

# JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-EIGHTH DAY, THURSDAY, MAY 3, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

*We take up the theme, "America, Unite in Prayer", on this National Day of Prayer.*

God, our refuge and our strength, an ever-present help in times of trouble (*adapted from Psalm 46:1*), we praise and thank You, who have called millions of us across our land to obey Your Holy Spirit by uniting in prayer today.

We pray first for those who are in trouble because of senseless, unnecessary violence. We pray for those who have died in such violence. Save them! Heal and help their families and loved ones.

We pray for the members of this body and for their staff and for all who assist them in their work. Give them the energy and calm to accomplish well the work of today after a very long day yesterday.

God our Father, guide and strengthen us to work in unity today. Give us the ability to focus on what is right and best and just, rather than yielding to the temptation to focus upon winning.

Bless us Almighty God, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michael Summerlin, Bryce Holman, Phyllis Dieckmann and Eva Fay Hollis.

The Journal of the sixty-seventh day was approved as corrected.

## **SPECIAL RECOGNITION**

The Tenth Annual House Employee Appreciation Day was held and employees were recognized for their service. The Outstanding Employees of the Year were Naomi Vetter and Letitcia Long.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3107 through House Resolution No. 3153

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 156** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#6 SCS SB 389** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 418** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 758** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SB 25**: Representatives Franz, Baker (123), Ervin, Donnelly and Oxford

**HCS SCS SB 64**: Representatives Wallace, Cunningham (86), Muschany, Aull and Lampe

**HCS SB 81**: Representatives Schlottach, Smith (150), Threlkeld, Skaggs and Zimmerman

**HCS SCS SB 198**: Representatives Pollock, Day, Sutherland, Hughes and Walsh

## THIRD READING OF SENATE BILLS

**HCS SCS SB 82**, relating to motor vehicles, was taken up by Representative Tilley.

Representative Denison offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 35, Section 301.550, Line 1, by inserting immediately preceding all of said line the following:

"301.444. 1. [Any person, as defined in subsection 3 of this section, may apply for special license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The firefighter memorial foundation of Missouri hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon application and payment of a one-time twenty-five dollar emblem-use contribution to the firefighter memorial foundation of Missouri, the foundation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the department of revenue at the time of registration of a motor vehicle.

3. As used in this section, the term "person" shall mean:

- (1) A director of a fire protection district;
- (2) Persons compensated, partially compensated, or volunteer members of any fire department, fire protection district, or voluntary fire protection association of this state;
- (3) A person wounded in the line of duty as a firefighter; or
- (4) A surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a person killed in the line of duty as a firefighter.

4. Upon presentation of the emblem-use authorization statement and payment of a fifteen dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the firefighter memorial foundation of Missouri and the word "FIREFIGHTER" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

5. The director of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.] **Owners or a joint owner of motor vehicles who are residents of the state of Missouri, and who are directors of a fire protection district or who are compensated, partially compensated, or volunteer members of any fire department, fire protection district, or voluntary fire protection association in this state, upon application accompanied by affidavit as prescribed in this section, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of a fee as prescribed in this section, shall be issued a set of license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The license plates shall be inscribed with a variation of the Maltese cross that signifies the universally recognized symbol for firefighters. In addition, upon such set of license plates shall be inscribed, in lieu of the words "Show-me State", the word "FIREFIGHTER". Such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.**

2. Applications for license plates issued under this section shall be made to the director of revenue and shall be accompanied by an affidavit stating that the applicant is a person described in subsection 1 of this section. Any person who is lawfully in possession of such plates who resigns, is removed, or otherwise terminates or is terminated from his association with such fire department, fire protection district, or voluntary fire protection association shall return such special plates to the director within fifteen days.

3. An additional annual fee equal to that charged for personalized license plates in section 301.144 shall be paid to the director of revenue for the issuance of the license plates provided for in this section."; and

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

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Tilley offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 43, Section 301.560, Lines 158 to 161, by deleting all of said lines and inserting in lieu thereof the following:

"shall [also] issue one number plate bearing the distinctive dealer license number **and may issue two additional number plates** to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee **for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate**. Such license plates shall be made with fully"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Tilley, **House Amendment No. 2** was adopted.

Representative Parson offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Pages 29-30, Section 301.218, Lines 1-30, by deleting all of said lines and inserting in lieu thereof the following:

"301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

- (1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;
- (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;
- (3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;
- (4) Processing scrapped vehicles or vehicle parts as a mobile scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons **actually engaged in and** holding a current license under sections 301.217 to 301.221 [as a salvage dealer and dismantler and actually engaged in that business. Such persons must have and present a separate buyer's identification card issued by the department of revenue to buy at a salvage pool or salvage disposal sale. If the prospective purchasers are not engaged in such business in Missouri but are in some other state, then they shall submit a fee of twenty-five dollars and must furnish proof of licensure or nonrequirement therefor from their state to the director of revenue who shall issue a buyer's identification card after verifying that the prospective purchaser is entitled to have the same in order to buy salvage vehicles. The director of revenue shall adopt rules for criteria and requirements for out of state, prospective purchasers to meet in order to be issued a buyer's identification card.] **and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing salvage vehicles for export outside of the United States.** Operators of salvage pools or salvage disposal sales shall keep a record, for three years, of sales of salvage vehicles with the purchasers' name and address, and the year, make, and vehicle identification number for each vehicle. These records shall be open for inspection as provided in section 301.225. **Such records shall be submitted to the department on a quarterly basis.**

3. **The seller of a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States at a salvage pool or a salvage disposal sale shall:**

- (1) **Stamp on the face of the title so as not to obscure any name, date, or mileage statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and**
- (2) **Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool, or the name of the governmental entity, as applicable.**

**The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be forwarded to the department.**

4. The director of revenue shall issue a separate license for each kind of business described in [this] **subsection 1 of this** section, to be entitled and designated as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "mobile scrap processor" license."; and

