

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

SIXTY-SECOND DAY, WEDNESDAY, APRIL 30, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, we give thanks to You, for You are good and Your mercy endures forever. You are great and do amazing things.

As the days of this session dwindle; the time winding down; as the pressure mount and the hours become long; as our voices elevate and tempers flare; may You be a calming influence, granting us relief, in those intense moments.

May we remain respectful of the legislative process, of one another, and of our constituents, being prepared and willing to do any principled and honorable work. May we be harmonious, composed, and considerate to all.

Now, since we have received from You instructions which cannot be shaken, let us show gratitude, by which we may offer to You an acceptable service with reverence and awe.

In the name of Your Son, we pray. 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: Robbie Loehner, Savannah Grace Holsman, Grant Thomas Holsman, Grace Meyer, Sean Utley, Rebekah Smith, Chloe Needy, Xavier Vaughn, Ryan Baysinger, Jake Abbot, Stacy Branson, Cody Wallace, Darren Jones, Rebecca Wood and Megan Stodden.

The Journal of the sixty-first day was approved as printed.

SPECIAL RECOGNITION

The Hermann High School Lady Bearcat Basketball Team was introduced by Representative Loehner and recognized for attaining the 2007-2008 Class 3 State Championship.

THIRD READING OF SENATE BILLS

HCS SB 863, relating to higher education savings programs, was taken up by Representative Muschany.

Representative Pearce assumed the Chair.

On motion of Representative Muschany, **HCS SB 863** was adopted.

On motion of Representative Muschany, **HCS SB 863** was read the third time and passed by the following vote:

AYES: 137

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Holsman	Hoskins	Hubbard	Hughes	Hunter
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

Wallace Witte

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Baker 25	Brown 50	Curls	Darrough
Dougherty	Hodges	Ice	Johnson	LeVota
Low 39	Marsh	McClanahan	Moore	Robb
Salva	Schieffer	Spreng	Stream	Vogt
Wright-Jones	Zimmerman			

VACANCIES: 002

Representative Pearce declared the bill passed.

HCS SB 1074, relating to statutory liens against real estate, was taken up by Representative Smith (14).

Representative Smith (14) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 1074, Section 429.015, Page 2, Line 22, by inserting after the word, "engineering" the words, "**landscape architecture**"; and

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

On motion of Representative Smith (14), **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 1074, Page 1, Section A, Line 2, by inserting after said line the following:

"429.010. 1. Any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed **and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs**; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment to others who use the rental machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

2. There shall be no lien involving the rental of machinery or equipment unless:

- (1) The improvements are made on commercial property;
- (2) The amount of the claim exceeds five thousand dollars; and

(3) The party claiming the lien provides written notice within five business days of the commencement of the use of the rental machinery or equipment to the property owner that rental machinery or equipment is being used upon their property. Such notice shall identify the name of the entity that rented the machinery or equipment, the machinery or equipment being rented, and the rental rate.

Nothing contained in this subsection shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section."; and

Further amend said bill, Page 2, Section 429.015, Line 20, by inserting after the word "performed" the following:

"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and

Further amend said bill, Page 2, Section 429.015, Line 31, by inserting after the word "aforesaid" the following:

"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and

Further amend said bill, Page 2, Section 429.015, Line 44, by inserting after the word "performed" the following:

"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and

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

On motion of Representative Stevenson, **House Amendment No. 2** was adopted by the following vote:

AYES: 114

Avery	Bivins	Bland	Brandom	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cunningham 86	Daus	Davis	Day
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Faith	Fallert	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger

Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 026

Brown 50	Bruns	Cunningham 145	Denison	Dethrow
Emery	Ervin	Fares	Flook	George
Guest	Hughes	Hunter	Lowe 44	Moore
Portwood	Quinn 9	Roorda	Sander	Schoeller
Skaggs	Swinger	Todd	Vogt	Whorton
Witte				

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 020

Aull	Baker 25	Baker 123	Cooper 120	Cox
Curls	Darrough	Deeken	Ice	LeVota
Low 39	Marsh	McClanahan	Parson	Robb
Spreng	Storch	Stream	Wright-Jones	Zimmerman

VACANCIES: 002

On motion of Representative Smith (14), **HCS SB 1074, as amended**, was adopted.

