

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

FIFTY-THIRD DAY, TUESDAY, APRIL 15, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend Gene H. Williams, The Scruggs Memorial, Christian Methodist Episcopal Church, St. Louis, Missouri.

Almighty and everlasting God, who has made of one blood all nations of men to dwell together on all the face of the Earth. Even in our differences as we call on You by various names, help us to recognize You Lord as the One True and Living God. Use our differences as advantages to better living.

As this body of elected officials from all over the State of Missouri have gathered in this place, shower them with Your Spirit so that the business of leading the government may be accomplished according to Thy perfect will.

Protect our whole country, guard our homes and sanctify our lives. So guide our hearts, we pray Thee, so we may use and not misuse the liberty You have given us.

Lord of the nations, continue to tear down the walls of partition between races, classes and faiths so that east and west, north and south, may labor together to bring the kingdom of righteousness and peace on the Earth.

We ask this all in the name of our Supreme God. 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: Anna Duban, Jasmin Hudson, Justin Witte, Nolan Walsh, Sydnei Edward, Devin Johnson, Sam Lincoln, Lucas Houchin, Jaden Barnes, Lauren Eby, Caroline Gleason, Miranda Harrison, Shelby Heckert, Amelia Moore, Caroline Elizabeth Kasten and Drew Anna Kasten.

The Journal of the fifty-second day was approved as printed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Ice	Jones 89	Jones 117

Kasten	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Young	Zimmerman	Zweifel

NOES: 010

Curls	Daus	Donnelly	George	Johnson
Low 39	Lowe 44	Talboy	Vogt	Whorton

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Brown 30	Corcoran	Harris 23	Hubbard	Hunter
Kelly	Kraus	McClanahan	Meadows	Rucker
Schieffer	Spreng	Wright-Jones	Yates	

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HCS HB 1550**, relating to juvenile court jurisdiction, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS HB 1550** was read the third time and passed by the following vote:

AYES: 102

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Cooper 120
Cox	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Lampe	Lembke
Loehner	Marsh	May	McGhee	Meiners

Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 049

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Cunningham 145	Curls	Daus	Donnelly	El-Amin
Frame	George	Grill	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Kuessner
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Nasheed	Norr	Oxford	Quinn 9
Rucker	Scavuzzo	Schneider	Schoemehl	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper 155	Corcoran	Harris 23	Hunter	Kraus
Meadows	Page	Robinson	Spreng	Yates

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 71**, relating to a sales tax for veterans' services, was taken up by Representative Fisher.

Representative Kasten assumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 71, Page 1, Section 48(a), Line 4, by inserting immediately after the first ", " on said line the following "**both being veterans**"; and

Further amend said section, Line 5, by inserting immediately at the end of said line the following "**both being veterans**"; and

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

**House Amendment No. 1** was withdrawn.

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 71, Page 1, Section 48(a), Line 8, by inserting immediately after said line the following:

**"Members of the commission shall be reimbursed for actual and necessary expenses incurred during the performance of their duties, along with a one-hundred dollar per diem for each day the commission meets at the call of the chairman.";** and

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

Representative Low (39) offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Joint Resolution No. 71, Page 1, Line 4, by deleting the words "one-hundred" and inserting after the word "diem" the following:

"that is equal to the Missouri Legislatures per diem."

Representative Low (39) moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Avery	Baker 25	Bivins	Bland
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Curls	Darrough	Daus	Davis	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Fallert
Fares	Frame	George	Grill	Guest
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Jones 89	Kasten	Kingery	Komo
Kratky	Kuessner	Lembke	Liese	Low 39
Lowe 44	Marsh	McClanahan	Meiners	Muschany
Nance	Nasheed	Norr	Oxford	Page
Portwood	Roorda	Ruestman	Scavuzzo	Schieffer
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Talboy	Villa	Vogt	Walsh	Wright 159
Wright-Jones	Yaeger	Zimmerman		

NOES: 082

Baker 123	Brandom	Bringer	Bruns	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Emery	Ervin
Faith	Fisher	Flook	Franz	Funderburk

Grisamore	Harris 110	Hobbs	Hunter	Icet
Jones 117	Kelly	Lampe	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Self	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Zweifel	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dethrow	Harris 23	Haywood	Kraus	LeVota
Meadows	Robinson	Schneider	Spreng	Yates
Young				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Dixon moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Jetton assumed the Chair.