Further amend said bill, Pages 34-35, Section 301.280, Lines 40-46, by deleting all of said lines and inserting in lieu thereof the following:

"remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing."; and

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

Representative Burnett offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 7, Section 301.010, Lines 180-184, by deleting all of said lines and inserting in lieu thereof the following:

"(a) Has been damaged to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds seventy-five percent of the fair market value of the vehicle immediately preceding the time it was damaged;" and

Further amend said substitute, Page 7, Section 301.010, Lines 194-195, by deleting the words "**or damage as a result of hail,**"; and

Further amend said substitute, Page 23, Section 301.190, Line 120, by deleting the open bracket "[" and closed bracket "]" around the word "or"; and

Further amend said substitute, Page 23, Section 301.190, Lines 120-121, by deleting the words "**or prior salvage vehicle,**"; and

Further amend said substitute, Page 23, Section 301.190, Lines 123-128, by deleting all of said lines and inserting in lieu thereof the following:

"designation."; and

Further amend said substitute, Page 32, Section 301.227, Line 5, by deleting the open bracket "[" immediately preceding the word "On"; and

Further amend said substitute, Page 32, Section 301.227, Line 7, by deleting the closed bracket "]" after the period "."; and

Further amend said substitute, Page 32, Section 301.227, Line 7, by deleting the words "**On vehicles purchased during a year that**"; and

Further amend said substitute, Page 32, Section 301.227, Lines 8-12, by deleting all of said lines and inserting in lieu thereof the following:

"Whenever a vehicle is sold for destruction and a salvage certificate of title, junking"; and

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

Speaker Pro Tem Bearden assumed the Chair.

Representative Burnett moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Aull	Baker 25	Bowman	Brown 50	Burnett
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Dusenberg	Flook	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Kuessner	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Self
Shively	Silvey	Skaggs	Spreng	Storch
Talboy	Todd	Walsh	Walton	Whorton
Wilson 119	Yaeger	Young	Zimmerman	Zweifel

NOES: 102

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Grisamore	Guest	Hobbs	Hoskins
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Wasson	Wells	Weter
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Brown 30	Bruns	Funderburk	Kratky
Wildberger				

On motion of Representative Parson, **House Amendment No. 3** was adopted.

Representative Schad offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 55, Section 304.170, Line 2, by inserting an open bracket "[" and closed bracket "]" around the words "ninety-six" and inserting immediately preceding the word "inches" the following:

"one hundred two"; and

Further amend said section, Page 55, Line 3, by inserting an open bracket before the phrase "; except that"; and

Further amend said section, Page 55, Line 8, by inserting a closed bracket after the word "highway" on said line; and

Further amend said section, Page 58, Lines 107 to 108, by enclosing in brackets the phrase:

"The purpose of this section is to permit a single trip per day by the implement of husbandry from the source of supply to a given farm. 15."; and

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

On motion of Representative Schad, **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.560, Page 41, Lines 83 to 86, by deleting all of said lines and inserting in lieu thereof the following, "**policy bearing the policy number and name of the insurer and the insured**"; and

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

On motion of Representative Pollock, **House Amendment No. 5** was adopted by the following vote:

AYES: 109

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Brown 50	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Grill	Grisamore	Guest	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Walton	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Mr Speaker	

NOES: 043

Baker 25	Bland	Bowman	Bringer	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fallert	George	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Norr	Oxford	Page	Roorda	Salva
Schoemehl	Skaggs	Spreng	Storch	Talboy
Villa	Vogt	Walsh	Whorton	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Dixon	Funderburk	Hobbs
Johnson	Kratky	Viebrock	Wallace	Wasson
Wildberger				

Representative Wells offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.560, Page 40, Line 68, by deleting the opening bracket "[" and the closing bracket "]" around the word "twenty-five" and deleting the word "**thirty**"; and

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

On motion of Representative Wells, **House Amendment No. 6** was adopted.

Representative Parson offered **House Amendment No. 7.**

Representative Burnett raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Baker (25) offered **House Amendment No. 8.**

Representative Smith (150) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Spreng offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section A., Page 2, Line 15, by inserting after all of said line the following:

**"135.552. 1. As used in this section, the following terms mean:**

**(1) "Qualifying motor vehicle", any new self-propelled vehicle not operated exclusively upon tracks, except farm tractors, that is assembled and sold in this state on or after January 1, 2008;**

**(2) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, 148, or 153, RSMo;**

**(3) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, 148, or 153, RSMo.**

**2. For all taxable years beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for the purchase of a qualifying motor vehicle. The tax credit amount shall be equal to the amount of state sales tax paid on such qualifying motor vehicle. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall be refundable. No tax credit granted under this section shall be transferred, sold, or assigned.**

**3. This section shall not be construed to prohibit the levy of any local sales tax, as defined in section 32.085, RSMo, on any sales of new motor vehicles assembled and sold in the state on or after January 1, 2008. In the event that any political subdivision has enacted a local sales tax on such sales, the political subdivision may, by order or ordinance, exempt such sales from the local sales tax law.**

**4. The department of revenue may 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, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.**

**5. Under section 23.253, RSMo, of the Missouri Sunset Act:**

**(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and**

**(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.**

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, RSMo, section 238.235, RSMo, 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, RSMo, section 238.235, RSMo, 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, RSMo; 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, RSMo) 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) 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 useable 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, RSMo. 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;

(5) 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;

(6) 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;

(7) Animals or poultry used for breeding or feeding purposes;

(8) 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;

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

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

(11) 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, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) 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 (4) 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, RSMo. **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;

(13) 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;

(14) 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, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) 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, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

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

(17) 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;

(18) All sales of insulin and prosthetic or 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 of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, 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;

(19) 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;

(20) 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 (19) 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;

(21) 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, RSMo;

(22) 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, RSMo, 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, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. 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 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;

(23) 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;

(24) 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;

(25) 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, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) 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;

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

(28) 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;

(29) 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;

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

(31) 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 (4) of subsection 2 of this section;

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

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

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

(35) 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, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) 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;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(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, RSMo, or sections 238.010 to 238.100, RSMo; and

(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."; and

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

On motion of Representative Spreng, **House Amendment No. 9** was adopted.