On motion of Representative Smith (14), **HCS SB 1074, as amended**, was read the third time and passed by the following vote:

AYES: 129

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Walsh
Walton	Wasson	Wells	Weter	Wildberger

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Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 012

Dethrow	Ervin	Loehner	Lowe 44	Roorda
Swinger	Talboy	Todd	Vogt	Wallace
Whorton	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Baker 123	Burnett	Cooper 120	Cooper 155
Curls	Darrough	Icet	LeVota	Low 39
Marsh	McClanahan	Quinn 7	Robb	Schlottach
Spreng	Storch	Stream	Wright-Jones	Zimmerman

VACANCIES: 002

Representative Pearce declared the bill passed.

HCS SB 1140, relating to Office of Administration programs, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS SB 1140** was adopted.

On motion of Representative Bruns, **HCS SB 1140** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Brun	Burnett
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	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
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	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	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Baker 123	Cooper 155	Darrough	Day
Hughes	LeVota	Low 39	Marsh	Meiners
Salva	Schoemehl	Spreng	Wright-Jones	Young
Zimmerman				

VACANCIES: 002

Representative Pearce declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 136

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
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	Rucker	Ruzicka
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	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	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte

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Wood
Mr Speaker

Wright 159

Yaeger

Yates

Zweifel

NOES: 003

Burnett

George

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 25

Baker 123

Bland

Brown 50

Cooper 155

Darrough

Hobbs

Hughes

Hunter

Lembke

LeVota

Low 39

Lowe 44

Marsh

Meiners

Ruestman

Salva

Sater

Spreng

Wright-Jones

Young

Zimmerman

VACANCIES: 002

SB 839, relating to lease-purchase school properties, was taken up by Representative Harris (110).

SB 839 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 1619**, entitled:

An act to repeal sections 195.010, 195.017, 195.070, 195.100, 195.417, 334.104, and 335.016, RSMo, and to enact in lieu thereof sixteen new sections relating to monitoring of drugs, with penalty provisions and an effective date.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1619, Page 62, Section 334.104, Line 22 of said page, by striking "197.017" and inserting in lieu thereof the following: "**195.017**".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1619, Page 74, Section 335.016, Line 4 of said page, by inserting immediately after said line the following:

"338.650. There is hereby established in the state treasury the "Pharmacy Rebates Fund". Any revenues received by the state, either directly or indirectly, from pharmaceutical manufacturer rebates as required by federal law or state supplemental rebates as defined in state plan amendments shall be deposited into the pharmacy rebates fund and shall be used only in the MO HealthNet pharmacy program or its successor programs authorized under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301 et seq."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1779**, entitled:

An act to repeal sections 319.015, 319.022, 319.024, 319.025, 319.026, 319.030, 319.036, 319.037, 319.041, 319.045, 319.050, 386.020, 392.200, 392.220, 392.230, 392.245, 392.361, 392.370, 392.420, 392.450, 392.451, 392.480, 392.490, 392.510, 392.515, and 392.520, RSMo, and to enact in lieu thereof twenty-seven new sections relating to utility service provision, with an effective date for certain sections.

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

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 7, Section 319.015, Line 21 of said page, by inserting immediately after all of said line the following:

"319.016. Notwithstanding any provision of sections 319.010 to 319.050 to the contrary, the state highways and transportation commission shall not be required to be a notification center participant after December 31, 2011, but nothing in this section shall prohibit the commission from voluntarily choosing to be a notification center participant after that date."; and

Further amend said bill and page, Section 319.022, Line 26 of said page, by inserting immediately after "facility." the following:

"Except as provided in section 319.016,"; and

Further amend said bill and section, Page 8, Line 14 of said page, by inserting immediately after "center" the following:

"except as provided otherwise in section 319.016"; and

Further amend Line 28 of said page, by inserting immediately after "center" the following:

