shall not be liable for any loss resulting directly or indirectly from any act taken or omitted as a result of the written direction of the trust protector or the failure of the trust protector to provide consent. Except as otherwise provided in the trust instrument, the trustee shall have no duty to monitor the conduct of the trust protector, provide advice to or consult with the trust protector, or communicate with or warn or apprise any beneficiary concerning instances in which the trustee would or might have exercised the trustee's own discretion in a manner different from the manner directed by the trust protector. Except as otherwise provided in the trust instrument, any actions taken by the trustee at the trust protector's direction shall be deemed to be administrative actions taken by the trustee solely to allow the trustee to carry out the instructions of the trust protector and shall not be deemed to constitute an act by the trustee to monitor the trust protector or otherwise participate in actions within the scope of the trust**

protector's authority.

9. Except to the extent otherwise expressly provided in the trust instrument, the trust protector shall be entitled to receive information regarding the administration of the trust as follows:

(1) Upon the request of the trust protector, unless unreasonable under the circumstances, the trustee shall promptly provide to the trust protector any and all information related to the trust that may relate to the exercise or nonexercise of a power expressly granted to the trust protector in the trust instrument. The trustee has no obligation to provide any information to the trust protector except to the extent a trust protector requests information under this section;

(2) The request of the trust protector for information under this section shall be with respect to a single trust that is sufficiently identified to enable the trustee to locate the records of the trust; and

(3) If the trustee is bound by any confidentiality restrictions with respect to an asset of a trust, a trust protector who requests information under this section about such asset shall agree to be bound by the confidentiality restrictions that bind the trustee before receiving such information from the trustee.

10. A trust protector may resign by giving thirty days' written notice to the trustee and any successor trust protector. A successor trust protector, if any, shall have all the powers expressly granted in the trust instrument to the resigning trust protector unless such powers are expressly modified for the successor trust protector.

11. A trust protector of a trust having its principal place of administration in this state submits personally to the jurisdiction of the courts of this state during any period that the principal place of administration of the trust is located in this state and the trust protector is serving in such capacity. **The trust instrument may also provide that a trust protector is subject to the personal jurisdiction of the courts of this state as a condition of appointment.**"; 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 **SB 573**.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended and House Amendment No. 6.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 573, Page 1, The Title, Lines 2-3, by deleting the words "income tax deductions for military personnel" and inserting in lieu thereof the words "the armed services"; and

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

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 573, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“8.012. 1. At all state buildings and upon the grounds thereof, the board of public buildings [may] **shall** accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state building does not possess a POW/MIA flag, the board shall reach out to local veterans organizations to obtain a donated flag.

3. If the state building is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state building shall be exempt from this section.”; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting immediately after all of said section and line the following:

“253.048. 1. Within the state parks, the department [may] **shall** accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state park does not possess a POW/MIA flag, the department shall reach out to local veterans organizations to obtain a donated flag.

3. If the state park is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state park shall be exempt from this section.”; and

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

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 573, Page 1, Section A, Line 2, by inserting after all of said line the following:

“30.750. As used in sections 30.750 to 30.765, the following terms mean:

(1) “Eligible agribusiness”, a person engaged in the processing or adding of value to agricultural products produced in Missouri;

(2) “Eligible alternative energy consumer”, an individual who wishes to borrow moneys for the purchase, installation, or construction of facilities or equipment related to the production of fuel or power primarily for the individual’s own use from energy sources other than fossil fuels, including but not limited to solar, hydroelectric, wind, and qualified biomass;

(3) “Eligible alternative energy operation”, a business enterprise engaged in the production of fuel or power from energy sources other than fossil fuels, including but not limited to solar, hydroelectric, wind, and qualified biomass. Such business enterprise shall conform to the characteristics of paragraphs (a), (b), and (d) of subdivision (6) of this section;

(4) “Eligible beginning farmer”:

(a) For any beginning farmer who seeks to participate in the linked deposit program alone, a farmer who:

a. Is a Missouri resident;

b. Wishes to borrow for a farm operation located in Missouri;

c. Is at least eighteen years old; and

d. In the preceding five years has not owned, either directly or indirectly, farm land greater than fifty percent of the average size farm in the county where the proposed farm operation is located or farm land with an appraised value greater than four hundred fifty thousand dollars. A farmer who qualifies as an eligible farmer under this provision may utilize the proceeds of a linked deposit loan to purchase agricultural land, farm buildings, new and used farm equipment, livestock and working capital;