Representative Wright offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 53, Section 301.640, Line 50, by inserting after all of said line the following:

"302.720. 1. Except when operating under an instruction permit as described in this section, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit shall allow the holder of a valid license to operate a commercial motor vehicle when accompanied by the holder of a commercial driver's license valid for the vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle. A commercial driver's instruction permit shall be valid for the vehicle being operated for a period of not more than six months, and shall not be issued until the permit holder has met all other requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee for such permit or renewal shall be five dollars. In the alternative, a commercial driver's instruction permit shall be issued for a thirty-day period to allow the holder of a valid driver's license to operate a commercial motor vehicle if the applicant has completed all other requirements except the driving test. The permit may be renewed for one additional thirty-day period and the fee for the permit and for renewal shall be five dollars.

2. No person may be issued a commercial driver's license until he has passed written and driving tests for the operation of a commercial motor vehicle which complies with the minimum federal standards established by the Secretary and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any other requirements imposed by state law. Applicants for a hazardous materials endorsement must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by regulations promulgated by the Secretary. Nothing contained in this subsection shall be construed as prohibiting the director from establishing alternate testing formats for those who are functionally illiterate; provided, however, that any such alternate test must comply with the minimum requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) as established by the Secretary.

(1) The written and driving tests shall be held at such times and in such places as the superintendent may designate. A twenty-five dollar examination fee shall be paid by the applicant upon completion of any written or driving test. The director shall delegate the power to conduct the examinations required under sections 302.700 to 302.780 to any member of the highway patrol or any person employed by the highway patrol qualified to give driving examinations.

(2) The director shall adopt and promulgate rules and regulations governing the certification of third-party testers by the department of revenue. Such rules and regulations shall substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification to conduct third-party testing shall be valid for one year, and the department shall charge a fee of one hundred dollars to issue or renew the certification of any third-party tester.

(3) Beginning August 28, 2006, the director shall only issue or renew third-party tester certification to junior colleges or community colleges established under chapter 178, RSMo, or to private companies who own, lease, or maintain their own fleet and administer in-house testing to their employees, or to school districts and their agents that administer in-house testing to the school district's or agent's employees. Any third-party tester who violates any of the rules and regulations adopted and promulgated pursuant to this section shall be subject to having his certification revoked by the department. The department shall provide written notice and an opportunity for the third-party tester to be heard in substantially the same manner as provided in chapter 536, RSMo. If any applicant submits evidence that he has successfully completed a test administered by a third-party tester, the actual driving test for a commercial driver's license may then be waived.

(4) Every applicant for renewal of a commercial driver's license shall provide such certifications and information as required by the secretary and if such person transports a hazardous material must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by regulations promulgated by the secretary. Such person shall be required to take the written test for such endorsement. A twenty-five dollar examination fee shall be paid upon completion of such tests.

**(5) The director shall have the authority to waive the driving skills test for any qualified military applicant for a commercial driver license who is currently licensed at the time of application for a commercial**

driver license. The director shall impose conditions and limitations to restrict the applicants from whom the department may accept alternative requirements for the skills test described in federal regulation 49 C.F.R. 383.77. An applicant must certify that, during the two-year period immediately preceding application for a commercial driver license, all of the following apply:

- (a) The applicant has not had more than one license;
- (b) The applicant has not had any license suspended, revoked, or canceled;
- (c) The applicant has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in chapter 302, RSMo, or federal rule 49 C.F.R. 383.51(b);
- (d) The applicant has not had more than one conviction for any type of motor vehicle for serious traffic violations;
- (e) The applicant has not had any conviction for a violation of state or local law relating to motor vehicle traffic control, but not including any parking violation, arising in connection with any traffic accident, and has no record of an accident in which he or she was at fault;
- (f) The applicant is regularly employed in a job requiring operation of a commercial motor vehicle and has operated the vehicle for at least sixty days during the two years immediately preceding application for a commercial driver license. The vehicle must be representative of the commercial motor vehicle the driver applicant operates or expects to operate;
- (g) The applicant, if on active duty, must provide a notarized affidavit signed by a commanding officer as proof of driving experience as indicated in subdivision (f);
- (h) The applicant, if honorably discharged from military service, must provide a form-DD214 or other proof of military occupational specialty;
- (i) The applicant must meet all federal and state qualifications to operate a commercial vehicle; and
- (j) The applicant will be required to complete all applicable knowledge tests.

3. A commercial driver's license may not be issued to a person while the person is disqualified from driving a commercial motor vehicle, when a disqualification is pending in any state or while the person's driver's license is suspended, revoked, or canceled in any state; nor may a commercial driver's license be issued unless the person first surrenders in a manner prescribed by the director any commercial driver's license issued by another state, which license shall be returned to the issuing state for cancellation.

4. Beginning July 1, 2005, the director shall not issue an instruction permit under this section unless the director verifies that the applicant is lawfully present in the United States before accepting the application. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant under this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

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

On motion of Representative Wright, **House Amendment No. 10** was adopted.