"except as provided otherwise in section 319.016"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 13, Section 319.025, Line 19 of said page, by inserting immediately after "RSMo" the following:

", provided however, the provisions of this subsection shall not apply to railroad right of way owned or operated by a railroad".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 63, Section 392.245, Lines 2-3 of said page, by striking "companies that are" and inserting in lieu thereof the following:

"upon a finding that a company that is"; and

Further amend Line 3 of said page, by striking "and that have" and inserting in lieu thereof the following:

"has"; and

Further amend Line 5 of said page, by inserting after "competitive" the following:

", the company"; and

Further amend Line 9 of said page, by inserting immediately after "company" the following:

", provided that any annual increase in rates for residential basic local telecommunications service shall not exceed two dollars per line per month for a period of four years"; and

Further amend said bill and section, Page 69, Line 15 of said page, by striking "and"; and

Further amend Line 16 of said page, by striking "fifty cents".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 45, Section 386.020, Line 7 of said page, by inserting after all of said line the following:

"386.572. 1. No corporation, person, public utility, or municipality that owns any gas plant shall violate any law or any order, decision, decree, rule, direction, demand, or requirement of the commission or any part or portion thereof relating to federally mandated natural gas safety standards. Notwithstanding the above, a municipality that owns any gas plant shall be subject to the provisions of this section only for violations of natural gas safety laws, rules, or orders.

2. The maximum penalties for violations of federally mandated natural gas safety standards, or such stricter natural gas safety standards or rules as may be approved by the commission, shall not be greater than fifteen thousand dollars for each violation with a maximum penalty for a continuing violation or a multiple series of violations of the same standard or rule provision not to exceed one hundred fifty thousand dollars, notwithstanding any provisions of subsection 1 of section 386.570 to the contrary. The maximum penalty for each violation shall increase to twenty thousand dollars, effective January 1, 2015, twenty-five thousand dollars, effective January 1, 2025, thirty thousand dollars, effective January 1, 2035, and forty thousand dollars, effective January 1, 2040. The maximum penalty for a continuing violation or a multiple series of violations of the same standard or rule provision shall increase to two hundred thousand dollars, effective January 1, 2015, two hundred fifty thousand dollars, effective January 1, 2025, three hundred thousand dollars, effective January 1, 2035, and four hundred thousand dollars, effective January 1, 2040. In determining the amount of the penalty, the commission shall consider the nature, circumstances, and gravity of the violation, and also shall consider, with respect to the entity found to have committed the violation:

- (1) The degree of culpability;**
- (2) Any history of prior violations;**
- (3) The effect of the penalty on the entity's ability to continue operation;**
- (4) Any good faith effort in attempting to achieve compliance;**
- (5) Ability to pay the penalty; and**
- (6) Such other matters as are relevant in the case.**

3. Every violation of a specific natural gas safety standard or rule by any corporation, person, public utility, or municipality that owns any gas plant is a separate and distinct offense, regardless of whether such violations relate to the same incident. In case of a continuing violation, each day's continuance thereof shall be a separate and distinct offense.

4. In construing and enforcing the provisions of this section, the act, omission, or failure of any officer, agent, or employee of any corporation, person, public utility, or municipality that owns any gas plant acting within the scope of official duties of employment shall in every case be considered the act, omission, or failure of such corporation, person, public utility, or municipality that owns any gas plant."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SB 931, as amended**: Senators Purgason, Clemens, Goodman, Barnitz and Shoemyer.

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 an Honorary Page for the Day, to serve without compensation: Jett Gabert.