(b) For any beginning farmer who is participating in both the linked deposit program and the beginning farmer loan program administered by the Missouri agriculture and small business development authority, a farmer who:

a. Qualifies under the definition of a beginning farmer utilized for eligibility for federal tax-exempt financing, including the limitations on the use of loan proceeds; and

b. Meets all other requirements established by the Missouri agriculture and small business development authority;

(5) “Eligible facility borrower”, a borrower qualified under section 30.860 to apply for a reduced-rate loan under sections 30.750 to 30.765;

(6) “Eligible farming operation”, any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010 that has all of the following characteristics:

(a) Is headquartered in this state;

(b) Maintains offices, operating facilities, or farming operations and transacts business in this state;

(c) Employs less than ten employees;

(d) Is organized for profit;

(7) “Eligible governmental entity”, any political subdivision of the state seeking to finance capital improvements, capital outlay, or other significant programs through an eligible lending institution;

(8) “Eligible higher education institution”, any approved public or private institution as defined in section 173.205;

(9) “Eligible job enhancement business”, a new, existing, or expanding firm operating in Missouri, or as a condition of accepting the linked deposit, will locate a facility or office in Missouri associated with said linked deposit, which employs ten or more employees in Missouri on a yearly average and which, as nearly as possible, is able to establish or retain at least one job in Missouri for each fifty thousand dollars received from a linked deposit loan except when the applicant can demonstrate significant costs for equipment, capital outlay, or capital improvements associated with the physical expansion, renovation, or modernization

of a facility or equipment. In such cases, the maximum amount of the linked deposit shall not exceed fifty thousand dollars per job created or retained plus the initial cost of the physical expansion, renovation or capital outlay;

(10) “Eligible lending institution”, a financial institution that is eligible to make commercial or agricultural or student loans or discount or purchase such loans, is a public depository of state funds or obtains its funds through the issuance of obligations, either directly or through a related entity, eligible for the placement of state funds under the provisions of Section 15, Article IV, Constitution of Missouri, and agrees to participate in the linked deposit program;

(11) “Eligible livestock operation”, any person engaged in production of livestock or poultry in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010;

(12) “Eligible locally owned business”, any person seeking to establish a new firm, partnership, cooperative company, or corporation that shall retain at least fifty-one percent ownership by residents in a county in which the business is headquartered, that consists of the following characteristics:

- (a) The county has a median population of twelve thousand five hundred or less; and
- (b) The median income of residents in the county are equal to or less than the state median income; or
- (c) The unemployment rate of the county is equal to or greater than the state’s unemployment rate;

(13) “Eligible marketing enterprise”, a business enterprise operating in this state which is in the process of marketing its goods, products or services within or outside of this state or overseas, which marketing is designed to increase manufacturing, transportation, mining, communications, or other enterprises in this state, which has proposed its marketing plan and strategy to the department of economic development and which plan and strategy has been approved by the department for purposes of eligibility pursuant to sections 30.750 to 30.765. Such business enterprise shall conform to the characteristics of paragraphs (a), (b) and (d) of subdivision (6) of this section and also employ less than twenty-five employees;

(14) “Eligible multitenant development enterprise”, a new enterprise that develops multitenant space for targeted industries as determined by the department of economic development and approved by the department for the purposes of eligibility pursuant to sections 30.750 to 30.765;

(15) “Eligible residential property developer”, an individual who purchases and develops a residential structure of either two or four units, if such residential property developer uses and agrees to continue to use, for at least the five years immediately following the date of issuance of the linked deposit loan, one of the units as his principal residence or if such person’s principal residence is located within one-half mile from the developed structure and such person agrees to maintain the principal residence within one-half mile of the developed structure for at least the five years immediately following the date of issuance of the linked deposit loan;

(16) “Eligible residential property owner”, a person, firm or corporation who purchases, develops or rehabilitates a multifamily residential structure;

(17) “Eligible small business”, a person engaged in an activity with the purpose of obtaining, directly or indirectly, a gain, benefit or advantage and which conforms to the characteristics of paragraphs (a), (b) and (d) of subdivision (6) of this section, and also employs less than one hundred employees **or a veteran-owned small business as defined in subdivision (19) of this section;**

(18) “Eligible student borrower”, any person attending, or the parent of a dependent undergraduate attending, an eligible higher education institution in Missouri who may or may not qualify for need-based student financial aid calculated by the federal analysis called Congressional Methodology Formula pursuant to 20 U.S.C. 1078, as amended (the Higher Education Amendments of 1986);