Representative St. Onge offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 58, Section 304.170, Line 114, by inserting after all of said line the following:

"407.730. As used in sections 407.730 to 407.748, the following terms mean:

- (1) "Advertisement", oral, written, graphic or pictorial statements made in the course of solicitation of business including, without limitation, any statement or representation made in a newspaper, magazine, the car rental company's proprietary web site, or other publication, or contained in any notice, sign, poster, display, circular, pamphlet, or letter which may collectively be called "print advertisements", or on radio or television, which may be referred to as "broadcast commercials";
- (2) "Authorized driver":
  - (a) The renter;

- (b) The renter's spouse if the spouse is a licensed driver and satisfies the car rental company's minimum age requirement;
- (c) The renter's employee or co-worker if they are engaged in business activity with the person to whom the vehicle is rented, are licensed drivers, and satisfy the rental company's minimum age requirements;
- (d) Any person who operates the vehicle during an emergency situation; and
- (e) Any person expressly listed by the car rental company on the renter's contract as an authorized driver;
- (3) "Blackout date", any date on which an advertised price is totally unavailable to the public;
- (4) "Car rental company", any person or entity in the business of renting private passenger vehicles to the public;
- (5) "Car rental insurance", products and services that are offered in connection with and incidental to the rental of a motor vehicle under subdivision (10) of subsection 1 of section 375.786, RSMo. This definition of optional car rental insurance or any other definition of insurance shall not include collision damage waiver;
- (6) "Clear and conspicuous", that the statement, representation or term being disclosed is of such size, color contrast, and audibility and is so presented as to be readily noticed and understood by the person to whom it is being disclosed. All language and terms should be used in accordance with their common or ordinary usage and meaning;
- (7) "Collision damage waiver", any product a consumer purchases from a car rental company in order to waive all or part of his responsibility for damages, or loss of, a rental vehicle;
- (8) "Limited time availability", that the advertised rental price is only available for a specific period of time or that the price is not available during certain blackout periods;
- (9) "Mandatory charge", any charge, fee, or surcharge consumers must generally pay in order to obtain or operate a rental vehicle;
- (10) "Master rental agreement", those documents used by a car rental company for expedited service to members in a program sponsored by the car rental company in which renters establish a profile and select preferences for rental needs which establish the terms and conditions governing the use of a rental car rented by a car rental company by a participant in a master rental agreement;
- (11) "Material restriction", a restriction, limitation or other requirement which significantly affects the price of, use of, or a consumer's financial responsibility for a rental car;
- (12) "Rental agreement", any document or combination of documents, which, when read together and incorporated by reference to each other, relate to and establish the terms and conditions of the rental of a motor vehicle by an individual; or when such a combination of documents is entered into as part of any written master, corporate, group or individual agreement setting forth the terms and conditions governing the use of a rental car rented by a car rental company.
- (13) "Vehicle license fees", charges that may be imposed upon any transaction originating in the State of Missouri to recoup costs incurred by a car rental company to license, title, inspect, register, plate, and pay personal property taxes on rental vehicles.**

407.732. 1. Any advertisement shall be nondeceptive and in plain language. Deception may result not only from a direct statement in the advertisement and from reasonable inferences therefrom, but also from omitting or obscuring a material restriction or fact.

2. Print advertisements that include prices for car rentals shall make clear and conspicuous disclosure of the following applicable restrictions:

- (1) The expiration date of the price offered if it is available for less than thirty days after the last date of publication of the advertisement;
- (2) The existence of any geographical limitations on use;
- (3) The extent of any advance reservation or advance payment requirements;
- (4) Airport access fee disclosure;
- (5) The existence of any penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;
- (6) Existence of additional driver fee;
- (7) The existence of blackout dates or specific blackout dates for location specific advertisements;
- (8) Nonavailability of offer at all locations;
- (9) Disclosure of mileage caps and charges;
- (10) Disclosure of collision damage waiver costs.

Print advertisements that include prices for car rentals, where mileage fees apply to the advertised price, shall prominently disclose this extraordinary material restriction. Print advertisements that include prices for car rentals, where a company sells collision damage waiver to the public and does not include this cost in the advertised rate, shall prominently disclose the price for collision damage waiver.

3. Broadcast commercials that include prices shall indicate whether substantial restrictions apply and shall include:

- (1) The expiration date of the price offered if the advertised price is available for less than thirty days;
- (2) Nonavailability of the advertised price in certain locations if that is the case;
- (3) Mileage limitations and charges, if any;
- (4) Price or price range for collision damage waiver.

4. Any advertised price shall be available in sufficient quantity to meet reasonably expected public demand for the rental cars advertised for the entire advertised period, beginning on the day on which the advertisement appears and continuing at least thirty days thereafter, unless the advertisement clearly and conspicuously discloses a shorter or longer expiration date for the offer, and in that event, through the expiration date. Prices may be advertised although less cars are available than would be required to meet the expected demand, as long as this limitation is clearly and conspicuously set forth in the advertisement and a reasonable number of cars are made available at the advertised price.

5. [Any surcharge or fee, including, but not limited to, fuel surcharges, airport access fees, and surcharges in lieu of sales tax that consumers must generally pay at any location in order to obtain or operate a rental vehicle shall be clearly and conspicuously disclosed when a price is advertised] **The existence of each additional fee, charge, or surcharge that a consumer must pay and which may be imposed as a separately stated charge on a rental transaction including, but in no way to be construed as limited to, airport fees and vehicle license fees shall be disclosed any time a price is advertised and each fee, charge, or surcharge shall be clearly and conspicuously disclosed on the rental agreement.**

6. A photograph of a rental car shall not be used in a price advertisement unless the advertisement clearly and conspicuously discloses, in immediate proximity to the photograph, the cost to rent the car depicted. A photograph of a rental car shall not be used in an advertisement if the advertisement states directly or by implication that the automobile depicted may be rented under certain conditions and that is not the case.

7. Any price advertised as a "daily price" or "price per day" shall be available for rentals of a single day or more, and any price advertised as a "weekly" rate shall be available for the first week and for subsequent weeks of the same rental. A rental company shall not charge more than a weekly price which was advertised if a customer on a weekly rental returns the car earlier than seven days. A price advertised as a "weekend rate" shall be available on both Saturday and Sunday.

8. Any car rental advertising promotion which extends a free offer or promises a gift or other incentive shall clearly and conspicuously disclose all the terms and conditions for receiving the offer, gift or incentive. A gift, incentive, or other merchandise or service shall not be advertised as free, if the cost of the item, in whole or in part, is included in the advertised rental rate. If the gift or offer is provided by a third party, the car rental company shall be fully responsible for providing the gift or offer under the terms and conditions disclosed.