SPECIAL RECOGNITION

Retired Master Sergeant Takeji Frank Mori, United States Army, was introduced by Representative May and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2416 through House Resolution No. 2485

Representative Richard assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1644, relating to a tax deduction for corporations, was taken up by Representative Muschany.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1644, Section A, Page 1, Line 2, by inserting after all of said section the following:

"143.011. **1.** A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident.
2. For all taxable years ending on or before December 31, 2007, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:		The tax is:	
Not over \$1,000.00		1 1/2%	of the Missouri taxable income
Over \$1,000 but not over \$2,000		\$15 plus 2%	of excess over \$1,000
Over \$2,000 but not over \$3,000		\$35 plus 2 1/2%	of excess over \$2,000
Over \$3,000 but not over \$4,000		\$60 plus 3%	of excess over \$3,000
Over \$4,000 but not over \$5,000		\$90 plus 3 1/2%	of excess over \$4,000
Over \$5,000 but not over \$6,000		\$125 plus 4%	of excess over \$5,000

Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

3. For all taxable years beginning on or after January 1, 2008, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	0% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000.....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000.....	\$315 plus 6% of excess over \$9,000"; and

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

Representative Bringer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Richard requested a parliamentary ruling.

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

Representative Hunter 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 No. 1644, Page 1, Section A, Line 2, by inserting after all of said line the following:

"143.011. **1.** A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident.

2. For all taxable years ending on or before December 31, 2007, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

3. For all taxable years beginning on or after January 1, 2008, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
---	--------------------

Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000.....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000 but not over \$50,000.....	\$315 plus 6% of excess over \$9,000
Over \$50,000.....	\$2,775 plus 6 1/2% of excess over \$50,000

4. All additional revenues received as a result of the changes to the tax rates in subsection 3 of this section shall be dedicated, upon appropriation, to restoring cuts in Medicaid funding.

143.021. 1. For all taxable years ending on or before December 31, 2007, every resident having a taxable income of less than nine thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011.

2. For all taxable years beginning on or after January 1, 2008, every resident having a taxable income of less than fifty thousand dollars shall determine the tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below fifty thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of fifty thousand dollars or more shall determine the tax from the rate provided in section 143.011."; and

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

Representative Roorda raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

Representative Richard requested a parliamentary ruling.

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

Representative Muschany offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1644, Page 3, Line 20, by removing the words, "**upon appropriation**"; 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 Muschany, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 048

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	Liese	Lowe 44	McClanahan	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Shively
Skaggs	Talboy	Villa	Walsh	Whorton
Wildberger	Witte	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 028

Cooper 120	Cooper 155	Corcoran	Cunningham 86	Darrough
Donnelly	Harris 23	Haywood	Hughes	LeVota
Low 39	Marsh	McGhee	Meadows	Meiners
Rucker	Schoemehl	Spreng	Stevenson	Storch
Swinger	Todd	Vogt	Walton	Wright-Jones
Young	Zimmerman	Zweifel		

VACANCIES: 002

Representative Hunter moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 001

Hunter

NOES: 146

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
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	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	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 014

Darrough	Donnelly	Harris 23	LeVota	Marsh
McGhee	Meadows	Meiners	Spreng	Swinger
Todd	Wright-Jones	Young	Zweifel	

VACANCIES: 002

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1644, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"relating to income and fuel taxes, with an emergency clause."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon, **except as provided in subsection 3 of this section;**

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080, RSMo, to be collected as required under this chapter.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

3. (1) The retail fuel consumer may seek reimbursement from the state for all state fuel taxes paid on gasoline and diesel fuel purchases made in the state for personal use in the personal motor vehicle of the retail consumer from 12:01 a.m. on May 24, 2008, and ending at 12:00 a.m. on September 2, 2008.

(2) This subsection shall not be construed to apply to any tax, excise, license, or fee imposed by any political subdivision under subsection 3 of section 30(a), article IV, Constitution of Missouri.

(3) All revenue losses of the Missouri department of transportation resulting from the fuel tax holiday contained in this subsection shall be reimbursed by the state of Missouri through appropriations.

(4) The director of the department of revenue may promulgate rules to implement the provisions of this subsection. 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 subsection 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 subsection and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under 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, 2008, shall be invalid and void."; and

Further amend said bill, Page 4, Section 143.171, Line 76, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to provide funding for a fuel tax holiday, the repeal and reenactment of section 142.803 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 142.803 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Nieves assumed the Chair.