Representative Scharnhorst assumed the Chair.

Representative Jones (89) assumed the Chair.

On motion of Representative Fisher, **HCS HJR 71** was adopted.

On motion of Representative Fisher, **HCS HJR 71** was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Theodore Muschany and Hayes Muschany.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1807 through House Resolution No. 1910

### PERFECTION OF HOUSE BILLS

**HCS HB 2393**, relating to enhanced enterprise zones, was taken up by Representative Richard.

Representative Jones (89) resumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.950, Page 1, Line 1, by inserting after all of said line the following:

**"(1) "Average wage", the new payroll divided by the number of new jobs;"**; and

Further amend said page, Line 2, by placing opening and closing brackets around the number one on said line, thus "[1]" and inserting immediately after the closing bracket the number two **"(2)"**; and

Further amend said page, Line 8, by inserting opening and closing brackets around the number 2 on said line, thus "[2]" and inserting immediately after the closing bracket the number three, thus: **"(3)"**; and

Further amend said page, Line 9, by inserting opening and closing brackets around the number 3 on said line, thus "[3]" and inserting immediately after the closing bracket the number four, thus: **"(4)"**; and

Further amend said page, Line 11, by inserting after all of said line the following:

**"[(4)] (5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;"**; and

Further amend said section, by renumbering all subsequent subsections as required; and

Further amend said section, Page 3, Line 64, by deleting the word **"fifty"** and inserting in lieu thereof the word **"eighty"**; and

Further amend said section, Page 4, Line 92, by deleting from said line the number **"(23)"** and inserting in lieu thereof the number **"(25)"**; and

Further amend said section, Page 5, Line 143, by deleting the number **"(15)"** from said line and inserting in lieu thereof the number **"(17)"**; and

Further amend said section, Page 6, Line 158, by deleting the number **"(17)"** from said line and inserting in lieu thereof the number **"(19)"**; and

Further amend said bill, Section 135.967, Page 6, Line 10, by deleting the section number "**620.1980**" and inserting in lieu thereof the section number "**620.1890**"; and

Further amend said section, Page 7, Line 45, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(19)**"; and

Further amend said page, Line 56, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(17)**"; and

Further amend said page, Line 57, by deleting the number "**(23)**" and inserting in lieu thereof the number "**(25)**"; and

Further amend said section, Page 8, Line 76, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(17)**"; and

Further amend said line, by deleting the number "**(23)**" and inserting in lieu thereof the number "**(25)**"; and

Further amend said page, Line 78, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(19)**"; and

Further amend said bill, Section 135.968, Page 9, Line 7, by inserting after the word "**any**" the following:

**"mega-project after December 31, 2008. The department shall not issue any"; and**

Further amend said page, Line 13, by inserting after the word "mega-project" the following:

**". This determination shall be supported by a professional third party market feasibility analysis conducted on behalf of the state by a firm with direct experience with the industry of the proposed mega-project, and by a professional third party financial analysis of the taxpayer's ability to complete the project"; and**

Further amend said page, Line 14, by deleting all commas on said line; and

Further amend said page, Lines 18 to 19, by deleting all of said lines; and

Further amend said section, by renumbering all subsequent subdivisions of subsection 2 accordingly; and

Further amend said section, Page 10, Line 25, by deleting the word "**applicant**" from said line and inserting in lieu thereof the word "**taxpayer**"; and

Further amend said page, Lines 36 to 52, by deleting all of said lines and inserting in lieu thereof the following:

**"3. Prior to final approval of an application, a binding contract shall be executed between the taxpayer and the department of economic development which shall include, but not be limited to:**

