

Journal of the Senate

FIRST REGULAR SESSION

FORTY-EIGHTH DAY - TUESDAY, APRIL 8, 2025

The Senate met pursuant to adjournment.

Senator Hudson in the Chair.

Senator Hudson offered the following prayer:

Dear Heavenly Father,

As we come to You today, may we do so with grateful and humble hearts. We acknowledge that we need Your help on this and every day. When we are tempted to serve ourselves before others, please remind us of Your example. When we resist showing grace to those we find difficult, please remind us of the grace we've been shown. When haunted by the failures of our past, please remind us of Your love. In everything, please remind us that the longest of days on this earth are fleeting in comparison to eternity. May not just our words but also our lives express with the psalmist, "Blessed be the LORD forevermore." In Jesus name I pray. Amen!

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Bean	Beck	Bernskoetter	Black	Brattin	Brown (16)	Brown (26)
Burger	Carter	Coleman	Crawford	Fitzwater	Gregory (15)	Gregory (21)
Henderson	Hough	Hudson	Lewis	Luetkemeyer	May	McCreery
Moon	Mosley	Nicola	Nurrenbern	O'Laughlin	Roberts	Schnelting
Schroer	Trent	Washington	Webber	Williams—33		

Absent—Senators—None

Absent with leave—Senator Cierpiot—1

Vacancies—None

RESOLUTIONS

Senator Crawford offered Senate Resolution No. 333, regarding Madalyn Fox, Sedalia, which was adopted.

Senator Coleman offered Senate Resolution No. 334, regarding Macey Crostic, House Springs, which was adopted.

Senator Burger offered Senate Resolution No. 335, regarding Jaedyn Hethcote, Cape Girardeau, which was adopted.

Senators Burger and Bean offered Senate Resolution No. 336, regarding Greg Cunningham, Sikeston, which was adopted.

Senator Bean offered Senate Resolution No. 337, regarding Ja'Marko Jones, Kennett, which was adopted.

Senator Mosley offered Senate Resolution No. 338, regarding the passing of Alvin Eugene Winton, Florissant, which was adopted.

Senator Webber offered Senate Resolution No. 339, regarding Noah Huff, Columbia, which was adopted.

Senator Moon offered Senate Resolution No. 340, regarding Ashton Watson, Nixa, which was adopted.

Senator Burger offered Senate Resolution No. 341, regarding Missouri Lineworker Appreciation Day, which was adopted.

Senator Black offered Senate Resolution No. 342, regarding Officer Carl Jay Howe, Jr., Chillicothe, which was adopted.

Senator Bean offered Senate Resolution No. 343, regarding the Honorable Kacey Proctor, Poplar Bluff, which was adopted.

Senator Bean offered Senate Resolution No. 344, regarding Sandy and Bob Marshall, Poplar Bluff, which was adopted.

Senator Mosley offered Senate Resolution No. 345, regarding the passing of Latina Shenevah Jones-Scales, Florissant, which was adopted.

President Pro Tem O'Laughlin assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Luetkemeyer, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Madam President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 266**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Trent, Chair of the Committee on General Laws, submitted the following report:

Madam President: Your Committee on General Laws, to which was referred **HB 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem O'Laughlin referred **SS** for **SB 266** to the Committee on Fiscal Oversight.

Senator Hudson assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committee indicated:

HCS for **HB 2**—Appropriations.

HCS for **HB 3**—Appropriations.

HCS for **HB 4**—Appropriations.

HCS for **HB 6**—Appropriations.

HCS for **HB 7**—Appropriations.

HCS for **HB 8**—Appropriations.

HCS for **HB 9**—Appropriations.

HCS for **HB 10**—Appropriations.

HCS for **HB 11**—Appropriations.

HCS for **HB 12**—Appropriations.

HCS for **HB 13**—Appropriations.

HCS for **HB 17**—Appropriations.

SENATE BILLS FOR PERFECTION

Senator Carter moved that **SB 360** be taken up for perfection, which motion prevailed.

Senator Carter offered **SS** for **SB 360**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 360

An Act to repeal sections 160.518, 160.522, and 161.092, RSMo, and to enact in lieu thereof three new sections relating to assessment of public elementary and secondary schools.

Senator Carter moved that **SS** for **SB 360** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 360, Page 5, Section 160.518, Line 146, by inserting after all of said line the following:

“7. The provisions of this section shall expire on August 28, 2030.”; and

Further amend said bill, page 8, section 160.522, line 91, by inserting after all of said line the following:

“6. The provisions of this section shall expire on August 28, 2030.”

Senator Carter moved that the above amendment be adopted.

Senator Burger assumed the Chair.

At the request of Senator Carter, **SB 360**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Gregory (21) moved that **SBs 166** and **155**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 166** and **155**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 166 and 155

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to cardiac emergency response plans.

Was taken up.

Senator Gregory (21) moved that **SCS** for **SBs 166** and **155** be adopted.

Senator Gregory (21) offered **SS** for **SCS** for **SBs 166** and **155**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 166 and 155

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to cardiac emergency response plans.

Senator Gregory (21) moved that **SS** for **SCS** for **SBs 166** and **155** be adopted.

Senator Washington offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 166 and 155, Page 2, Section 160.482, Line 40, by inserting immediately after “agency” the following: “**or charter school**”; and

Further amend said bill and section, page 3, line 56, by inserting immediately after “160.011” the following: “. **The term shall be construed to include a charter school**”; and further amend line 64, by inserting immediately after “district” the following: “**or charter school**”; and further amend line 65, by inserting immediately after “board” the following: “**of the school district or governing board of the charter school**”; and further amend line 66, by inserting immediately after “district” the following: “**or charter school**”.

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

Senator Gregory (21) moved that **SS** for **SCS** for **SBs 166** and **155**, as amended, be adopted, which motion prevailed.

On motion of Senator Gregory (21), **SS** for **SCS** for **SBs 166** and **155**, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem O'Laughlin referred **HB 68** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Gregory (21) moved that **SB 80**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 80**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 80

An Act to repeal section 173.280, RSMo, and to enact in lieu thereof two new sections relating to compensation of student athletes.

Was taken up.

Senator Gregory (21) moved that **SCS** for **SB 80** be adopted.

Senator Gregory (21) offered **SS** for **SCS** for **SB 80**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 80

An Act to repeal sections 67.3000, 67.3005, and 173.280, RSMo, and to enact in lieu thereof six new sections relating to sports.

Senator Gregory (21) moved that **SS** for **SCS** for **SB 80** be adopted, which motion prevailed.