Representative Zimmerman offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Silvey raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1644, Section 142.803, Page 2, Line 24, by inserting after all of said line of said amendment the following:

"Section 1. No state and local sales and use tax shall apply to any fuel exempted by the fuel tax holiday under section 142.803."; and

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

Representative Roorda raised a point of order that **House Amendment No. 2 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

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

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

On motion of Representative Lembke, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 155	Corcoran	Cox
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14

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Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 016

Burnett	Daus	Dougherty	El-Amin	George
Johnson	Kuessner	Lowe 44	Oxford	Robinson
Skaggs	Talboy	Villa	Vogt	Whorton
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Cunningham 145	Darrough	Donnelly
Harris 23	Haywood	Hughes	LeVota	Low 39
Marsh	Meadows	Meiners	Nasheed	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Denison
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 049

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Dougherty
Fallert	Frame	George	Grill	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Johnson
Komo	Kratky	Kuessner	Lampe	Liese
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Salva

Scavuzzo	Schieffer	Schoemehl	Skaggs	Storch
Talboy	Villa	Vogt	Walsh	Whorton
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 028

Chappelle-Nadal	Cooper 120	Darrough	Dethrow	Donnelly
El-Amin	Harris 23	Haywood	Hughes	Hunter
LeVota	Low 39	Marsh	Meadows	Meiners
Richard	Rucker	Sander	Shively	Spreng
Swinger	Threlkeld	Todd	Wallace	Walton
Wildberger	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Muschany, **HCS HB 1644, as amended**, was adopted by the following vote:

AYES: 102

Avery	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 039

Aull	Baker 25	Bland	Bringer	Burnett
Corcoran	Curls	Daus	Dougherty	Fallert
Frame	George	Harris 110	Hodges	Holsman
Johnson	Kratky	Kuessner	Liese	Lowe 44
McClanahan	Nasheed	Oxford	Robinson	Roorda
Rucker	Salva	Schoemehl	Skaggs	Storch
Talboy	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Zimmerman	Zweifel	

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PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Darrough	Deeken	Donnelly
El-Amin	Harris 23	Haywood	Hughes	LeVota
Low 39	Marsh	Meadows	Meiners	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

On motion of Representative Muschany, **HCS HB 1644, as amended**, was ordered perfected and printed by the following vote:

AYES: 104

Avery	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Mr Speaker	

NOES: 037

Aull	Baker 25	Bland	Bringer	Burnett
Corcoran	Curls	Daus	Dougherty	Fallert
Frame	George	Harris 110	Hodges	Holsman
Johnson	Kratky	Kuessner	Liese	Lowe 44
McClanahan	Nasheed	Oxford	Robinson	Rucker
Schoemehl	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Darrough	Donnelly	Harris 23
Haywood	Hughes	LeVota	Low 39	Marsh
Meadows	Meiners	Pollock	Salva	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

THIRD READING OF SENATE BILLS

SB 1068, relating to a pharmacy rebate program, was taken up by Representative Sater.

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

House Amendment No. 1

AMEND Senate Bill No. 1068, Section A, Page 1, Lines 1-2, by inserting after all of said section the following:

"338.600. 1. Notwithstanding any other provision of law to the contrary, when an audit of the records of a pharmacy licensed in this state is conducted by a managed care company, insurance company, third-party payor, the department of insurance, financial institutions and professional registration, or any entity that represents such companies, groups, or department, such audit shall be conducted in accordance with the following:

(1) The entity conducting the initial on-site audit shall provide the pharmacy with notice at least one week prior to conducting the initial on-site audit for each audit cycle;

(2) Any audit which involves clinical judgment shall be conducted by or in consultation with a licensed pharmacist;

(3) Any clerical or recordkeeping error, such as a typographical error, scrivener's error, or computer error, regarding a required document or record shall not in and of itself constitute fraud or grounds for recoupment. No claim arising under this subdivision shall be subject to criminal penalties without proof of intent to commit fraud;

(4) A pharmacy may use the records of a hospital, physician, or other authorized practitioner of the healing arts involving drugs or medicinal supplies written or transmitted by any means of communication for purposes of validating the pharmacy record with respect to orders or refills of a legend or narcotic drug. Electronically stored images of prescriptions, electronically created annotations and other related supporting documentation shall be considered valid prescription records. Hard copy and electronic signature logs that indicate the delivery of pharmacy services shall be considered valid proof of receipt of such services by a program enrollee;