9. A rental car shall not be advertised using the words "unlimited mileage" or other terms that suggest there are absolutely no mileage restrictions on the use of the rental vehicle only unless there are no geographical restrictions on the use of the vehicle.

10. At the time of the car rental transaction, the car rental company shall disclose the following:

- (1) The total cost, including any airport access fees;
- (2) Geographical limitations;
- (3) Advance reservation or payment requirements;
- (4) Penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;
- (5) Cost of additional driver fee;
- (6) Blackout dates."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 11** was adopted.

Representative Grill offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 29, Section 301.196, Line 30, by inserting after all of said line the following:

"302.171. 1. Beginning July 1, 2005, the director shall verify that an applicant for a driver's license is lawfully present in the United States before accepting the application. The director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. A driver's license, nondriver's license, or instruction permit issued under this chapter shall contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178. **For persons mobilized and deployed with the United States Armed Forces, an application under this subsection shall be considered satisfactory by the department of revenue if it is signed by a person who holds general power of attorney executed by the person deployed, provided the applicant meets all other requirements set by the director.**

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in inclusion in the organ donor registry and shall also specifically inform the licensee of the ability to consent to organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health and senior services of information obtained from applicants who indicate to the director that they are interested in registry participation, and the department of health and senior services shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for

the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who commits fraud or deception during the examination process or who makes application for an instruction permit, driver's license, or nondriver's license which contains or is substantiated with false or fraudulent information or documentation, or who knowingly conceals a material fact or otherwise commits a fraud in any such application. The period of denial shall be one year from the effective date of the denial notice sent by the director. The denial shall become effective ten days after the date the denial notice is mailed to the person. The notice shall be mailed to the person at the last known address shown on the person's driving record. The notice shall be deemed received three days after mailing unless returned by the postal authorities. No such individual shall reapply for a driver's examination, instruction permit, driver's license, or nondriver's license until the period of denial is completed. No individual who is denied the driving privilege under this section shall be eligible for a limited driving privilege issued under section 302.309.

5. All appeals of denials under this section shall be made as required by section 302.311.

6. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036, RSMo.

7. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

8. Notwithstanding any provisions of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

9. Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 8 of this section and does not have the required documents to prove lawful presence, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove lawful presence. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of lawful presence."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Daus offered **House Amendment No. 1 to House Amendment No. 12.**

*House Amendment No. 1*

*to*

*House Amendment No. 12*

AMEND House Amendment No. 12 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 6, Line 19, by inserting after the word "who" an open bracket "["; and

Further amend said amendment, Page 7, Line 11, by inserting after the word "presence" a closed bracket "]""; and

Further amend said amendment, Page 7, Line 11, by inserting after the word "presence" the following:

**"has previously held for a period of twelve years a Missouri noncommercial driver's license, Missouri noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.**

**10. Notwithstanding any other provision of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who submits a Certificate of Release or Discharge from Active Duty, DD Form 214, noting honorable discharge shall be exempt from showing proof of lawful presence. If any federal law or regulation prohibits or restricts such an exemption or would result in the loss of federal funding for this state, the**

**director of revenue shall apply for any federal waiver necessary to allow veterans to utilize a Certificate of Release or Discharge from Active Duty in lieu of the requirements for submission of a birth certificate"; and**

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

On motion of Representative Daus, **House Amendment No. 1 to House Amendment No. 12** was adopted.

On motion of Representative Grill, **House Amendment No. 12, as amended**, was adopted.

Representative Faith offered **House Amendment No. 13**.

Representative Darrough raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Scavuzzo offered **House Amendment No. 14**.

Representative Jones (89) raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Schlottach offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 51, Section 301.570, Line 1, by inserting before all of said line the following:

**"301.569. 1. An out-of-state show promoter of recreation vehicles, as that term is defined in section 700.010, RSMo, may hold recreation vehicle shows or exhibits with recreation vehicles within this state if the following conditions exist:**

**(1) The show or exhibition has a minimum of ten recreation vehicle dealers licensed as motor vehicle dealers in this state; and**

**(2) More than fifty percent of the participating recreation vehicle dealers are licensed motor vehicle dealers in this state.**

**2. A violation of subsection 1 of this section shall result in a five thousand dollar fine."; and**

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

On motion of Representative Schlottach, **House Amendment No. 15** was adopted.

Representative Dethrow offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 17, Section 301.140, Line 75, by inserting after all of said line the following:

**"301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:**

**(1) "Department", the department of revenue;**

**(2) "Director", the director of the department of revenue;**

(3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, RSMo, chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330, RSMo, and optometrists licensed pursuant to chapter 336, RSMo;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700, RSMo, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334, RSMo;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

**(8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;**

**(9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.**

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles

used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The [fee for each removable windshield placard shall be four dollars and the] removable windshield placard shall be renewed every [two] **four** years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates[, at the appropriate fee].

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person

is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. **The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a four-year period.**

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, RSMo, or the Missouri state board of nursing established in section 335.021, RSMo, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, RSMo, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, RSMo, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, RSMo, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the four-year certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. **Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person sixty-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.**

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or

otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."; and

Further amend said bill, Page 60, Section B, Line 2, by inserting after all of said line the following:

"Section C. The repeal and reenactment of section 301.142 of section A of shall become effective on January 1, 2008."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dethrow, **House Amendment No. 16** was adopted.

Representative Witte offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.550, Page 36, Line 39, by inserting before the "." on said line the following:

**", however, a Missouri-based coach conversion company that converts bus shells into living quarters shall not be required to make the six or more motor vehicle sales in any calendar year to obtain licensure as a motor vehicle dealer under sections 301.550 to 301.573";** and

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

On motion of Representative Witte, **House Amendment No. 17** was adopted.