On motion of Senator Gregory (21), **SS** for **SCS** for **SB 80** was declared perfected and ordered printed.

Senator Henderson moved that **SB 69** be taken up for perfection, which motion prevailed.

Senator Henderson offered **SS** for **SB 69**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 69

An Act to repeal sections 178.786 and 178.787, RSMo, and to enact in lieu thereof two new sections relating to higher education core curricula.

Senator Henderson moved that **SS** for **SB 69** be adopted.

Senator Hough offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 69, Page 1, In the Title, Line 4, by striking "core curricula"; and

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

“172.280. The curators shall have the authority to confer, by diploma, under their common seal, on any person whom they may judge worthy thereof, such degrees as are known to and usually granted by any college or university. [The University of Missouri is the state's only public research university and the exclusive grantor of research doctorates. As such, except as provided in section 175.040, the University of Missouri shall be the only state college or university that may offer doctor of philosophy degrees or first-professional degrees, including dentistry, law, medicine, optometry, pharmacy, and veterinary medicine.]

173.005. 1. There is hereby created a “Department of Higher Education and Workforce Development”, and the division of higher education of the department of education is abolished and all its powers, duties, functions, personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B, RSMo.

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the “Coordinating Board for Higher Education”, which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education may approve, not approve, or provisionally approve proposed new degree programs to be offered by the state institutions of higher education. The coordinating board may authorize a degree program outside an institution's coordinating board-approved mission only when the coordinating board has received clear evidence that the institution proposing to offer the program:

(a) Made a good-faith effort to explore the feasibility of offering the program in collaboration with an institution the mission of which includes offering the program;

(b) Is contributing substantially to the goals in the coordinating board's coordinated plan for higher education;

(c) Has the existing capacity to ensure the program is delivered in a high-quality manner;

- (d) Has demonstrated that the proposed program is needed;
- (e) Has a clear plan to meet the articulated workforce need; and
- (f) Such other factors deemed relevant by the coordinating board;

(2) [The governing board of each public institution of higher education in the state shall have the power and authority to confer degrees in chiropractic, osteopathic medicine, and podiatry only in collaboration with the University of Missouri, provided that such collaborative agreements are approved by the governing board of each institution and that in these instances the University of Missouri will be the degree-granting institution. Should the University of Missouri decline to collaborate in the offering of such programs, any of these institutions may seek approval of the program through the coordinating board for higher education's comprehensive review process when doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high quality manner;

(3) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

[(4)] (3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, and institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

[(5)] (4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

[(6)] (5) The coordinating board for higher education shall establish admission guidelines consistent with institutional missions;

[(7)] (6) The coordinating board for higher education shall require all public two-year and four-year higher education institutions to replicate best practices in remediation identified by the coordinating board and institutions from research undertaken by regional educational laboratories, higher education research organizations, and similar organizations with expertise in the subject, and identify and reduce methods

that have been found to be ineffective in preparing or retaining students or that delay students from enrollment in college-level courses;

[(8)] (7) The coordinating board shall establish policies and procedures for institutional decisions relating to the residence status of students;

[(9)] (8) The coordinating board shall establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state and, with the assistance of the committee on transfer and articulation, shall require all public two-year and four-year higher education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. The coordinating board shall establish policies and procedures to ensure such courses are accepted in transfer among public institutions and treated as equivalent to similar courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse transfer for any student who has accumulated enough hours in combination with at least one public higher education institution in Missouri that offers an associate degree and one public four-year higher education institution in the prescribed courses sufficient to meet the public higher education institution's requirements to be awarded an associate degree. The department of elementary and secondary education shall maintain the alignment of the assessments found in section 160.518 and successor assessments with the competencies previously established under this subdivision for entry-level collegiate courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core;

[(10)] (9) The coordinating board shall collect the necessary information and develop comparable data for all institutions of higher education in the state. The coordinating board shall use this information to delineate the areas of competence of each of these institutions and for any other purposes deemed appropriate by the coordinating board;

[(11)] (10) Compliance with requests from the coordinating board for institutional information and the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a prerequisite to the receipt of any funds which the coordinating board is responsible for administering;

[(12)] (11) If any institution of higher education in this state, public or private, willfully fails or refuses to follow any lawful guideline, policy or procedure established or prescribed by the coordinating board, or knowingly deviates from any such guideline, or knowingly acts without coordinating board approval where such approval is required, or willfully fails to comply with any other lawful order of the coordinating board, the coordinating board may, after a public hearing, withhold or direct to be withheld from that institution any funds the disbursement of which is subject to the control of the coordinating board, or may remove the approval of the institution as an approved institution within the meaning of section 173.1102. If any such public institution willfully disregards board policy, the commissioner of higher education may order such institution to remit a fine in an amount not to exceed one percent of the institution's current fiscal year state operating appropriation to the board. The board shall hold such funds until such time that the institution, as determined by the commissioner of higher education, corrects the violation, at which time the board shall refund such amount to the institution. If the commissioner determines that the institution has not redressed the violation within one year, the fine amount shall be deposited into the general revenue fund, unless the institution appeals such decision to the full coordinating board, which shall have the authority to make a binding and final decision, by means of a majority vote,

regarding the matter. However, nothing in this section shall prevent any institution of higher education in this state from presenting additional budget requests or from explaining or further clarifying its budget requests to the governor or the general assembly;

[(13)] **(12)** In recognition of institutions that meet the requirements of subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by name as an educational institution in Missouri, and are authorized to operate programs beyond secondary education for purposes of authorization under 34 CFR 600.9, the coordinating board for higher education shall maintain and publish on its website a list of such postsecondary educational institutions; and

[(14)] **(13)** (a) As used in this subdivision, the term “out-of-state public institution of higher education” shall mean an education institution located outside of Missouri that:

a. Is controlled or administered directly by a public agency or political subdivision or is classified as a public institution by the state;

b. Receives appropriations for operating expenses directly or indirectly from a state other than Missouri;

c. Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;

d. Meets the standards for accreditation by an accrediting body recognized by the United States Department of Education or any successor agency; and

e. Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source.

(b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

a. The board's approval process of proposed new degree programs and course offerings by any out-of-state public institution of higher education seeking to offer degree programs or course work within the state of Missouri; and

b. The board's approval process of degree programs and courses offered by any out-of-state public institutions of higher education that, prior to July 1, 2008, were approved by the board to operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses within the state of Missouri are evaluated in a manner similar to Missouri public higher education institutions. Such out-of-state public institutions shall be held to standards no lower than the standards established by the coordinating board for program approval and the policy guidelines of the coordinating board for data collection, cooperation, and resolution of disputes between Missouri institutions of higher education under this section. Any such out-of-state public institutions of higher education wishing to continue operating within this state must be approved by the board under the rules promulgated under this subdivision. The coordinating board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. 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 under 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, 2007, shall be invalid and void.