(5) A finding of an overpayment or underpayment may be a projection based on the number of patients served and having a similar diagnosis or on the number of similar orders or refills for similar drugs; except that, recoupment of claims shall be based on the actual overpayment or underpayment unless the projection for overpayment or underpayment is part of a settlement as agreed to by the pharmacy;

(6) Each pharmacy shall be audited under the same standards and parameters as other similarly situated pharmacies audited by the entity;

(7) A pharmacy shall be allowed at least thirty days following receipt of the preliminary audit report in which to produce documentation to address any discrepancy found during an audit;

(8) The period covered by the audit shall not exceed a two-year period beginning two years prior to the initial date of the on-site portion of the audit unless otherwise provided by contractual agreement or if there has been a previous finding of fraud or as otherwise provided by state or federal law;

(9) An audit shall not be initiated or scheduled during the first three business days of any month due to the high volume of prescriptions filled during such time unless otherwise consented to by the pharmacy;

(10) The preliminary audit report shall be delivered to the pharmacy within one hundred twenty days after conclusion of the audit, with reasonable extensions permitted. A final audit report shall be delivered to the pharmacy within six months of receipt by the pharmacy of the preliminary audit report or final appeal, as provided for in subsection 3 of this section, whichever is later;

(11) Notwithstanding any other provision in this subsection, the entity conducting the audit shall not use the accounting practice of extrapolation in calculating recoupments or penalties for audits, except as otherwise authorized under subdivision (5) of this subsection.

2. Recoupments of any disputed moneys shall only occur after final internal disposition of the audit, including the appeals process set forth in subsection 3 of this section. Should the identified discrepancy for an individual audit exceed twenty five thousand dollars, future payments to the pharmacy in excess of twenty five thousand dollars may be withheld pending finalization of the audit.

3. Each entity conducting an audit shall establish an appeals process, lasting no longer than six months, under which a licensed pharmacy may appeal an unfavorable preliminary audit report to the entity. If, following such appeal, the entity finds that an unfavorable audit report or any portion thereof is unsubstantiated, the entity shall dismiss the audit report or such portion without the necessity of any further proceedings.

4. Each entity conducting an audit shall provide a copy of the final audit report, after completion of any appeal process, to the plan sponsor.

5. This section shall not apply to any audit conducted as a part of an investigation regarding alleged criminal wrongdoing, willful misrepresentation, or abuse.

6. This section shall not apply to any audit conducted as part of any inspection or investigation conducted by the board of pharmacy."; and

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

Representative Bringer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

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

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

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

The Chair ruled the point of order well taken.

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

House Amendment No. 3

AMEND Senate Bill No. 1068, Section A, Page 1, Line 2, by inserting after all of said line the following:

"338.410. 1. Due to the difficulties of Fibromyalgia patients receiving pharmaceutical treatments there is hereby created within the department of health and senior services the "Missouri Fibromyalgia Awareness Initiative Program". The primary target population for such program shall be women between twenty and sixty years of age.

2. The department shall appoint and convene the "Missouri Fibromyalgia Panel" to be comprised of individuals, who shall act in a voluntary capacity, with knowledge and expertise regarding fibromyalgia research, prevention, educational programs, and consumer needs, to guide program development. The panel shall seek and is authorized to accept private, federal, or other public financial support, grants, or other appropriate moneys

to support the program. The department shall provide the panel and program necessary administrative services and support.

3. The panel shall have the following duties:

(1) In consultation with the National Fibromyalgia Association, to raise at least fifty thousand dollars through private funding for the purpose of establishing a public information and outreach campaign for issues related to fibromyalgia, including appropriate educational material to promote early diagnosis and treatment, prevention of complications, improvement of quality of life at home and in the workplace, and addressing mental health and disability issues of fibromyalgia patients; and

(2) To work with other state and local agencies to promote fibromyalgia education and training programs for physicians and other health professionals.