Representative Flook offered **House Amendment No. 18**.

**House Amendment No. 18** was withdrawn.

Representative Dusenberg offered **House Amendment No. 19**.

*House Amendment No. 19*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.640, Page 53, Line 50, by inserting immediately after said line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 . . . . . 2 points  
(except any violation of municipal stop sign ordinance where no accident is involved . . . . . 1 point)

(2) Speeding  
In violation of a state law . . . . . 3 points  
In violation of a county or municipal ordinance . . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo. . . . . 12 points  
In violation of any county or municipal ordinance . . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo. . . . . 4 points  
In violation of a county or municipal ordinance . . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:  
(a) For the first conviction . . . . . 2 points  
(b) For the second conviction. . . . . 4 points  
(c) For the third conviction . . . . . 6 points  
(6) Operating with a suspended or revoked license prior to restoration of operating privileges . . 12 points  
(7) Obtaining a license by misrepresentation . . . . . 12 points  
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs . . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight . . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law . . . . . 8 points  
In violation of a county or municipal ordinance or federal law or regulation . . . . . 8 points

(11) Any felony involving the use of a motor vehicle . . . . . 12 points  
(12) Knowingly permitting unlicensed operator to operate a motor vehicle . . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025, RSMo . . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585, RSMo . . . . . 4 points  
(15) Aggravated endangerment of a highway worker in violation of section 304.585, RSMo. . . . 12 points

**(16) For a conviction of violating an ordinance in any home rule city with more than four hundred thousand inhabitants and located in more than one county that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency . . . . . 4 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued

a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

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

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 19.**

Representative Jones (89) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 19** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Dusenberg, **House Amendment No. 19** was adopted.

Representative Onder offered **House Amendment No. 20.**

*House Amendment No. 20*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 37, Section 301.550, Line 67, by inserting after all of said line the following:

**"(13) "Recreational motor vehicle dealer", a dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle;"**; and

Further amend said section by renumbering accordingly; and

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

On motion of Representative Onder, **House Amendment No. 20** was adopted.

Representative St. Onge offered **House Amendment No. 21.**

*House Amendment No. 21*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 15, Section 301.130, Lines 93 to 104, by deleting all of said lines and inserting in lieu thereof the following:

"9. [Commencing] **No later than** January 1, 2009, the director of revenue shall [cause to be reissued] **commence the reissuance of** new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to

all other fees required by law, applicants for registration of vehicles with license plates that expire [between January 1, 2009, and December 31, 2011] **during the period of reissuance**, applicants for registration of trailers or semitrailers with license plates that expire [between January 1, 2009, and December 31, 2011] **during the period of reissuance**, and applicants for registration of vehicles that are to be issued new license plates **during the period of reissuance** shall pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly reissued plates required by this subsection. The additional fee prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 21** was adopted.

Representative St. Onge offered **House Amendment No. 22**.

*House Amendment No. 22*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 12, Section 301.020, Line 88, by inserting after all of said line the following:

"301.030. 1. The director shall provide for the retention of license plates by the owners of motor vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last date of the twelfth month from the date of beginning.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as provided for in sections 301.271 to 301.279 shall be payable not later than the last day of February of each year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle license plates [shall] **may** also be so stamped, marked or designed as to indicate they are to be used only on local commercial motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee established in section 301.129. In addition, all commercial motor vehicle license plates [shall] **may** be so stamped or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

4. The director shall, upon application, issue registration and license plates for nine thousand pounds gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided in section 301.057."; and

Further amend said bill, Page 53, Section 301.640, Line 50, by inserting after all of said line the following:

**"301.2998. Notwithstanding any other provisions of this chapter, which establishes the issuance of a specialty plate, if no applications for such plate have been received within five years from the effective date of the section authorizing the plate, then the department of revenue no longer will be required to accept applications and issue such plate.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 22** was adopted.

Representative Davis offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 58, Section 304.170, by inserting after all of said section the following:

"304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 304.291, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph (b);

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provision of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

2. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.

**3. A person operating a motorcycle who violates this section or section 304.301 by entering or crossing an intersection controlled by a traffic control signal against a red light shall have an affirmative defense to that charge if the person establishes all of the following conditions:**

**(1) The motorcycle has been brought to a complete stop;**

**(2) The traffic control signal continues to show a red light for an unreasonable time;**

**(3) The traffic control is apparently malfunctioning or, if programmed or engineered to change to a green light only after detecting the approach of a motor vehicle, the signal has apparently failed to detect the arrival of the motorcycle; and**

**(4) No motor vehicle or person is approaching on the street or highway to be crossed or entered or is so far away from the intersection that it does not constitute an immediate hazard.**

**The affirmative defense of this section applies only to a violation for entering or crossing an intersection controlled by a traffic control signal against a red light and does not provide a defense to any other civil or criminal action.";** and

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

Representative Frame raised a point of order that **House Amendment No. 23** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Davis moved that **House Amendment No. 23** be adopted.

Which motion was defeated.

On motion of Representative Tilley, **HCS SCS SB 82, as amended**, was adopted.

On motion of Representative Tilley, **HCS SCS SB 82, as amended**, was read the third time and passed by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Grill	Grisamore	Guest	Haywood
Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kingery	Komo	Kraus
Lampe	Lembke	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self

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Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Villa	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Mr Speaker		

NOES: 038

Baker 25	Bland	Bowman	Brown 50	Burnett
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Flook	George	Harris 23	Harris 110	Holsman
Hughes	Johnson	Kuessner	LeVota	Low 39
Lowe 44	Nasheed	Norr	Oxford	Page
Roorda	Scavuzzo	Schieffer	Skaggs	Storch
Talboy	Todd	Vogt	Walsh	Whorton
Wright-Jones	Zimmerman	Zweifel		

PRESENT: 001

Liese

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Cooper 158	Dethrow	Funderburk
Hubbard	Kelly	Kratky	Salva	Viebrock
Wildberger				

Speaker Pro Tem Bearden declared the bill passed.