(c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that students attending an out-of-state public institution are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

3. The coordinating board shall meet at least four times annually with an advisory committee who shall be notified in advance of such meetings. The coordinating board shall have exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall be the president or other chief administrative officer of the University of Missouri; the chancellor of each campus of the University of Missouri; the president of each state-supported four-year college or university, including Harris-Stowe State University, Missouri Southern State University, Missouri Western State University, and Lincoln University; the president of State Technical College of Missouri; the president or chancellor of each public community college district; and representatives of each of five accredited private institutions selected biennially, under the supervision of the coordinating board, by the presidents of all of the state's privately supported institutions; but always to include at least one representative from one privately supported community college, one privately supported four-year college, and one privately supported university. The conferences shall enable the committee to advise the coordinating board of the views of the institutions on matters within the purview of the coordinating board.

4. The University of Missouri, Lincoln University, and all other state-governed colleges and universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the department of higher education and workforce development subject to the provisions of subsection 2 of this section.

5. The state historical society, chapter 183, is transferred by type III transfer to the University of Missouri.

6. The state anatomical board, chapter 194, is transferred by type II transfer to the department of higher education and workforce development.

7. All the powers, duties and functions vested in the division of public schools and state board of education relating to community college state aid and the supervision, formation of districts and all matters otherwise related to the state's relations with community college districts and matters pertaining to community colleges in public school districts, chapters 163, 178, and others, are transferred to the coordinating board for higher education by type I transfer. Provided, however, that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the department of elementary and secondary education. The department of elementary and secondary education and the coordinating board for higher education shall cooperate in developing the various plans for vocational-technical education; however, the ultimate responsibility will remain with the state board of education.

8. All the powers, duties, functions, and properties of the state poultry experiment station, chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry association and state poultry board are abolished. In the event the University of Missouri shall cease to use the real estate of the poultry experiment station for the purposes of research or shall declare the same surplus, all real

estate shall revert to the governor of the state of Missouri and shall not be disposed of without legislative approval.

173.030. The coordinating board, in addition, shall have responsibility, within the provisions of the constitution and the statutes of the state of Missouri, for:

(1) Requesting the governing boards of all state-supported institutions of higher education, and of major private institutions to submit to the coordinating board any proposed policy changes which would create additional institutions of higher education, additional residence centers, or major additions in degree and certificate programs, and make pertinent recommendations relating thereto;

(2) Recommending to the governing board of any institution of higher education in the state the development, consolidation, or elimination of programs, degree offerings, physical facilities or policy changes where that action is deemed by the coordinating board as in the best interests of the institutions themselves and/or the general requirements of the state. Recommendations shall be submitted to governing boards by twelve months preceding the term in which the action may take effect;

(3) Recommending to the governing boards of state-supported institutions of higher education, including public community colleges receiving state support, formulas to be employed in specifying plans for general operations, for development and expansion, and for requests for appropriations from the general assembly. Such recommendations will be submitted to the governing boards by April first of each year preceding a regular session of the general assembly of the state of Missouri;

(4) Promulgating rules to include selected off-campus instruction in public college and university appropriation recommendations where prior need has been established in areas designated by the coordinating board for higher education. Funding for such off-campus instruction shall be included in the appropriation recommendations, shall be determined by the general assembly and shall continue, within the amounts appropriated therefor, unless the general assembly disapproves the action by concurrent resolution;

(5) Coordinating reciprocal agreements between or among Missouri state institutions of higher education at the request of one or more of the institutions party to the agreement, and between or among Missouri state institutions of higher education and publicly supported higher education institutions located outside the state of Missouri at the request of any Missouri institution party to the agreement;

(6) Entering into agreements for interstate reciprocity regarding the delivery of postsecondary distance education, administering such agreements, and approving or disapproving applications to participate in such agreements from a postsecondary institution that has its principal campus in the state of Missouri:

(a) The coordinating board shall establish standards for institutional approval. Those standards shall include, but are not limited to the:

a. Definition of physical presence for non-Missouri institutions serving Missouri residents consistent with other states' definitions of physical presence; and

b. Establishment of consumer protection policies for distance education addressing recruitment and marketing activities; disclosure of tuition, fees, and other charges; disclosure of admission processes and procedures; and student complaints;

(b) The coordinating board shall establish policies for the review and resolution of student complaints arising from distance education programs offered under the agreement;

(c) The coordinating board may charge fees to any institution that applies to participate in an interstate postsecondary distance education reciprocity agreement authorized pursuant to this section. Such fees shall not exceed the coordinating board for higher education's cost of reviewing and evaluating the applications; and

(d) The coordinating board shall promulgate rules to implement the provisions of this subdivision. 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, 2014, shall be invalid and void;

(7) Administering the nurse training incentive fund;

(8) Conducting, in consultation with each public four-year institution's governing board and the governing board of technical colleges and community colleges, a review every five years of the mission statements of the institutions comprising Missouri's system of public higher education. This review shall be based upon the needs of the citizens of the state as well as the requirements of business, industry, the professions and government. The purpose of this review shall be to ensure that Missouri's system of higher education is responsive to the state's needs and is focused, balanced, cost-effective, and characterized by programs of high quality as demonstrated by student performance and program outcomes. As a component of this review, each institution shall prepare, in a manner prescribed by the coordinating board, a mission implementation plan for the coordinating board's consideration and approval. If the coordinating board determines that an institution has qualified for a mission change or additional targeted resources pursuant to review conducted under this subdivision and subdivision (9) of this subsection, the coordinating board shall submit a report to the general assembly that outlines the proposed mission change or targeted state resources. No change of mission for an institution under this subdivision establishing a statewide mission shall become effective until the general assembly approves the proposed mission change by concurrent resolution, except for the institution defined pursuant to subdivision (1) of section 174.010, and has been approved by the coordinating board and the institutions for which the coordinating board has recommended a statewide mission prior to August 28, 1995. The effective date of any mission change under this subdivision shall be the first day of July immediately following the approval of the concurrent resolution by the general assembly as required under this subdivision, and shall be August 28, 1995, for any institution for which the coordinating board has recommended a statewide mission which has not yet been implemented on such date. Nothing in this subdivision shall preclude an institution from initiating a request to the coordinating board for a revision of its mission; and