4. This section shall be implemented only to the extent that the panel obtains private funding for the purpose of this section."; and

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

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

On motion of Representative Sater, **SB 1068, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	May	McClanahan	McGhee	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 014

Burnett	Chappelle-Nadal	Daus	Holsman	Low 39
Lowe 44	Roorda	Storch	Talboy	Villa
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 25	Corcoran	Darrough	Donnelly	Franz
Haywood	Hughes	Hunter	LeVota	Marsh
Meadows	Meiners	Oxford	Page	Robinson
Salva	Spreng	Swinger	Todd	Walton
Wright-Jones	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

HCS SCS SB 830, relating to the Returning Heroes' Education Act, was taken up by Representative Day.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Page 1, Section 173.900, Line 4, by striking the following:

"after September 11, 2001"; and

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

Representative Pearce resumed the Chair.

Representative Frame moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Bland	Bringer	Brown 30	Burnett
Casey	Cooper 155	Curls	Daus	Dixon
Dusenberg	El-Amin	Emery	Fallert	Flook
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hubbard	Johnson	Jones 89
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Low 39	McClanahan	Meadows	Nance	Nasheed
Oxford	Portwood	Pratt	Quinn 9	Roorda
Rucker	Scavuzzo	Schaaf	Schieffer	Schoemehl
Self	Shively	Silvey	Skaggs	Storch
Talboy	Threlkeld	Villa	Walsh	Whorton
Witte	Yaeger	Yates	Zimmerman	Zweifel

NOES: 072

Avery	Baker 123	Bivins	Brandom	Brown 50
Bruns	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Ervin
Faith	Fares	Fisher	Franz	Funderburk

Grisamore	Guest	Hobbs	Hoskins	Icet
Jones 117	Kasten	Kelly	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 024

Baker 25	Chappelle-Nadal	Cooper 120	Corcoran	Darrough
Donnelly	Dougherty	Harris 23	Hughes	Hunter
Lowe 44	Marsh	Meiners	Page	Robinson
Salva	Spreng	Swinger	Todd	Vogt
Walton	Wildberger	Wright-Jones	Young	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

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

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Pearce resumed the Chair.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Page 1, Section 173.900, Line 10, by inserting immediately before the ", " on said line the following:

"and shall charge no tuition for disabled combat veterans"; and

Further amend said section, Lines 14, 15, and 16, by striking all of said lines and inserting in lieu thereof the following:

"degree"; and

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

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

Representative Bringer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

Representative Pearce requested a parliamentary ruling.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative Avery offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Section 173.900, Page 1, Line 4, by deleting the words, "**armed combat in the military**" and inserting in lieu thereof the words, "**federally recognized combat zone**"; and

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

HCS SCS SB 830, with House Amendment No. 1 to House Amendment No. 3, and House Amendment No. 3, pending, was laid over.

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2460**, 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 Conservation and Natural Resources, to which was referred **SCR 31**, 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 Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SJRs 34 & 30**, 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 Crime Prevention and Public Safety, to which was referred **SCS SBs 754 & 794**, 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 Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 768**, 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 Health Care Policy, to which was referred **SS SCS SB 778**, 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 Health Care Policy, to which was referred **SCS SB 1081**, 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 **SCS SB 765**, 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 845**, 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 **HR 185**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 185

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 16, 2008; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 2012, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives, Ninety-fourth General Assembly, may employ for the period between May 16, 2008, and January 7, 2009, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 27**, 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 1468**, 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 HBs 1582 & 1963**, 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 HBs 1736 & 2320**, 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 SS SCS SB 718**, 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 SB 762**, 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 781**, 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 SB 976**, 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 1225 & 1226**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1678**, entitled:

An act to repeal sections 41.1010, 42.007, 160.053, 160.518, 168.021, 170.011, and 620.515, RSMo, and to enact in lieu thereof nine new sections relating to members of the military and their families.

With Senate Amendment No. 2 and Senate Amendment No. 4.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 1678, Page 56, Section 173.234, Line 18, by inserting immediately after all of said line the following:

"173.900. 1. This act shall be known and may be cited as the "Missouri Returning Heroes' Education Act".