(19) **“Eligible veteran-owned small business”, any business owned by an honorably discharged veteran and Missouri resident who has agreed to locate his or her business in Missouri for a minimum of three years and employs less than one hundred employees, a majority of whom are Missouri residents;**

(20) “Eligible water supply system”, a water system which serves fewer than fifty thousand persons and which is owned and operated by:

(a) A public water supply district established pursuant to chapter 247; or

(b) A municipality or other political subdivision; or

(c) A water corporation; and which is certified by the department of natural resources in accordance with its rules and regulations to have suffered a significant decrease in its capacity to meet its service needs as a result of drought;

[(20)] (21) “Farming”, using or cultivating land for the production of agricultural crops, livestock or livestock products, forest products, poultry or poultry products, milk or dairy products, or fruit or other horticultural products;

[(21)] (22) “Linked deposit”, a certificate of deposit, or in the case of production credit associations, the subscription or purchase outright of obligations described in Section 15, Article IV, Constitution of Missouri, placed by the state treasurer with an eligible lending institution at rates otherwise provided by law in section 30.758, provided the institution agrees to lend the value of such deposit, according to the deposit agreement provided in sections 30.750 to 30.765, to eligible multitenant development enterprises, eligible small businesses, eligible alternative energy operations, eligible alternative energy consumers, eligible locally owned businesses, farming operations, eligible job enhancement businesses, eligible marketing enterprises, eligible residential property developers, eligible residential property owners, eligible governmental entities, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible student borrowers, eligible facility borrowers, or eligible water supply systems at below the present borrowing rate applicable to each multitenant development enterprise, small business, alternative energy operation, alternative energy consumer, farming operation, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, or supply system at the time of the deposit of state funds in the institution;

[(22)] (23) “Market rate”, the interest rate more specifically described in subsection 6 of section 30.260;

[(23)] (24) “Professional forester”, any individual who holds a bachelor of science degree in forestry from a regionally accredited college or university with a minimum of two years of professional forest management experience;

[(24)] (25) “Qualified biomass”, any agriculture-derived organic material or any wood-derived organic material harvested in accordance with a site-specific forest management plan focused on long-term forest

sustainability developed by a professional forester and qualified, in consultation with the conservation commission, by the agriculture and small business development authority;

[(25)] (26) “Water corporation”, as such term is defined in section 386.020;

[(26)] (27) “Water system”, as such term is defined in section 386.020.

30.756. 1. An eligible lending institution that desires to receive a linked deposit shall accept and review applications for linked deposit loans from eligible multitenant enterprises, eligible farming operations, eligible alternative energy consumers, eligible alternative energy operations, eligible locally owned businesses, eligible small businesses, eligible job enhancement businesses, eligible marketing enterprises, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible residential property developers, eligible residential property owners, eligible governmental entities, eligible student borrowers, eligible facility borrowers, and eligible water supply systems. An eligible residential property owner shall certify on his or her loan application that the reduced rate loan will be used exclusively to purchase, develop or rehabilitate a multifamily residential property. The lending institution shall apply all usual lending standards to determine the creditworthiness of each eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entities, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system. No linked deposit loan made to any eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible livestock operation, eligible agribusiness, eligible beginning farmer, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible student borrower, eligible water supply system, or eligible small business shall exceed a dollar limit determined by the state treasurer in the state treasurer’s best judgment, except as otherwise limited. Any link deposit loan made to an eligible facility borrower shall be in accordance with the loan amount and loan term requirements in section 30.860.

2. An eligible farming operation, small business or job enhancement business shall certify on its loan application that the reduced rate loan will be used exclusively for necessary production expenses or the expenses listed in subsection 2 of section 30.753 or the refinancing of an existing loan for production expenses or the expenses listed in subsection 2 of section 30.753 of an eligible farming operation, small business or job enhancement business. Whoever knowingly makes a false statement concerning such application is guilty of a class A misdemeanor. An eligible water supply system shall certify on its loan application that the reduced rate loan shall be used exclusively to pay the costs of upgrading or repairing an existing water system, constructing a new water system, or making other capital improvements to a water system which are necessary to improve the service capacity of the system.

3. In considering which eligible farming operations should receive reduced-rate loans, the eligible lending institution shall give priority to those farming operations which have suffered reduced yields due to drought or other natural disasters and for which the receipt of a reduced-rate loan will make a significant contribution to the continued operation of the recipient farming operation.

4. In considering which eligible small businesses should receive reduced-rate loans, the eligible

lending institution shall give priority to those small businesses that are owned by veterans.