(9) Reviewing applications from institutions seeking a statewide mission. Such institutions shall provide evidence to the coordinating board that they have the capacity to discharge successfully such a mission. Such evidence shall consist of the following:

(a) That the institution enrolls a representative cross-section of Missouri students. Examples of evidence for meeting this requirement which the institution may present include, but are not limited to, the following: enrolling at least forty percent of its Missouri resident, first-time degree-seeking freshmen from outside its historic statutory service region; enrolling its Missouri undergraduate students from at least eighty percent of all Missouri counties; or enrolling one or more groups of special population students such as minorities, economically disadvantaged, or physically disadvantaged from outside its historic statutory service region at rates exceeding state averages of such populations enrolled in the higher educational institutions of this state;

(b) That the institution offers one or more programs of unusual strength which respond to a specific statewide need. Examples of evidence of meeting this requirement which the institution may present include, but are not limited to, the following: receipt of national, discipline-specific accreditation when available; receipt of independent certification for meeting national or state standards or requirements when discipline-specific accreditation is not available; for occupationally specific programs, placement rates significantly higher than average; for programs for which state or national licensure is required or for which state or national licensure or registration is available on a voluntary basis, licensure or registration rates for graduates seeking such recognition significantly higher than average; or quality of program faculty as measured by the percentage holding terminal degrees, the percentage writing publications in professional journals or other appropriate media, and the percentage securing competitively awarded research grants which are higher than average;

(c) That the institution has a clearly articulated admission standard consistent with the provisions of subdivision [(6)] **(5)** of subsection 2 of section 173.005 or section 174.130;

(d) That the institution is characterized by a focused academic environment which identifies specific but limited areas of academic emphasis at the undergraduate, and if appropriate, at the graduate and professional school levels, including the identification of programs to be continued, reduced, terminated or targeted for excellence. The institution shall, consistent with its focused academic environment, also have the demonstrable capacity to provide significant public service or research support that address statewide needs for constituencies beyond its historic statutory service region; and

(e) That the institution has adopted and maintains a program of continuous quality improvement, or the equivalent of such a program, and reports annually appropriate and verifiable measures of institutional accountability related to such program. Such measures shall include, but not be limited to, indicators of student achievement and institutional mission attainment such as percentage of students meeting institutional admission standards; success of remediation programs, if offered; student retention rate; student graduation rate; objective measures of student, alumni, and employer satisfaction; objective measures of student learning in general education and the major, including written and oral communication skills and critical thinking skills; percentage of students attending graduate or professional schools; student placement, licensure and professional registration rates when appropriate to a program's objectives; objective measures of successful attainment of statewide goals as may be expressed from time to time by the coordinating board or by the general assembly; and objective measures of faculty teaching effectiveness. In the development and evaluation of these institutional accountability reports, the coordinating board and institutions are expected to use multiple measures of success, including nationally developed and verified as well as locally developed and independently verified assessment instruments; however, preference shall be given to nationally developed instruments when they are available and if

they are appropriate. Institutions which serve or seek to serve a statewide mission shall be judged to have met the prerequisites for such a mission when they demonstrate to the coordinating board that they have met the criteria described in this subdivision. As a component of this process, each institution shall prepare, in a manner prescribed by the coordinating board, a mission implementation plan for the coordinating board's consideration and approval.

173.040. The coordinating board is directed to submit a written report to the governor or governor-elect at least forty-five days prior to the opening of each regular session of the general assembly and to submit the same report to the general assembly within five days after the opening of each regular session. The report shall include:

(1) A statement of the initial coordinated plan for higher education in Missouri, together with subsequent changes and implementations;

(2) A review of recent changes in enrollments and programs among institutions of higher education in the state;

(3) A review of requests and recommendations made by the coordinating board to institutions of higher education in accordance with section 173.030 and of the college's or university's response to requests and recommendations, including noncompliance therewith;

(4) The coordinating board's recommendations for development and coordination in state-supported higher education in the forthcoming biennium, within the context of the long-range coordinated plan;

(5) The coordinating board's budget recommendations for each state-supported college or university for the forthcoming biennium; and

(6) The campus-level data on student persistence and a description, including the basis of measurement, of progress towards implementing revised remediation, transfer, and retention practices under subdivisions [(7) and (9)] **(6) and (8)** of subsection 2 of section 173.005.

173.616. 1. The following schools, training programs, and courses of instruction shall be exempt from the provisions of sections 173.600 to 173.618:

(1) A public institution;

(2) Any college or university represented directly or indirectly on the advisory committee of the coordinating board for higher education as provided in subsection 3 of section 173.005;

(3) An institution that is certified by the board as an approved private institution under subdivision (2) of subsection 1 of section 173.1102;

(4) A not-for-profit religious school that is accredited by the American Association of Bible Colleges, the Association of Theological Schools in the United States and Canada, or a regional accrediting association, such as the North Central Association, which is recognized by the Council on Postsecondary Accreditation and the United States Department of Education; and

(5) Beginning July 1, 2008, all out-of-state public institutions of higher education, as such term is defined in subdivision [(14)] **(13)** of subsection 2 of section 173.005.

2. The coordinating board shall exempt the following schools, training programs and courses of instruction from the provisions of sections 173.600 to 173.618:

(1) A not-for-profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation;

(2) A not-for-profit school owned, controlled and operated by a bona fide eleemosynary organization which provides instruction with no financial charge to its students and at which no part of the instructional cost is defrayed by or through programs of governmental student financial aid, including grants and loans, provided directly to or for individual students;

(3) A school which offers instruction only in subject areas which are primarily for avocational or recreational purposes as distinct from courses to teach employable, marketable knowledge or skills, which does not advertise occupational objectives and which does not grant degrees;

(4) A course of instruction, study or training program sponsored by an employer for the training and preparation of its own employees;

(5) A course of study or instruction conducted by a trade, business or professional organization with a closed membership where participation in the course is limited to bona fide members of the trade, business or professional organization, or a course of instruction for persons in preparation for an examination given by a state board or commission where the state board or commission approves that course and school;

(6) A school or person whose clientele are primarily students aged sixteen or under;

(7) A yoga teacher training course, program, or school.

3. A school which is otherwise licensed and approved under and pursuant to any other licensing law of this state shall be exempt from sections 173.600 to 173.618, but a state certificate of incorporation shall not constitute licensing for the purpose of sections 173.600 to 173.618.