**HCS SCS SB 384**, relating to license plate tabs, was taken up by Representative Daus.

Representative Pratt assumed the Chair.

Representative Zimmerman offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 1, in the Title, Line 2, by deleting the words "stolen license plate tabs" and inserting in lieu thereof the following:

"deceptive practices"; and

Further amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 4, Section B, Line 1, by inserting immediately preceding all of said line the following:

**"407.485. 1. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items for profit unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "DONATIONS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT".**

**2. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not for profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: " DONATIONS TO THE FOR PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND**

(% of proceeds donated to the not for profit) % OF ALL PROCEEDS ARE DONATED TO (name of the non-profit beneficiary organization's name)."

3. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and 100% of the proceeds from the sale of the items are given directly to the not for profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS DONATION RECEPTACLE IS OPERATED BY THE FOR PROFIT ENTITY: (name of the for profit/individual) ON BEHALF of (name of the non-profit beneficiary organization's name)".

4. Nothing in section 407.485 shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

5. Any entity which, on or before June 1, 2007, has distributed 100 or more separate public receptacles within the state of Missouri to which the provisions of subsections 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after the effective date of this legislation, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after the effective date of this legislation."; and

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

On motion of Representative Zimmerman, **House Amendment No. 1** was adopted.

Representative St. Onge offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 4, Section 301.301, Line 8, by inserting after all of said line the following:

"304.284. 1. Notwithstanding any provision of law to the contrary, including but not limited to, sections 304.271, 304.281, 304.361, and 304.570, any person who commits a steady red light violation that is detected and enforced through an automated photo red light enforcement system is guilty of an infraction.

2. A penalty imposed for a violation detected pursuant to an automated photo red light enforcement system shall not be deemed a moving violation and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such imposition of a penalty be subject to merit rating for insurance purposes and no surcharge points shall be imposed in the provision of motor vehicle insurance coverage.

3. In no case shall points be assessed against any person under section 302.302, RSMo, for a violation detected by an automated photo red light enforcement system.

4. Signal phase timings at intersections equipped with a system shall be certified by the Missouri department of transportation or other such appropriate agency before the photo enforcement devices may be activated for enforcement purposes. Any such timing shall be set by the department or other such appropriate agency and shall be consistent with traffic engineering standards. In no case, however, shall a private vendor have the ability to control the signal phase timing connected with a system.

5. As used in this section, the term "automated photo red light enforcement system" shall mean a device, consisting of a camera or cameras and a vehicle sensor or sensors, installed to work in conjunction with a traffic control signal, which is used to produce recorded images of motor vehicles entering an intersection against a red signal indication."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves assumed the Chair.

**HCS SCS SB 384, as amended, with House Amendment No. 2, pending, was laid over.**

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Representative Pratt resumed the Chair.

**HCS SCS SB 156**, relating to agriculture, was taken up by Representative Quinn (7).

Representative Quinn (7) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 144.030, Page 19, Line 273, by deleting all of said line and inserting in lieu thereof the following:

"or sections 238.010 to 238.100, RSMo; and"; and

Further amend said bill, Section 263.232, Page 24, Line 13, by deleting all of said line and inserting in lieu thereof the following:

"(3) **To control the spread of spotted knapweed (*Cetaurea*)**"; and

Further amend said bill, section, and page, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"(4) **To control the spread of sericea lespedeza (*Lespedeza cuneata*)**"; and

Further amend said bill, Section 414.420, Page 40, Lines 9 through 11, by deleting all of said lines and inserting in lieu thereof the following:

"to,] **shall be** persons engaged in [the ethanol production industry] **industries that produce alternative fuels, wholesale alternative fuels, or retail alternative fuels**, and no more than two of such members shall **represent an alternative fuel producer, retailer, or wholesaler and no more than three of such members shall** be of the same political party. The members appointed by the governor shall be appointed"; and

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

**HCS SCS SB 156, with House Amendment No. 1, pending**, was laid over.

**HOUSE BILL WITH SENATE AMENDMENT**

**SCS HB 791**, relating to health carrier claims information, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **SCS HB 791** was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter

Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Bland Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 158	Funderburk	Hubbard
Kratky	Marsh	Meadows	Schoemehl	Wildberger

On motion of Representative Wilson (130), **SCS HB 791** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman

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Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Sarnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 158	Funderburk	Guest
Hubbard	Kratky	Marsh	Meadows	Wildberger

Representative Pratt declared the bill passed.

**THIRD READING OF SENATE BILL - REVISION**

**HCS SRB 613**, relating to the revision of Missouri statutes, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS SRB 613** was adopted.

On motion of Representative Wasson, **HCS SRB 613** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka

Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 123	Brown 30	Bruns	Cooper 158	Funderburk
Holsman	Hubbard	Kratky	Marsh	Meadows
Wildberger				

Representative Pratt declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS#2 SB 406**, relating to employee benefit plans, was taken up by Representative Wallace.

Representative Wallace moved that the House refuse to recede from its position on **HCS#2 SB 406** and grant the Senate a conference.

Which motion was adopted.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

**HR 2495** - Rules  
**HR 2548** - Rules

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 391** - Special Committee on Energy and Environment

### **COMMITTEE REPORTS**

**Committee on Judiciary**, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 368**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 481**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 516**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 130**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 299** and **SS SCS SB 616**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 605**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SB 323**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 313**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 482**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 664**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Issues**, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SS SB 654**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 140**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 199 & 207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 328**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 333**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

The following member's presence was noted: Kratky.

### ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday, May 7, 2007.

### CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-seventh Day, Wednesday, May 2, 2007, Page 1495, Line 15, by deleting the "." at the end of said line and inserting in lieu thereof the following, ", with a time limit of 2 hours for debate on Third Reading."