**(1) A repayment plan providing for cash payment to the state general revenue fund which shall result in a positive internal rate of return to the state and fully comply with the provisions of the World Trade Organization agreement on subsidies and countervailing measures;**

**(2) The taxpayer's obligation to construct a facility of at least one million three hundred thousand square feet within five years from the date of approval; and**

**(3) A projected specific minimum positive internal rate of return over the length of the project, as calculated by the repayment amount, as validated by the market feasibility analysis, less credits issued, and an increased specific minimum rate of return calculated by the repayment amount plus fiscal benefit less the credits issued."; and**

Further amend said section, Page 11, Line 68, by inserting after all of said line the following:

"The department shall issue a schedule setting forth maximum year-by-year credits approved by the department. In any given year, the amount of tax credits issued shall be the lesser of the amount identified in the schedule, which shall not exceed forty million dollars, or the applicable annual payroll percentage."; and

Further amend said section, Page 12, Line 98, by deleting the second occurrence of the word "**the**" from said line; and

Further amend said page, Line 105, by deleting the words "**the taking of**" from said line; and

Further amend said line, by inserting after the word "**action**" the word "**undertaken**"; and

Further amend said page, Line 107, by inserting after all of said line the following:

**"10. Records and documents relating to a proposed mega-project shall be deemed closed records until such time as the application has been approved. Provisions of this subsection to the contrary notwithstanding, records containing business plan information which may endanger the competitiveness of the business shall remain closed.";** and

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

Speaker Pro Tem Pratt resumed the Chair.

Representative Cooper (120) assumed the Chair.

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessor interests in real property at the percent of its true value in money set in subsection 5 of this section. **The true value in money of any possessor interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5 of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessor interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property and which are included in the above-mentioned possessor interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year.** The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan

to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request

is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general**

**assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling."; and

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

Representative Darrough raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Brown (30) offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 2393, Section 137.115, Page 1, Line 17 of said amendment, by inserting immediately after the word "**property**" the following:

"**completed after January 1, 2008**"; and

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

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Brown (30), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Flook, **House Amendment No. 2, as amended**, was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

**"10. Notwithstanding any provision of this section to the contrary, no taxpayer who receives mega-project tax credits authorized under this section or any related taxpayer shall employ, within five years following approval of the mega-project by the department, directly or indirectly:**

**(1) Any elected public official of this state holding office as of January 1, 2008;**

**(2) Any director, deputy director, division director, or employee directly involved in negotiations between the department of economic development and a taxpayer relative to the mega-project who was employed as of January 1, 2008, by the department; or**

(3) Any relative, within the second degree of consanguinity or affinity, of any individual under subdivisions (1) and (2) of this subsection.

11. After the expiration of the five-year period referenced in subsection 10 of this section, any taxpayer receiving mega-project tax credits authorized under this section shall disclose, in the annual report required under subsection 7 of this section, the names of any employee of the taxpayer who:

(1) Has ever been an elected public official of this state;

(2) Has ever been a director, deputy director, or a division director of the department of economic development, or an employee of the department of economic development directly involved in the negotiations between the department of economic development and the taxpayer relative to the mega-project; or

(3) Is a relative, within the second degree of consanguinity or affinity, of any individual under subdivisions (1) and (2) of this subsection."; and

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

On motion of Representative Talboy, **House Amendment No. 3** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Hubbard	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 003

Dougherty	Emery	May
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PRESENT: 001

Curly

ABSENT WITH LEAVE: 014

Donnelly	El-Amin	Harris 23	Haywood	Hunter
Kraus	Meadows	Robinson	Salva	Sater
Self	Spreng	Yates	Zweifel	

VACANCIES: 002

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

**"10. In the event that the taxpayer relocates or moves the mega-project out of the state, the taxpayer shall immediately remit to the state an amount equal to all benefits received under this section.";** and

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

Representative Page moved that **House Amendment No. 4** be adopted.