4. Any school, training program or course of instruction exempted herein may elect by majority action of its governing body or by action of its director to apply for approval of the school, training program or course of instruction under the provisions of sections 173.600 to 173.618. Upon application to and approval by the coordinating board, such school training program or course of instruction may become exempt from the provisions of sections 173.600 to 173.618 at any subsequent time, except the board shall not approve an application for exemption if the approved school is then in any status of noncompliance with certification standards and a reversion to exempt status shall not relieve the school of any liability for indemnification or any penalty for noncompliance with certification standards during the period of the school's approved status.

173.750. 1. By July 1, 1995, the coordinating board for higher education, within existing resources provided to the department of higher education and workforce development and by rule and regulation, shall have established and implemented a procedure for annually reporting the performance of graduates of public high schools in the state during the student's initial year in the public colleges and universities of the state. The purpose of such reports shall be to assist in determining how high schools are preparing students for successful college and university performance. The report produced pursuant to this

subsection shall annually be furnished to the state board of education for reporting pursuant to subsection 4 of section 161.610 and shall not be used for any other purpose until such time that a standard process and consistent, specific criteria for determining a student's need for remedial coursework is agreed upon by the coordinating board for higher education, higher education institutions, and the state board of education.

2. The procedures shall be designed so that the reporting is made by the name of each high school in the state, with individual student data to be grouped according to the high school from which the students graduated. The data in the reports shall be disaggregated by race and sex. The procedures shall not be designed so that the reporting contains the name of any student. No grade point average shall be disclosed under subsection 3 of this section in any case where three or fewer students from a particular high school attend a particular college or university.

3. The data reported shall include grade point averages after the initial college year, calculated on, or adjusted to, a four point grade scale; the percentage of students returning to college after the first and second half of the initial college year, or after each trimester of the initial college year; the percentage of students taking noncollege level classes in basic academic courses during the first college year, or remedial courses in basic academic subjects of English, mathematics, or reading; and other such data as determined by rule and regulation of the coordinating board for higher education.

4. The department of elementary and secondary education shall conduct a review of its policies and procedures relating to remedial education in light of the best practices in remediation identified as required by subdivision [(7)] (6) of subsection 2 of section 173.005 to ensure that school districts are informed about best practices to reduce the need for remediation. The department shall present its results to the joint committee on education by October 31, 2017.

174.160. The board of regents of each state college and each state teachers college shall have power and authority to confer upon students, by diploma under the common seal, such degrees as are usually granted by such colleges, and additional degrees only when authorized by the coordinating board for higher education in circumstances in which offering such degree would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. In the case of nonresearch doctoral degrees in allied health professions, an institution may be authorized to offer such degree independently if offering it in collaboration with another institution would not increase the quality of the program or allow it to be delivered more efficiently. [Such boards shall have the power and authority to confer degrees in engineering only in collaboration with the University of Missouri, provided that such collaborative agreements are approved by the governing board of each institution and that in these instances the University of Missouri will be the degree-granting institution. Should the University of Missouri decline to collaborate in the offering of such programs, one of these institutions may seek approval of the program through the coordinating board for higher education's comprehensive review process when doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner.]

174.231. 1. On and after August 28, 2005, the institution formerly known as Missouri Southern State College located in Joplin, Jasper County, shall be known as "Missouri Southern State University".

Missouri Southern State University is hereby designated and shall hereafter be operated as a statewide institution of international or global education. The Missouri Southern State University is hereby designated a moderately selective institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and [(3)] (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs and public service activities it deems necessary and appropriate to establish international or global education as a distinctive theme of its mission.

2. As of July 1, 2008, Missouri Southern State University shall discontinue any and all associate degree programs unless the continuation of such associate degree programs is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section 173.005.

174.251. 1. On and after August 28, 2005, the institution formerly known as Missouri Western State College at St. Joseph, Buchanan County, shall hereafter be known as the "Missouri Western State University". Missouri Western State University is hereby designated and shall hereafter be operated as a statewide institution of applied learning. The Missouri Western State University is hereby designated an open enrollment institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and [(3)] (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs as it deems necessary and appropriate to an open enrollment institution with a statewide mission of applied learning.

2. As of July 1, 2010, Missouri Western State University shall discontinue any and all associate degree programs unless the continuation of such associate degree program is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section 173.005.

174.310. 1. There shall be a period of orderly transition which shall begin with the appointment of the board of regents, during which the St. Louis board of education shall convey by gift, the buildings, facilities, equipment, and adjoining eight acres, more or less, of realty located at 3026 Laclede Avenue, St. Louis, Missouri, which currently serves as the campus of Harris-Stowe State College, to the board of regents, and during which time the St. Louis board of education, at its own expense, shall continue to provide necessary supporting services to Harris-Stowe State College. The transition period shall terminate no later than July 1, 1979, at which time the regents shall be responsible for every aspect of the college's operation.

2. Notwithstanding any other provisions of this chapter to the contrary, the board of regents of Harris-Stowe State College is authorized to offer baccalaureate degree programs and graduate degree programs that will meet the needs of the St. Louis metropolitan area. Such programs shall be subject to approval by the coordinating board for higher education as provided for in subdivisions (1) and [(3)] (2) of subsection 2 of section 173.005.

3. The state shall, effective July 1, 1978, provide the necessary funds to fully staff and operate Harris-Stowe State College and to make appropriate capital improvements.

4. On and after August 28, 2005, Harris-Stowe State College shall be known as Harris-Stowe State University, and the provisions contained in subsections 1 to 3 of this section shall continue to apply to the institution."; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted.

Senator Brattin offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 69, Page 5, Section 173.005, Line 130, by inserting after "institution" the following: ". **Notwithstanding any provision of law to the contrary, no public funds shall be spent on any research facility of Missouri State University**".

Senator Brattin moved that the above amendment be adopted.

At the request of Senator Henderson, **SB 69**, with **SS, SA 1**, and **SA 1 to SA 1** (pending), was placed on the Informal Calendar.

Senator Carter moved that **SJR 46** be taken up for perfection, which motion prevailed.

Senator Carter offered **SS** for **SJR 46**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 46

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to a property tax exemption for disabled veterans.

Senator Carter moved that **SS** for **SJR 46** be adopted.