5. The eligible financial institution shall forward to the state treasurer a linked deposit loan package, in the form and manner as prescribed by the state treasurer. The package shall include such information as required by the state treasurer, including the amount of each loan requested. The institution shall certify that each applicant is an eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system, and shall, for each eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system, certify the present borrowing rate applicable.

[5.] 6. The eligible lending institution shall be responsible for determining if a student borrower is an eligible student borrower. A student borrower shall be eligible for an initial or renewal reduced-rate loan only if, at the time of the application for the loan, the student is a citizen or permanent resident of the United States, a resident of the state of Missouri as defined by the coordinating board for higher education, is enrolled or has been accepted for enrollment in an eligible higher education institution, and establishes that the student has financial need. In considering which eligible student borrowers may receive reduced-rate loans, the eligible lending institution may give priority to those eligible student borrowers whose income, or whose family income, if the eligible student borrower is a dependent, is such that the eligible student borrower does not qualify for need-based student financial aid pursuant to 20 U.S.C. 1078, as amended (the Higher Education Amendments of 1986). The eligible lending institution shall require the eligible student borrower to document that the student has applied for and has obtained all need-based student financial aid for which the student is eligible prior to application for a reduced-rate loan pursuant to this section. In no case shall the combination of all financial aid awarded to any student in any particular enrollment period exceed the total cost of attendance at the institution in which the student is enrolled. No eligible lending institution shall charge any additional fees, including but not limited to an origination, service or insurance fee on any loan agreement under the provisions of sections 30.750 to 30.765.

[6.] 7. The eligible lending institution making an initial loan to an eligible student borrower may make a renewal loan or loans to the student. The total of such reduced-rate loans from eligible lending institutions made pursuant to this section to any individual student shall not exceed the cumulative totals established by 20 U.S.C. 1078, as amended. An eligible student borrower shall certify on his or her loan application that the reduced-rate loan shall be used exclusively to pay the costs of tuition, incidental fees, books and academic supplies, room and board and other fees directly related to enrollment in an eligible higher education institution. The eligible lending institution shall make the loan payable to the eligible student borrower and the eligible higher education institution as co-payees. The method of repayment of the loan shall be the same as for repayment of loans made pursuant to sections 173.095 to 173.186.

[7.] 8. Beginning August 28, 2005, in considering which eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned

business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system should receive reduced-rate loans, the eligible lending institution shall give priority to an eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system that has not previously received a reduced-rate loan through the linked deposit program. However, nothing shall prohibit an eligible lending institution from making a reduced-rate loan to any entity that previously has received such a loan, if such entity otherwise qualifies for such a reduced-rate loan.”; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

“620.3250. 1. Any veteran who receives a small business loan through the state treasurer’s linked deposit program set forth in sections 30.750 to 30.765 shall also be subject to the provisions of this section.

2. After receiving a loan from an eligible lending institution, as that term is defined in subdivision (10) of section 37.750, the owner of a veteran-owned small business shall complete a boots-to-business program that is approved by the department.

3. After receiving a loan from an eligible lending institution, as that term is defined in subdivision (10) of section 37.750, the owner of a veteran-owned small business will be assigned a mentor for the three hundred sixty five days following the date of approval. The owner shall meet with his or her mentor at least once every ninety days.

4. The department may adopt rules in establishing or approving boots-to-business programs under subsection 2 of this section and mentor programs under subsection 3 of this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.”; and

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

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 573, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

“620.515. 1. This section shall be known and may be cited as the “Show-Me Heroes” program, the

purpose of which is to:

(1) Assist the spouse of an active duty National Guard or reserve component service member reservist and active duty United States military personnel to address immediate needs and employment in an attempt to keep the family from falling into poverty while the primary income earner is on active duty, and during the [one-year] **five-year** period following discharge from deployment; and

(2) Assist returning National Guard troops or reserve component service member reservists and recently separated United States military personnel with finding work in situations where an individual needs to rebuild business clientele or where an individual's job has been eliminated while such individual was deployed, or where the individual otherwise cannot return to his or her previous employment.