Which motion was defeated by following vote:

AYES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

NOES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Donnelly	Guest	Harris 23
Haywood	Kraus	Meadows	Robinson	Roorda
Salva	Sater	Schneider	Self	Spreng
Stevenson	Yates	Zweifel		

VACANCIES: 002

Representative Hobbs assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Richard, **HCS HB 2393, as amended**, was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharmhorst	Schlottach	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Young	Zimmerman	Mr Speaker

NOES: 008

Bringer	Daus	Harris 110	McClanahan	Oxford
Schieffer	Shively	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 25	Donnelly	Harris 23	Haywood	Kraus
Lembke	Page	Robinson	Sater	Self
Spreng	Yates	Zweifel		

VACANCIES: 002

On motion of Representative Richard, **HCS HB 2393, as amended**, was ordered perfected and printed.

**HCS HBs 1831 & 1472**, relating to abortions, was taken up by Representative Onder.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 1, by inserting after the section number “**565.315.**” the following:

“**1. Any person who knowingly performs or induces or assists in performing or inducing an abortion on a woman, with knowledge that the predominant reason the woman is seeking or obtaining the abortion is that the woman is a victim of coerced abortion, is guilty of a class C felony.**  
**2.**”; and

Further amend said section, Line 15, by inserting after all of said line the following:

“**3. Under the provisions of chapter 188, RSMo, or any other provision of law requiring that a woman give her consent freely and without coercion prior to an abortion, whenever a physician knows that the predominant reason the woman is seeking or obtaining an abortion is that the woman is a victim of coerced abortion, the physician shall certify that the woman lacks the consent required by law.**”; and

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

Representative Schaaf offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 1, by inserting after the section number “**565.315.**” the following:

“**1. Any person who knowingly performs or induces or assists in performing or inducing an abortion on a woman, with knowledge that the predominant reason the woman is seeking or obtaining the abortion is that the woman is a victim of coerced abortion, is guilty of a class C felony.**”

2.”; and

Further amend said section, Line 15, by inserting after all of said line the following:

**“3. Under the provisions of chapter 188, RSMo, or any other provision of law requiring that a woman give her consent freely and without coercion prior to an abortion, whenever a physician knows that the predominant reason the woman is seeking or obtaining an abortion is that the woman is a victim of coerced abortion, the physician shall certify that the woman lacks the consent required by law.**

**4. The provisions of subsections 1 and 3 of this section shall not apply to any medical emergency as that term is defined in section 188.039, RSMo.”; and**

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

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

Which motion was defeated.

Representative Hobbs resumed the Chair.

On motion of Representative Portwood, **House Amendment No. 1** was adopted by the following vote:

AYES: 109

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Mr Speaker	

NOES: 038

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	Dougherty	Frame
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Nasheed	Norr

Oxford	Skaggs	Storch	Talboy	Todd
Vogt	Walton	Whorton	Wildberger	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 013

Avery	Baker 25	El-Amin	Harris 23	Kraus
Marsh	Page	Robb	Robinson	Roorda
Salva	Spreng	Yates		

VACANCIES: 002

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 15, by inserting after all of said section and line, the following:

“Section B. Section A of this bill shall not apply to a person who is pregnant as a result of a felony offense as defined in chapters 566 or 568, RSMo.”; and

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

Representative Lampe moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 3, and Lines 49-64, by deleting all of said lines and renumbering remaining subdivisions accordingly; and

Further amend said bill and section, Page 5, Line 140, by inserting after all of said line the following:

**"2. The physician who is to perform or induce the abortion or a qualified professional shall provide the woman with the opportunity to view an active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The woman shall be provided with a geographically indexed list maintained by the department of health and senior services of health care providers, facilities, and clinics that perform ultrasounds, including those that offer ultrasound services free of charge. Such materials shall provide contact information for each provider, facility, or clinic including telephone numbers and, if available, web site addresses. If the woman decides to obtain an ultrasound from a provider, facility, or clinic other than the abortion facility, the woman shall be offered a reasonable time to obtain the ultrasound examination before the date and time set for performing or inducing an abortion. The person conducting the ultrasound shall ensure that the active ultrasound image is of a quality consistent with standard medical practice in the community, contains the dimensions of the unborn child, and accurately portrays the presence of external members and internal organs, if present and viewable, of the unborn child. The auscultation of fetal heart tone must also be of a quality consistent with standard medical practice in the community."** and renumber remaining subsections accordingly; and