Senator Mosley offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 46, Pages 1-4, Section 6, by striking all of said section and inserting in lieu thereof the following:

“Section 6. 1. **(1) As used in this subsection, the following terms mean:**

(a) “Disabled veteran”, an individual who:

a. Is a resident of this state;

b. Has been separated under honorable conditions from active service in:

(i) Any branch of the Armed Forces of the United States;

(ii) Any reserve component of the Armed Forces of the United States;

(iii) The National Guard of this state as defined in 32 U.S.C. Section 101, as amended; or

(iv) Any defense force of this state as described in 32 U.S.C. Section 109, as amended; and

c. Has been certified by the United States Department of Veterans Affairs or its successor agency to be in receipt of disability compensation at the one-hundred-percent rate as a result of a service-connected disability claim allowed by the United States Department of Veterans Affairs, with such disability being permanent and sustained through military action or accident or resulting from disease contracted while in such active service;

(b) “Surviving spouse”, the living spouse of a deceased disabled veteran as defined under this subdivision.

(2) All property, real and personal, of the state, counties and other political subdivisions, and nonprofit cemeteries, [and] all real property used as a homestead as defined by law of any citizen of this state who is a former prisoner of war, as defined by law[, and who has a total service-connected disability], **and all real property used as a homestead as defined by law of any disabled veteran or of any surviving spouse of a deceased disabled veteran, subject to the provisions of subdivision (3) of this subsection,** shall be exempt from taxation; all personal property held as industrial inventories, including raw materials, work in progress and finished work on hand, by manufacturers and refiners, and all personal property held as goods, wares, merchandise, stock in trade or inventory for resale by distributors, wholesalers, or retail merchants or establishments shall be exempt from taxation; and all property, real and personal, not held for private or corporate profit and used exclusively for religious worship, for schools and colleges, for purposes purely charitable, for agricultural and horticultural societies, or for veterans' organizations may be exempted from taxation by general law. In addition to the above, household goods, furniture, wearing apparel and articles of personal use and adornment owned and used by a person in his home or dwelling place may be exempt from taxation by general law but any such law may provide for approximate restitution to the respective political subdivisions of revenues lost by reason of the exemption. All laws exempting from taxation property other than the property enumerated in this article, shall be void. The provisions of this section exempting certain personal property of manufacturers, refiners, distributors, wholesalers, and retail merchants and establishments from taxation shall become effective, unless otherwise provided by law, in each county on January 1 of the year in which that county completes its first general reassessment as defined by law.

(3) If the disabled veteran dies, the surviving spouse shall continue to receive the exemption authorized under this subsection, provided that the surviving spouse uses, occupies, and maintains the real property that the disabled veteran was granted the original exemption as his or her homestead and such property is not sold. If the surviving spouse sells the homestead or relocates so that the real property is no longer used as a homestead by the surviving spouse, the exemption shall expire.

2. All revenues lost because of the exemption of certain personal property of manufacturers, refiners, distributors, wholesalers, and retail merchants and establishments shall be replaced to each taxing authority within a county from a countywide tax hereby imposed on all property in subclass 3 of class 1 in each county. For the year in which the exemption becomes effective, the county clerk shall calculate the total revenue lost by all taxing authorities in the county and extend upon all property in subclass 3 of class 1 within the county, a tax at the rate necessary to produce that amount. The rate of tax levied in each county according to this subsection shall not be increased above the rate first imposed and will stand levied at that rate unless later reduced according to the provisions of subsection 3. The county collector shall disburse the proceeds according to the revenue lost by each taxing authority because of the exemption of

such property in that county. Restitution of the revenues lost by any taxing district contained in more than one county shall be from the several counties according to the revenue lost because of the exemption of property in each county. Each year after the first year the replacement tax is imposed, the amount distributed to each taxing authority in a county shall be increased or decreased by an amount equal to the amount resulting from the change in that district's total assessed value of property in subclass 3 of class 1 at the countywide replacement tax rate. In order to implement the provisions of this subsection, the limits set in section 11(b) of this article may be exceeded, without voter approval, if necessary to allow each county listed in section 11(b) to comply with this subsection.

3. Any increase in the tax rate imposed pursuant to subsection 2 of this section shall be decreased if such decrease is approved by a majority of the voters of the county voting on such decrease. A decrease in the increased tax rate imposed under subsection 2 of this section may be submitted to the voters of a county by the governing body thereof upon its own order, ordinance, or resolution and shall be submitted upon the petition of at least eight percent of the qualified voters who voted in the immediately preceding gubernatorial election.

4. As used in this section, the terms "revenues lost" and "lost revenues" shall mean that revenue which each taxing authority received from the imposition of a tangible personal property tax on all personal property held as industrial inventories, including raw materials, work in progress and finished work on hand, by manufacturers and refiners, and all personal property held as goods, wares, merchandise, stock in trade or inventory for resale by distributors, wholesalers, or retail merchants or establishments in the last full tax year immediately preceding the effective date of the exemption from taxation granted for such property under subsection 1 of this section, and which was no longer received after such exemption became effective."

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

Senator Carter moved that **SS** for **SJR 46**, as amended, be adopted, which motion prevailed.

On motion of Senator Carter, **SS** for **SJR 46**, as amended, was declared perfected and ordered printed.

Senator Bean moved that **SB 120** be taken up for perfection, which motion prevailed.

Senator Bean offered **SS** for **SB 120**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 120

An Act to repeal sections 640.220 and 643.350, RSMo, and to enact in lieu thereof two new sections relating to the expenditure of moneys in certain funds by the department of natural resources.

Senator Bean moved that **SS** for **SB 120** be adopted.

Senator Hough offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 120, Page 1, In the Title, Lines 4-5, by striking the words "the department of natural resources" and inserting in lieu thereof the following: "state departments"; and

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

“226.150. The commission is hereby directed to comply with the provisions of any act of Congress providing for the distribution and expenditure of funds of the United States appropriated by Congress for highway **system** construction, **maintenance, or operation**, and to comply with any of the rules or conditions made by the Bureau of Public Roads of the Department of Agriculture, or other branch of the United States government, acting under the provisions of federal law in order to secure to the state of Missouri funds allotted to this state by the United States government for highway **system** construction, **maintenance, or operation**. [The commission is authorized to pay the state's proportion of the cost of roads constructed with federal and state funds out of the state road fund.] Any money due to the state of Missouri from the United States, under the provisions of such acts of Congress, relating to highway **system** construction, **maintenance, or operation**, shall be received by the state treasury and deposited in [a separate fund, and paid out by the state treasurer on requisitions drawn by an officer of the state highways and transportation commission on a warrant of the state auditor. Said funds being the funds of the federal government allotted to the state of Missouri, no appropriation of the general assembly for the expenditure of such funds shall be necessary] **the federal road fund established in section 226.221**. The commission is authorized to accept, receive and utilize any road machinery, trucks or supplies donated, loaned or sold to the state by the federal government, and to pay the necessary transportation and other expenses of securing the same. The commission may also sell any unnecessary or surplus tools or equipment and receive payment therefor and all money received on account of such sales, if any, shall be immediately paid into the state treasury to the credit of the [state] **federal** road fund; provided, however, that no such unnecessary or surplus tools or equipment shall be sold directly or indirectly by the commission to any employees of the transportation department except when such sales are made at public sale open to the general public.