2. Subject to appropriation, the department of economic development shall operate the Show-Me heroes program through existing programs. Eligibility for the program shall be based on the following criteria:

(1) Eligible participants in the program shall be those families where:

(a) The primary income earner was called to active duty in defense of the United States for a period of more than four months;

(b) The family's primary income is no longer available;

(c) The family is experiencing significant hardship due to financial burdens; and

(d) The family has no outside resources available to assist with such hardships;

(2) Services that may be provided to the family will be aimed at ameliorating the immediate crisis and providing a path for economic stability while the primary income is not available due to the active military commitment. Services shall be made available up to [one year] **five years** following discharge from deployment. Services may include, but not be limited to the following:

(a) Financial assistance to families facing financial crisis from overdue bills;

(b) Help paying day care costs to pursue training and or employment;

(c) Help covering the costs of transportation to training and or employment;

(d) Vocational evaluation and vocational counseling to help the individual choose a visible employment goal;

(e) Vocational training to acquire or upgrade skills needed to be marketable in the workforce;

(f) Paid internships and subsidized employment to train on the job; and

(g) Job placement assistance for those who don't require skills training.

3. [The department shall structure any contract such that payment will be based on delivering the services described in this section as well as performance to guarantee the greatest possible effectiveness of the program.

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

powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to Senate Bill No. 573, Page 1, Line 1, by inserting after the number “573,” the following:

“Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“42.380. 1. This section shall be known and may cited as “The Veterans’ Bill of Rights”.

2. Veterans in this state have a right to:

(1) Receive assistance from a local veterans service officer in completing applications for state and federal benefits;

(2) Receive counseling from veterans service officers and receive information about compensation, pensions, education benefits, life insurance medical benefits, state benefits, and burial benefits;

(3) Preference in public employment as described in section 36.220;

(4) Be treated with dignity and respect and to receive accurate, courteous, and timely service; and

(5) Receive fair and equal treatment without regard to sex, race, religion, handicap, ethnicity, or national origin.”; and

Further amend said bill,”; and

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

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 573, Page 2, Section 143.175, Line 32, by inserting after all of said section and line the following:

“285.250. 1. A private, nonpublic employer may grant preference to a veteran in hiring and promoting employees.

2. A private, nonpublic employer may grant preference in hiring and promotion to a spouse of a disabled veteran who has a service-connected permanent and total disability or to a surviving spouse of a deceased veteran. For the purposes of this subsection, a “disabled veteran” means a person who has a compensable, service-connected disability as adjudicated by the United States Veterans Administration or by the retirement board of one of the branches of the armed forces.

3. Granting preference under subsections 1 and 2 of this section shall not violate any state equal employment opportunity law.”; and

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

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 573, Page 1, Section A, Line 2, by inserting after all of said line the following:

“41.1010. 1. There is hereby established the “Missouri Military Preparedness and Enhancement Commission”. The commission shall have as its purpose the design and implementation of measures intended to protect, retain, and enhance the present and future mission capabilities at the military posts or bases within the state. The commission shall consist of nine members:

- (1) Five members to be appointed by the governor;
- (2) Two members of the house of representatives, one appointed by the speaker of the house of representatives, and one appointed by the minority floor leader;
- (3) Two members of the senate, one appointed by the president pro tempore, and one appointed by the minority floor leader;
- (4) The director of the department of economic development or the director’s designee, ex officio;
- (5) The chairman of the Missouri veterans’ commission or the chairman’s designee, ex officio.

No more than three of the five members appointed by the governor shall be of the same political party. To be eligible for appointment by the governor, a person shall have demonstrated experience in economic development, the defense industry, military installation operation, environmental issues, finance, local government, or the use of air space for future military missions. Appointed members of the commission shall serve three-year terms, except that of the initial appointments made by the governor, two shall be for one-year terms, two shall be for two-year terms, and one shall be for a three-year term. No appointed member of the commission shall serve more than six years total. A vacancy occurs if a legislative member leaves office for any reason. Any vacancy on the commission shall be filled in the same manner as the original appointment.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member’s official duties.

3. A chair of the commission shall be selected by the members of the commission.

4. The commission shall meet at least quarterly and at such other times as the chair deems necessary.

5. The commission shall be funded by an appropriation limited to that purpose. Any expenditure constituting more than ten percent of the commission’s annual appropriation shall be based on a competitive bid process.