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

Representative Oxford moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Low (39) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 4, Line 114, by striking the word “**months**” and inserting in lieu thereof the word “**years**”; and

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

Representative Onder offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 4, Line 114, by striking the words “**eighteen months**” and inserting in lieu thereof the word “**twelve months**”; and

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

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Onder, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Bringer
Bruns	Casey	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Emery	Ervin	Faith	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kuessner	Loehner
May	McGhee	Meadows	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Mr Speaker

NOES: 057

Aull	Bland	Brown 30	Burnett	Chappelle-Nadal
Curls	Daus	Day	Dixon	Donnelly
El-Amin	Fallert	Fares	Frame	George
Grill	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Portwood	Quinn 9	Rucker	Scavuzzo
Schoemehl	Shively	Silvey	Skaggs	Storch
Talboy	Todd	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 25	Brown 50	Cooper 120	Corcoran	Darrough
Dougherty	Dusenberg	Harris 23	Hughes	Kraus
Marsh	Moore	Page	Robb	Robinson
Roorda	Salva	Spreng	Yates	

VACANCIES: 002

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 15, by inserting after all of said section and line, the following:

“Section B. Section A of this act shall not apply to persons who have previously been pregnant or have adopted a child.”; and

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

Representative Talboy moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 7, Section 188.027, Line 207 of said page, by inserting after the word "**information**." the following:

"**All information for the materials shall come only from peer-reviewed data, supported by studies published in reputable medical or scientific journals, and supplied by national associations of physicians such as the American College of Obstetrics and Gynecology and the American Medical Association.**"; and

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

Representative Onder offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for House Bill Nos. 1831 & 1472, Page 1, Line 5 of said amendment, by deleting the words "**come only from**" and inserting in lieu thereof the words "**be supported by**"; and

Further amend said page of said amendment, Line 6, by deleting the words "**supported by**" from said line; and

Further amend said page of said amendment, Lines 7 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"medical or scientific journals, surgery, obstetrical, gynecologic, anesthesia, medical, biology, neurology, or physiology textbooks, practice parameters, hospital protocols, or other materials deemed relevant by the department."**

On motion of Representative Onder, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Zimmerman, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 134

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 008

Daus	Fares	Komo	Low 39	Oxford
Skaggs	Talboy	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Cooper 120	Donnelly	Harris 23
Haywood	Hughes	Kraus	Marsh	Moore
Page	Robb	Robinson	Roorda	Salva
Spreng	Threlkeld	Yates	Mr Speaker	

VACANCIES: 002

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

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 7, Section 188.027, Line 221, by inserting after said line:

**"13. Any written material mandated in the provisions of this section shall be published in both English and Spanish.";** and

Further amend intersectional references accordingly.

Representative Wildberger moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Aull	Bland	Brown 50	Burnett	Curls
Darrough	Daus	El-Amin	Grill	Hodges
Holsman	Hubbard	Johnson	Jones 117	Lampe
LeVota	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Oxford	Rucker	Salva	Schaaf
Schneider	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Young			

NOES: 104

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 110	Hobbs
Hoskins	Hunter	Ice	Jones 89	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lembke	Lipke	Loehner	May	McGhee
Meadows	Munzlinger	Muschany	Nance	Nieves

Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Zimmerman	Zweifel	

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 019

Baker 25	Cooper 120	Donnelly	Dougherty	Harris 23
Haywood	Hughes	Kraus	Liese	Marsh
Moore	Page	Robb	Robinson	Roorda
Spreng	Wright-Jones	Yates	Mr Speaker	