### AFFIDAVITS

I, State Representative Charlie Denison, District 135, hereby state and affirm that my vote as recorded on Page 1439 of the House Journal for May 2, 2007 showing that I voted Absent with Leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2007.

/s/ Charlie Denison  
State Representative

State of Missouri            )  
                                          ) ss.  
County of Cole                )

Subscribed and sworn to before me this 3rd day of May in the year 2007.

/s/ Carrie Young  
Notary Public

\_\_\_\_\_  
I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my vote as recorded on Page 1493 of the House Journal for May 2, 2007 showing that I voted Absent with Leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2007.

/s/ Kathlyn Fares  
State Representative

State of Missouri            )  
                                          ) ss.  
County of Cole                )

Subscribed and sworn to before me this 3rd day of May in the year 2007.

/s/ Carrie Young  
Notary Public

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 2.  
Executive session.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 3.  
Review of Department of Agriculture performance measures.

#### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Friday, May 4, 2007, 8:00 a.m. Senate Lounge.  
Executive session may follow. **CANCELLED**  
Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3,  
SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8,  
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

#### **CONFERENCE COMMITTEE NOTICE**

Tuesday, May 8, 2007, 8:30 a.m. Senate Lounge.  
Public hearing to be held on: HCS SB 81

#### **ELEMENTARY AND SECONDARY EDUCATION**

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.  
Executive session may follow.  
Public hearing to be held on: HB 1232

**HEALTH CARE POLICY**

Monday, May 7, 2007, 12:00 p.m. Hearing Room 5.  
Executive session will be held on: HCS SCS SB 333

**HEALTH CARE POLICY**

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: SCS SB 530

**RULES**

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearings to be held on: HR 2495, HR 2548

**RULES - PURSUANT TO RULE 25(21)(f)**

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearings to be held on: HCS HB 1108, HCS SS SCS SB 5, HCS SS SCS SB 85,  
HCS SCS SB 226, HCS SB 543, HCS SB 130, HCS SS SCS SB 429, SCS SB 482,  
SB 671, HCS SB 323, SB 510, HCS SCS SB 313, HCS SCS SB 664, SB 605,  
HCS SCS SB 299 & SS SCS SB 616

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 6.  
Executive session.

**SPECIAL COMMITTEE ON HEALTHCARE FACILITIES**

Monday, May 7, 2007, Hearing Room 3 upon afternoon adjournment.  
Executive session. AMENDED

**SPECIAL COMMITTEE ON HEALTHCARE FACILITIES**

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 5.  
Executive session.

**SPECIAL COMMITTEE ON HEALTHCARE FACILITIES**

Tuesday, May 8, 2007, upon morning recess. To Be Announced.  
Executive session.

**SPECIAL COMMITTEE ON HEALTHCARE FACILITIES**

Tuesday, May 8, 2007, Hearing Room 6 upon afternoon adjournment.  
Executive session. AMENDED

**HOUSE CALENDAR**

SIXTY-NINTH DAY, MONDAY, MAY 7, 2007

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter

- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802 - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes
- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)

**HOUSE BILL FOR PERFECTION - INFORMAL**

HB 61 - Ruestman

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HB 758 - Brown (50)

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 910 - Fares

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin

- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

### **SENATE BILLS FOR THIRD READING**

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SB 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SB 666 - Grill
- 10 HCS SCS SB 156,  
HA 1, pending, E.C. - Quinn (7) (90 minutes debate on Third Reading)
- 11 HCS SS SCS SB 320 - Quinn (7)
- 12 SCS SB 418 - Weter
- 13 SB 513 - Wasson
- 14 HCS SB 218 - Deeken
- 15 SB 433 - Pratt
- 16 HCS SS SCS SB 22,  
(Fiscal Review 5-2-07), E.C. - Schneider (2 hours for debate on Third Reading)
- 17 SS#6 SCS SB 389- Bearden (2 hours debate on Third Reading)
- 18 SCS SB 4, E.C. - Icet
- 19 HCS SCS SB 47 - Bruns
- 20 HCS SCS SB 54 - Bivins
- 21 HCS SS SB 112 - Faith
- 22 SB 271 - Pearce
- 23 HCS SS#2 SCS SB 161 - Muschany
- 24 HCS SCS SB 86, E.C. - Sutherland
- 25 HCS SB 315 - Munzlinger
- 26 HCS SCS SB 52, E.C. - St. Onge (150 minutes for debate on Third Reading)
- 27 SB 162 - Deeken
- 28 SB 171 - Wasson
- 29 HCS SCS SB 197 - Yates
- 30 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 31 SS SB 417 - Parson
- 32 HCS SB 419 - Hobbs
- 33 HCS SCS SB 497 - Wilson (119)
- 34 SCS SB 525 - Wasson
- 35 SCS SB 526 - Wasson

### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 18 - Icet
- 3 SCS HCS HB 17 - Icet

**BILLS CARRYING REQUEST MESSAGES**

- 1 CCS SS SCS HCS HB 327, as amended  
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood

**BILLS IN CONFERENCE**

- 1 HCS SB 30, as amended - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 SCS HB 1 - Icet
- 5 SCS HCS HB 2 - Icet
- 6 SCS HCS HB 3 - Icet
- 7 SCS HCS HB 4 - Icet
- 8 SCS HCS HB 5 - Icet
- 9 SCS HCS HB 6 - Icet
- 10 SCS HCS HB 7 - Icet
- 11 SCS HCS HB 8 - Icet
- 12 SCS HCS HB 9 - Icet
- 13 SCS HCS HB 10 - Icet
- 14 SCS HCS HB 11, as amended - Icet
- 15 SCS HCS HB 12 - Icet
- 16 SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace
- 18 HCS SB 81, as amended - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended (conferees to exceed differences) - Ervin
- 23 HCS#2 SB 406, as amended - Wallace

**HOUSE RESOLUTION**

HR 1678, (4-12-07, Page 1076) - Jones (117)