6. The commission shall:

(1) Advise the governor and the general assembly on military issues and economic and industrial development related to military issues;

(2) Make recommendations regarding:

(a) Developing policies and plans to support the long-term viability and prosperity of the military, active and retiree, and civilian military employees, in this state, including promoting strategic regional alliances that may extend over state lines;

(b) Developing methods to improve private and public employment opportunities for former members of the military and their families residing in this state; and

(c) Developing methods to assist defense-dependent communities in the design and execution of programs that enhance a community's relationship with military installations and defense-related businesses;

(3) Provide information to communities, the general assembly, the state's congressional delegation, and state agencies regarding federal actions affecting military installations and missions;

(4) Serve as a clearinghouse for:

(a) Defense economic adjustment and transition information and activities; and

(b) Information concerning the following:

a. Issues related to the operating costs, missions, and strategic value of federal military installations located in the state;

b. Employment issues for communities that depend on defense bases and in defense-related businesses; and

c. Defense strategies and incentive programs that other states are using to maintain, expand, and attract new defense contractors;

(5) Provide assistance to communities that have experienced a defense-related closure or realignment;

(6) Assist communities in the design and execution of programs that enhance a community's relationship with military installations and defense-related businesses, including regional alliances that may extend over state lines;

(7) Assist communities in the retention and recruiting of defense-related businesses, including fostering strategic regional alliances that may extend over state lines;

(8) Prepare a biennial strategic plan that:

(a) Fosters the enhancement of military value of the contributions of Missouri military installations to national defense strategies;

(b) Considers all current and anticipated base realignment and closure criteria; and

(c) Develops strategies to protect the state's existing military missions and positions the state to be competitive for new and expanded military missions;

(9) Encourage economic development in this state by fostering the development of industries related to defense affairs.

7. The commission shall evaluate and approve or reject, as it deems necessary, all applications presented to it for grants of funding through the department of economic development's Missouri military community reinvestment grant program, as authorized in section 620.3300. The commission shall develop procedures with the department of economic development that will govern its consideration of all applications.

8. The commission shall prepare and present an annual report to the governor and the general assembly

by December thirty-first of each year.

[8.] **9.** The department of economic development shall furnish administrative support and staff for the effective operation of the commission.”; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

“620.3300. 1. This section shall be known and may be cited as the “Missouri Military Community Reinvestment Program Act”.

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

(1) “Commission”, the Missouri military preparedness and enhancement commission authorized under section 41.1010;

(2) “Community-based organization”, a Missouri corporation in good standing with the state that is organized under chapter 355 and which has as its primary or substantial purposes the support and sustainment of a military installation or installations;

(3) “Department”, the department of economic development;

(4) “Eligible applicant”, any community-based organization or local government located in a military community;

(5) “Grantee”, the recipient of a Missouri military community reinvestment program grant;

(6) “Local government”, any Missouri county, city, town, or village;

(7) “Military community”, any county, city, town, or village or defined combination thereof that is heavily dependent on military employment and economic activity provided by a military installation;

(8) “Military installation”, a facility subject to the custody, jurisdiction, or administration of any United States Department of Defense component. This term includes, but is not limited to, military reservations, installations, bases, posts, camps, stations, arsenals, vessels or ships, or laboratories where the Department of Defense or a component thereof has operation responsibility for facility security and defense;

(9) “Program”, the Missouri military community reinvestment program created by this section.

3. There is hereby established the Missouri military community reinvestment program in the department of economic development. Its purpose shall be to assist military communities in supporting and sustaining their installations, to encourage the communities to initiate coordinated response programs and action plans in advance of future federal government realignment and closure decisions, and to support community efforts to attract new or expanded military missions.

4. (1) There is hereby created in the state treasury the “Missouri Military Community Reinvestment Grant Program Fund”, which shall consist of moneys collected under 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, moneys in the fund shall be used solely for the administration of this section. The amount in such fund shall not exceed three hundred thousand dollars. Moneys in the fund in excess of three hundred

thousand dollars shall be invested by the state treasurer and any income therefrom shall be deposited to the credit of the general revenue fund.

(2) 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.

(3) 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 fund.

5. The department shall implement the program as provided in this section. The department and the commission shall invite public comments on how the program should be administered and shall jointly develop and establish procedures for the solicitation, evaluation, and approval of grant applications received from eligible applicants.

6. The department shall evaluate each application and make recommendations to the commission, which shall have the authority to approve or reject any application so recommended. Upon approval by the commission, the department shall administer grant awards, including the tracking and monitoring of grantee administration of the grant funds and whether grantees have achieved the goals set forth in their grant applications.

7. Grants provided by this program shall not exceed three hundred thousand dollars per year. The eligible amount for grants shall include the following match requirements:

(1) For an eligible applicant in operation for five or more years, one dollar of state grant funds may be provided for every one dollar of funds provided or raised by the eligible applicant, including the value of in-kind services, supplies, or equipment; or

(2) For an eligible applicant in operation for fewer than five years, two dollars of state grant funds may be provided for every one dollar of funds provided or raised by the eligible applicant, including the value of in-kind services, supplies, or equipment.