VACANCIES: 002

**Representative Komo offered House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 1, Section 188.027, Line 6 of said page, by inserting after the number "(1)" the following:

**"A treating physician or";** and

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

Representative Komo moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Aull	Bland	Brown 50	Chappelle-Nadal	Curls
Darrough	Daus	El-Amin	Fares	Frame
Holsman	Hoskins	Hubbard	Johnson	Komo
Kratky	Lampe	LeVota	Low 39	McClanahan
Nasheed	Norr	Oxford	Rucker	Skaggs
Storch	Talboy	Todd	Vogt	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 103

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon

Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meiners	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159		

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Cooper 120	Donnelly	Dougherty	Harris 23
Haywood	Hughes	Kraus	Lowe 44	Marsh
Meadows	Moore	Page	Robb	Robinson
Roorda	Salva	Spreng	Yates	Mr Speaker

VACANCIES: 002

Representative Chappelle-Nadal offered **House Amendment No. 9**.

Representative Stevenson raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Onder, **HCS HBs 1831 & 1472, as amended**, was adopted.

On motion of Representative Onder, **HCS HBs 1831 & 1472, as amended**, was ordered perfected and printed by the following vote:

AYES: 108

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges

Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meiners	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger		

NOES: 033

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	El-Amin	Fares	Frame
Haywood	Holsman	Hoskins	Johnson	Komo
Lampe	LeVota	Low 39	Lowe 44	McClanahan
Nasheed	Norr	Oxford	Skaggs	Storch
Talboy	Walton	Whorton	Wildberger	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Corcoran	Day	Donnelly	Dougherty
Harris 23	Hubbard	Hughes	Kraus	Marsh
Meadows	Moore	Page	Robb	Robinson
Roorda	Spreng	Vogt	Yates	Mr Speaker

VACANCIES: 002

**HB 1911**, relating to teacher certification, was placed on the Informal Calendar.

**HB 1806**, relating to Certificate of Need, was placed on the Informal Calendar.

**HCS HBs 2040 & 2430, as amended**, relating to educational personnel compensation, was placed on the Informal Calendar.

**HB 2191**, relating to the A+ Schools Program, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 2191** was ordered perfected and printed.

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 2058** - Fiscal Review (Fiscal Note)

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 944** - Fiscal Review (Fiscal Note)  
**SCS SB 873** - Higher Education

## COMMITTEE REPORTS

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 1175**, 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 Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 2514**, 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 Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SCS SB 1105**, 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.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SCS SB 711**, 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 **HCS HB 1700**, 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 **HB 1764**, 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 HB 2279**, 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 SB 797**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 806**, 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 **SCS SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 958**, 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 SB 978**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1016**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1033**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1068**, 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 SB 1074**, 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 **SCS SB 1235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

The following member's presence was noted: Harris (23).

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 16, 2008.

## COMMITTEE MEETINGS

### BUDGET

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Tax Credit Review.

### CONSERVATION AND NATURAL RESOURCES

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 4.

Executive session only.

### CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 17, 2008, 8:00 a.m. House Chamber south gallery.

Executive session only.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 16, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1683, HB 2281, HB 2489, HB 2537, HB 2547

### FISCAL REVIEW

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 6.

Any bills presented to this committee.

Public hearings to be held on: HCS HB 2058, HCS SCS SB 942, SS SCS SB 944

### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

### JUDICIARY

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1334, HB 1641, HB 2275, SCS SB 1185

### LOCAL GOVERNMENT

Wednesday, April 16, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2347, HB 2550, HB 2367,  
HB 2396, HB 2474, HB 2026

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

Wednesday, April 16, 2008, Hearing Room 3, 5:00 p.m. or upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS SS SCS SB 711, SCS SB 1105,  
HCS SB 1175, HB 1871, HB 2207, HCS HB 2114, HCS HB 1745,  
HCS HB 1723, HCS HB 2034, HCS HB 1974, HB 2514, HCR 15,  
HCS HCRs 43 & 46, HCR 46

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 16, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2508

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, April 16, 2008, House Chamber south gallery upon morning recess.