226.200. 1. There is hereby created a “State Highways and Transportation Department Fund” into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes)[, and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:]

[(1) Money arising from the sale of bonds;]

[(2) Money received from the United States government; or]

[(3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds].

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

(1) Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2) Of maintaining the state highways and transportation commission;

- (3) Of maintaining the state transportation department;
- (4) Of any workers' compensation for state transportation department employees;
- (5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and
- (6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. Beginning in fiscal year 2004, the total amount of appropriations from the state highways and transportation department fund for all state offices and departments, except for the highway patrol, and actual costs incurred by the office of administration for or on behalf of the highway patrol and employees of the department of transportation, shall not exceed the total amount appropriated for such offices and departments from said fund for fiscal year 2001. Appropriations to the highway patrol from the state highways and transportation department fund shall be made in accordance with Article IV, Section 30(b) of the Missouri Constitution. Appropriations allocated from the state highways and transportation department fund to the highway patrol shall only be used by the highway patrol to administer and enforce state motor vehicle laws or traffic regulations. Beginning July 1, 2007, any activities or functions conducted by the highway patrol not related to enforcing or administering state motor vehicle laws or traffic regulations shall not be funded by the state highways and transportation department fund, but shall be funded from general revenue or any other applicable source. Any current funding from the highways and transportation department fund used for activities not related to enforcing state motor vehicle laws or traffic regulations shall expire on June 30, 2007. The state auditor shall annually audit and examine the appropriations made to the highway patrol to determine whether such appropriations are actually being used for administering and enforcing state motor vehicle laws and traffic regulations pursuant to the constitution. The state auditor shall submit its annual findings to the general assembly by January fifteenth of each year.

4. The provisions of subsection 3 of this section shall not apply to appropriations from the state highways and transportation department fund to the highways and transportation commission and the state transportation department or to appropriations to the office of administration for department of transportation employee fringe benefits and OASDHI payments, or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142 or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

5. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund.

6. Any balance remaining in said fund after payment of said costs shall be transferred to the state road fund.

7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372 after April 1, 1992, shall not be used for administrative purposes or administrative expenses of the transportation department.

226.220. 1. There is hereby created and set up the "State Road Fund" which shall receive all moneys and credits from

- (1) The sale of state road bonds;
- (2) [The United States government and intended for highway purposes;]
- [(3)] The state road bond and interest sinking fund as provided in section 226.210; and

[(4)] **(3)** Any other source [if they are] **required under Section 30(b), Article IV, of the Constitution to be** held for expenditure by or under the department of transportation or the state highways and transportation commission [and if they are not required by section 226.200 to be transferred to the state highway department fund].

2. The costs and expenses withdrawn from the state treasury

- (1) For locating, relocating, establishing, acquiring, reimbursing for, constructing, improving and maintaining state highways in the systems specified in Article IV, Section 30(b), of the Constitution;
- (2) For acquiring materials, equipment and buildings; and
- (3) For other purposes and contingencies relating and appertaining to the construction and maintenance of said highways;

Shall be paid from the state road fund upon warrants drawn by the state auditor, based upon bills of particulars and vouchers preapproved and certified for payment by the commissioner of administration and by the state highways and transportation commission acting through such of their employees as may be designated by them.

3. No payments or transfers shall ever be made from the state road fund except for an expenditure made

- (1) Under the supervision and direction of the state highways and transportation commission; and
- (2) For a purpose set out in Subparagraph (1), (2), (3), (4), or (5) of **Subsection 1** of Section 30(b), Article IV, of the Constitution.

226.221. 1. There is hereby created and set up the “Federal Road Fund”, which shall receive all moneys and credits from:

- (1) The United States government and intended for highway purposes; and**
- (2) All other revenue intended for highway purposes and received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:**
 - (a) Moneys and credits from the sale of state road bonds;**
 - (b) The state road bond and interest sinking fund as provided in section 226.210; and**
 - (c) State revenue derived from highway users as an incident to their use or right to use the highways of the state as provided in Section 30(b), Article IV, of the Constitution.**

2. The state treasurer shall be custodian of the fund. No money shall be withdrawn from the fund except by warrant drawn in accordance with an appropriation made by the general assembly.

In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department of transportation for highway purposes.

3. 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.

4. 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.”; and

Further amend the title and enacting clause accordingly.

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

Senator Roberts offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 120, Page 1, Section A, Line 3, by inserting after all of said line the following:

“68.080. 1. There is hereby established in the state treasury the “Waterways and Ports Trust Fund”. The fund shall consist of revenues appropriated to it by the general assembly.

2. The fund may also receive any gifts, contributions, grants, or bequests received from federal, private, or other sources.

3. The fund shall be a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of the state. All interest earned upon the balance in the fund shall be deposited to the credit of the fund.

4. Moneys in the fund shall be withdrawn only **at the request of a Missouri port authority for statutorily permitted port purposes and** upon appropriation by the general assembly, to be administered by the state highways and transportation commission and the department of transportation, in consultation with Missouri public ports, for the purposes in subsection 2 of section 68.035 and for no other purpose. To be eligible to receive an appropriation from the fund, a project shall be:

(1) A capital improvement project implementing physical improvements designed to improve commerce or terminal and transportation facilities on or adjacent to the navigable rivers of this state;

(2) Located on land owned or held in long-term lease by a Missouri port authority, **or on land owned by a city not within a county and managed by a Missouri port authority**, or within a navigable river adjacent to such land, and within the boundaries of a port authority;

(3) Funded by alternate sources so that moneys from the fund comprise no more than eighty percent of the cost of the project;

(4) Selected and approved by the highways and transportation commission, in consultation with Missouri public ports, to support a statewide plan for waterborne commerce, in accordance with subdivision (1) of section 68.065; and

(5) Capable of completion within two years of approval by the highways and transportation commission.

5. Appropriations made from the fund established in this section may be used as a local share in applying for other grant programs.

6. The provisions of this section shall terminate on August 28, 2033, pending the discharge of all warrants. On December 31, 2033, the fund shall be dissolved and the unencumbered balance shall be transferred to the general revenue fund.”; and

Further amend the title and enacting clause accordingly.