8. Applications for grants under this section shall include a coordinated program of work or a plan of action delineating how the project shall be administered and accomplished, which shall include a plan for ensuring close cooperation between civilian and military authorities in the conduct of the funded activities and a plan for public involvement. Uses for the grants may include, but are not limited to, the following activities:

(1) Developing and implementing public-to-public partnerships with military installations, including agreements that reduce installation costs and increase funding available for mission performance;

(2) Developing local or regional marketing plans, techniques, and activities, including those that communicate the nature and value of military installations and military service;

(3) Implementing programs to assist with diversification of the economy of the military installation community by increasing nondefense economic development and employment;

(4) Performing in-depth research and analysis regarding local or regional employment, housing, infrastructure, education, healthcare, and other factors that affect the attractiveness of the community for future military investments;

(5) Leading or participating in programs or activities to develop or improve the quality of life in

military communities, including the areas of education, transportation, health care, and infrastructure development and transportation; and

(6) Developing plans for the reuse of closed or realigned military installations or facilities, including any plans necessary for infrastructure improvements needed to facilitate related marketing activities.

9. The department may promulgate rules to assist in the implementation of the provisions of this section, including rules on behalf of the commission, if necessary. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.”; and

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

Titling change adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1611**, entitled:

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to statutes of limitations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2119**, entitled:

An Act to repeal sections 510.263, 510.265, 538.205, and 538.210, RSMo, and to enact in lieu thereof five new sections relating to punitive damages.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2140**, entitled:

An Act to repeal sections 34.010, 34.040, 34.042, 34.044, 34.047, 34.048, and 34.353, RSMo, and to enact in lieu thereof seven new sections relating to public contracts for purchasing supplies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 982** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 1739, regarding Karon (Walker) Campbell, Qulin, which was adopted.

Senator Brown offered Senate Resolution No. 1740, regarding National Safe Boating Week, which was adopted.

INTRODUCTION OF GUESTS

Senators Dixon and Wasson introduced to the Senate, SGA President Brandon McCoy, and representatives of Missouri State University Student Government Day.

Senator Dixon introduced to the Senate, DeAntra “Shae” Darough, Cahokia, Illinois; and Connor Aller, Holt.

Senator Kehoe introduced to the Senate, Jocelyn Wells, California.

Senator Holsman introduced to the Senate, Claire Welsh, Kansas City.

Senator Schupp introduced to the Senate, Brandon Hall, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Mike Frederick and John McLaughlin, St. Louis.

Senator Sifton introduced to the Senate, twelve students from The College School, Webster Groves.

Senator Hoskins introduced to the Senate, thirty-two fifth- through eighth- grade students from Mirabile C-1 School, Caldwell County.

Senator Romine introduced to the Senate, George Gross and Rene Campbell, and students Grace Firnbach, Faith Firnbach, Anthony Dontrich, Oliver Kidd, Madeline Saunders, Kierah Jarvis and Austyn Griffin, Potosi FFA.

On behalf of Senator Richard, the President introduced to the Senate, representatives of Neosho FFA.

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

SENATE CALENDAR

FIFTY-SIXTH DAY—THURSDAY, APRIL 19, 2018

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HCS for HB 1261
 HB 2286-Kelly (141)
 HB 2360-Redmon

HB 2117-Pfautsch
 HCS for HB 1591
 HCS for HB 1264

HB 1249-Plocher
HCS for HB 2540
HCS for HB 2129

HCS for HB 1611
HCS for HB 2119
HCS for HB 2140

THIRD READING OF SENATE BILLS

SS for SB 579-Libla (In Fiscal Oversight)
SS for SB 699-Sifton (In Fiscal Oversight)
SS for SB 982-Wieland (In Fiscal Oversight)
SB 655-Sifton

SCS for SB 824-Cunningham
SB 973-Rizzo and Curls
SCS for SRBs 975 & 1024-Dixon

SENATE BILLS FOR PERFECTION

SJR 36-Schatz, with SCS
SB 678-Eigel

SB 1102-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1329-Remole, with SCS (Munzlinger)
2. HCS for HBs 1288, 1377 & 2050, with SCS (Dixon)
3. HCS for HB 1605, with SCS (Kehoe)
4. HB 1630-Evans (Rowden)
5. HCS for HB 1461 (Rowden)
6. HCS for HB 1286, with SCS (Romine)
7. HB 1880-Trent, with SCS (Cunningham)
8. HCS for HB 1991, with SCS (Rowden)
9. HB 1858-Christofanelli (Eigel)
10. HB 1442-Alferman, with SCS (Schatz)
11. HCS for HB 1690 (Wieland)
12. HCS for HB 1879, with SCS (Cunningham)
13. HCS for HB 1268, with SCS (Munzlinger)
14. HCS for HB 1500, with SCS (Koenig)
15. HCS for HB 2116, with SCS (Schatz)