Executive session may follow.

Public hearing to be held on: SS SCS SB 1059

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, April 17, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: SB 1140

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2235, HB 2455

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, April 16, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1699, HB 2215

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SCS SB 724

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, April 16, 2008, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 2259

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 16, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED.

Public hearing to be held on: SB 863

**SPECIAL COMMITTEE ON TICKET TO WORK**

Wednesday, April 16, 2008, House Chamber south gallery upon afternoon adjournment.  
Executive session will be held on: HB 2354

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 16, 2008, Hearing Room 1 upon morning recess.  
Executive session may follow.  
Public hearings to be held on: HCR 34, HCR 35, HB 1673

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 5.  
Executive session may follow. AMENDED.  
Public hearings to be held on: HB 1606, SCS SBs 1034 & 802

**WAYS AND MEANS**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 3.  
Possible Executive session  
Public hearings to be held on: HB 2246, HB 2361, HB 2405, HB 2461, SCS SB 1209

**HOUSE CALENDAR**

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 16, 2008

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 2016 - Icet
- 2 HCS HB 2023 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1626 - Emery
- 2 HCS HB 1836 - Flook
- 3 HCS#2 HB 1886 - Scharnhorst
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1802 - Wilson (130)
- 6 HCS HB 1644 - Muschany
- 7 HCS HB 1813 - Dougherty
- 8 HCS HB 1649 - Franz
- 9 HCS#2 HB 1423 - St. Onge
- 10 HCS HBs 2062 & 1518 - Pearce
- 11 HCS HB 1474 - Cunningham (86)
- 12 HCS HB 2250 - Sutherland
- 13 HB 1957 - Hughes
- 14 HB 1756 - Walton
- 15 HCS HB 2060 - Deeken
- 16 HB 2144 - Whorton
- 17 HB 1535 - Deeken

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- 18 HB 1517 - Cox
- 19 HCS HB 2112 - Emery
- 20 HB 1372 - McGhee
- 21 HCS HB 1590 - Munzlinger
- 22 HCS HB 1504 - Walton
- 23 HCS HB 2156 - Grill
- 24 HCS HB 2159 - Grill
- 25 HB 1562 - LeVota
- 26 HCS HB 1383 - Cox
- 27 HCS HB 2239 - Stevenson
- 28 HCS HB 1438 - Kelly
- 29 HCS HB 1704 - Wallace
- 30 HB 1851 - Thomson
- 31 HCS HB 1990 - Wilson (130)
- 32 HCS HB 2059 - Wilson (130)
- 33 HCS HB 2110 - Dixon
- 34 HB 2202 - Kelly
- 35 HB 2590 - Moore

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 49 - Cox

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2328 - Wasson
- 3 HCS HB 2058, (Fiscal Review 4-15-08), E.C. - Pearce

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)
- 9 HCR 25, (4-02-08, Pages 748-749) - Pratt
- 10 HCR 5, (4-02-08, Pages 750-751) - Smith (14)

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng
- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenberg
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee

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- 27 SB 1061 - Cooper (120)
- 28 SB 1073 - Pearce
- 29 HCS SCS SB 1131 - Curls
- 30 HCS SB 1135 - Curls
- 31 SCS SB 1150 - Lembke
- 32 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33 SCS SB 1168 - Scharnhorst
- 34 SB 1177 - Cooper (155)
- 35 SB 1187 - Pollock
- 36 SB 1190 - Wasson
- 37 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 SB 1066 - Muschany
- 2 HCS SCS SB 942, (Fiscal Review 4-10-08) - Quinn (7)
- 3 SB 839 - Harris (110)
- 4 SS SCS SB 944, (Fiscal Review 4-15-08), E.C. - Robb
- 5 SCS SB 967, E.C. - Kingery
- 6 HCS SB 1010 - Stevenson