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

Senator Bean moved that **SS** for **SB 120**, as amended, be adopted, which motion prevailed.

On motion of Senator Bean, **SS** for **SB 120**, as amended, was declared perfected and ordered printed.

Senator Hudson assumed the Chair.

President Pro Tem O’Laughlin assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Luetkemeyer, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Madam President, your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SBs 166** and **155**, **SS** for **SCS** for **SB 80**, and **SS** for **SJR 46**, begs leave to report that it has considered the same and recommends that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Fitzwater, Chair of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Madam President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 162**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem O’Laughlin referred **SS** for **SCS** for **SB 80** and **SS** for **SJR 46** to the Committee on Fiscal Oversight.

Senator Hudson assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Fitzwater moved that **SB 133**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 133**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 133

An Act to repeal sections 319.015, 319.022, 319.024, 319.025, 319.026, 319.027, 319.030, 319.031, and 319.035, RSMo, and to enact in lieu thereof eleven new sections relating to underground facilities.

Was taken up.

Senator Fitzwater moved that **SCS** for **SB 133** be adopted.

Senator Fitzwater offered **SS** for **SCS** for **SB 133**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 133

An Act to repeal sections 319.015, 319.022, 319.024, 319.025, 319.026, 319.027, 319.030, 319.031, and 319.035, RSMo, and to enact in lieu thereof eleven new sections relating to underground facilities.

Senator Fitzwater moved that **SS** for **SCS** for **SB 133** be adopted, which motion prevailed.

On motion of Senator Fitzwater, **SS** for **SCS** for **SB 133** was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Schroer introduced to the Senate, Diego and Adam Romero; and Linda Stinson, O'Fallon.

Senator Hudson introduced to the Senate, College of Journalism professor, Erin Hayes; and students.

Senator Bernskoetter introduced to the Senate, Eugene Eagles State champion basketball coaches, Brian Wilde; Craig Engelbrecht; and Matthew Heidger; and team, Dawson Busch; Justice Allen; Drew Hart; Ethan Wunderlich; Ryder Belt; Chase Richard; Logan Payne; Nolan Wilbers; Brody Graham; Issac Busch; Austin Doerhoff; Keaton Engelbrecht; and Traeger Carrender.

Senator McCreery introduced to the Senate, Girl Scouts of Eastern Missouri.

Senator Lewis introduced to the Senate, Rachel Pharris, Willard.

Senator Burger introduced to the Senate, Abigail Simmons; Levi Null; Tessah Dowd; Katlyn Amen; Kyla Estes; and Karen James, Bollinger County.

On motion of Senator Trent, the Senate adjourned until 1:00 p.m., Wednesday, April 9, 2025.

SENATE CALENDAR

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FORTY-NINTH DAY—WEDNESDAY, APRIL 9, 2025
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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1116
HB 596-Brown, C. (16)
HB 313-Cook
HCS for HBs 513, 413 & 536

HCS for HB 267
HB 369-Banderman
HB 388-McGaugh
HB 416-Shields

HCS for HBs 575 & 551
HCS for HBs 195 & 1119
HB 437-Hardwick
HB 207-Hinman
HB 825-Stinnett
HCS for HB 268
HB 58-Sassmann
HB 122-Veit
HB 397-Peters
HB 325-Murphy
HB 765-Stinnett
HCS for HB 202
HB 780-Chappell
HCS for HB 1175
HCS for HB 497
HB 1122-Voss
HCS for HB 1037
HCS for HB 176
HB 707-Oehlerking
HCS for HB 378
HB 49-Haley

HB 147-Hovis
HCS for HB 169
HCS for HBs 44 & 426
HCS for HBs 145 & 59
HCS for HB 105
HB 42-Billington
HCS for HB 489
HB 520-Griffith
HCS for HB 794
HB 770-Banderman
HCS for HBs 408, 306 & 854
HB 138-Justus
HB 543-Cook
HCS for HB 5
HCS for HBs 1363, 1062 & 1254
HB 1049-Owen
HCS for HB 507
HCS for HBs 493 & 635
HB 183-Parker
HB 478-Oehlerking
HB 262-Brown, C. (16)

THIRD READING OF SENATE BILLS

SS for SB 266-Fitzwater
(In Fiscal Oversight)
SS for SCS for SBs 166 & 155-Gregory (21)

SS for SCS for SB 80-Gregory (21)
(In Fiscal Oversight)
SS for SJR 46-Carter
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SJR 40-Carter, et al, with SCS
2. SB 104-Bernskoetter, with SCS
3. SB 271-Black, with SCS
4. SB 217-Black, with SCS
5. SB 240-Burger
6. SB 506-Schroer
7. SB 196-Moon
8. SB 100-Cierpiot
9. SB 83-Burger, with SCS
10. SB 85-Nicola, with SCS
11. SB 162-Schnelting

HOUSE BILLS ON THIRD READING

HCS for HB 75 (Schnelting)
HCS#2 for HBs 567, 546, 758 & 958 (Bernskoetter)
HCS for HBs 595 & 343 (Schroer)

HB 742-Baker, with SCS (Brattin)
HB 68-Overcast (Trent)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Cierpiot	SB 84-Burger
SB 6-Cierpiot	SB 87-Nicola, with SCS, SS for SCS & SA 1 (pending)
SB 8-Bernskoetter	SB 99-Crawford, with SCS
SB 14-Brown (16)	SBs 101 & 64-Cierpiot, with SCS
SB 23-Brattin, with SCS	SB 107-Brown (16) and Black, with SS (pending)
SB 31-Beck	SB 185-Cierpiot
SB 45-Fitzwater and Carter	SB 190-Brown (16) and Gregory (21), with SS & SA 2 (pending)
SB 46-Trent and Coleman	SBs 215 & 70-Trent, with SCS
SBs 52 & 44-Schroer and Carter, with SCS, SS for SCS & SA 3 (pending)	SB 223-Coleman
SB 54-Schroer, with SCS	SB 225-Coleman
SB 58-Carter and Moon, with SCS	SB 230-Brown (26)
SB 62-Brown (26), with SCS	SB 360-Carter, with SS & SA 1 (pending)
SB 69-Henderson, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 485-Schroer
SB 77-Schnelting, et al, with SS, SA 1 & SA 1 to SA 1 (pending)	SJR 62-Cierpiot

RESOLUTIONS

SR 18-May	SR 39-Nurrenbern
SR 32-Moon	

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