16. HB 1355-Phillips, with SCS (Schatz)
17. HCS for HB 1617, with SCS (Onder)
18. HB 1492-Lynch (Brown)
19. HCS for HB 1597, with SCS (Wasson)
20. HB 1744-Hansen (Romine)
21. HCS for HB 1606 (Romine)
(In Fiscal Oversight)
22. HB 1428-Muntzel (Munzlinger)
23. HCS for HB 2034, with SCS (Munzlinger)
24. HCS for HB 1796 (Rowden)
(In Fiscal Oversight)
25. HB 2122-Engler, with SCS (Schatz)
(In Fiscal Oversight)
26. HCS for HB 1443, with SCS (Sater)
(In Fiscal Oversight)
27. HCS for HB 1645 (Rowden)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SBs 617, 611 &
667-Eigel (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 546-Munzlinger, with SS#4 (pending)	SB 822-Hegeman, with SCS & SS for SCS (pending)
SB 550-Wasson, with SCS	SB 832-Rowden, with SCS, SS#2 for SCS & point of order (pending)
SB 553-Dixon, with SCS, SS for SCS & SA 1 (pending)	SB 837-Rowden
SBs 555 & 609-Brown, with SCS	SB 848-Riddle
SB 556-Brown, with SA 1 (pending)	SB 849-Kehoe and Schupp, with SCS, SA 1 & SA 1 to SA 1 (pending)
SB 561-Sater, with SA 1 (pending)	SB 859-Koenig, with SCS & SS for SCS (pending)
SB 567-Cunningham, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)	SB 860-Koenig, with SCS, SS for SCS & SA 1 (pending)
SB 578-Romine	SB 861-Hegeman, with SCS
SB 591-Hegeman, with SCS	SB 865-Kehoe
SB 596-Riddle, with SCS	SB 893-Sater, with SCS, SS for SCS & SA 1 (pending)
SB 599-Schatz	SB 907-Kehoe, with SCS
SB 602-Onder, with SCS	SB 912-Rowden, with SCS & SS#3 for SCS (pending)
SB 612-Koenig, with SCS, SS#2 for SCS, SA 2, SSA 1 for SA 2 & SA 1 to SSA 1 for SA 2 (pending)	SB 920-Riddle, with SS & SA 2 (pending)
SB 663-Schatz, with SCS, SS for SCS & SA 1 (pending)	SB 928-Onder, with SCS
SB 730-Wallingford, with SCS & SA 1 (pending)	SB 949-Emery, with SCS, SS for SCS & SA 2 (pending)
SB 751-Schatz	SB 1003-Wasson, with SS & SA 1 (pending)
SB 767-Hoskins, with SCS, SS for SCS & SA 2 (pending)	SB 1007-Kehoe, with SCS
SB 774-Munzlinger	SB 1021-Dixon and Wallingford, with SCS
SB 813-Riddle, with SCS & SA 1 (pending)	

HOUSE BILLS ON THIRD READING

HB 1303-Alferman, with SCS (Rowden)	HB 1691-Miller, with SCS (Emery)
SS for SCS for HB 1350-Smith (163) (Rowden)	HCS for HBs 1729, 1621 & 1436 (Brown)
HB 1413-Taylor, with SCS (Onder)	HB 1769-Mathews, with SCS (Schatz)
HB 1578-Kolkmeier (Munzlinger)	HB 2044-Taylor, with SCS (pending) (Dixon)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 569-Cunningham, with HCS, as amended	SS for SCS for SB 592-Hegeman, with HA 1 & HA 3
SB 573-Wallingford, with HA 1, HA 2, HA 3, HA 4, HA 5, as amended & HA 6	SCS for SB 623-Crawford, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1291-Henderson, with SS for SCS, as
amended (Romine)

RESOLUTIONS

SR 1137-Walsh, with SS (pending)

SR 1487-Schaaf

Reported from Committee

SCR 30-Wallingford, with SA 1 (pending)

SCR 37-Eigel and Onder

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