2. For the purpose of this section, the term "combat veteran" shall mean a person who served in armed combat in the military after September 11, 2001, and to whom the following criteria shall apply:

- (1) The veteran was a Missouri resident when first entering the military; and**
- (2) The veteran was discharged from military service under honorable conditions.**

3. All public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the amount of tuition such institutions charge to combat veterans to fifty dollars per credit hour, as long as the veteran achieves and maintains a cumulative grade point average of at least two and one-half on a four point scale, or its equivalent. The tuition limitation shall only be applicable if the combat veteran is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. The period during which a combat veteran is eligible for a tuition limitation under this section shall expire at the end of the ten-year period beginning on the date of such veteran's last discharge from service.

4. The coordinating board for higher education shall ensure that all applicable institutions of higher education in this state comply with the provisions of this section and may promulgate rules for the efficient implementation of this section.

5. If a combat veteran is eligible to receive financial assistance under any other federal or state student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the veteran. The tuition limitation under this section shall be provided after all other federal and state aid for which the veteran is eligible has been applied, and no combat veteran shall receive more than the actual cost of attendance when the limitation is combined with other aid made available to such veteran.

6. Each institution may report to the board the amount of tuition waived in the previous fiscal year under the provisions of this act. This information may be included in each institution's request for appropriations to the board for the following year. The board may include this information in its appropriations recommendations to the governor and the general assembly. The general assembly may reimburse institutions for the cost of the waiver for the previous year as part of the operating budget. Nothing in this subsection shall be construed to deny a combat veteran a tuition limitation if the general assembly does not appropriate money for reimbursement to an institution.

7. 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, 2008, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 1678, Page 56, Section 173.234, Line 18, by inserting immediately after said line the following:

"452.412. A party's absence, relocation, or failure to comply with custody and visitation orders shall not, by itself, be sufficient to justify a modification of a custody or visitation order if the reason for the absence, relocation, or failure to comply is the party's activation to military service and deployment out-of-state."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 841, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 865**, entitled:

An act to repeal section 143.141, RSMo, and to enact in lieu thereof two new sections relating to prohibiting discrimination in life insurance based upon lawful travel destinations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 939** and has taken up and passed **HCS SCS SB 939**.

COMMUNICATION

April 29, 2008

The Honorable Rod Jetton
Speaker, Missouri House of
Representatives
Room 308 State Capitol Building
Jefferson City, MO 65101

Dear Speaker Jetton:

The following HRs have been offered and turned over to your Committee on Rules. Your Committee on Rules approves the following 2008 HR requests.

HR 11	HR 123	HR 297	HR 447	HR 1691
HR 18	HR 124	HR 327	HR 702	HR 1747
HR 26	HR 134	HR 340	HR 887	
HR 62	HR 140	HR 440	HR 902	

These HRs request the use of the House Chamber for various organization meetings, when it is not in use. Some of these event requests have already taken place. As in the past, the procedure is to instruct Keith Sappington to schedule the use of the Chamber for these groups. This practice saves Floor time and has worked well in past years.

Thank you for your attention to this.

/s/ Shannon Cooper
State Representative
District 120

cc: Keith Sappington

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, May 1, 2008.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, May 1, 2008, 9:15 a.m. Hearing Room 6.
Executive session may follow. CORRECTED NOTICE.
Public hearing to be held on: HB 1884

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.
Executive session may follow. CANCELLED.
Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003,
SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007,
SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011,
SCS HCS HB 2012, SCS HCS HB 2013

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 3.
EXECUTIVE SESSION ONLY.

FISCAL REVIEW

Thursday, May 1, 2008, 8:30 a.m. Hearing Room 5.
Any bills presented to this committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 6, 2008, 1:00 p.m. Hearing Room 7.
Election of Chairman and Vice Chairman.
Discussion of Department of Elementary and Secondary
Education's Professional Development Grants.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 5, 2008, 12:00 p.m. Hearing Room 6.
Second Injury Fund reports; testimony from Attorney General and State Treasurer's offices;
criminal codes revision project; old and new business.
Some portions may be closed pursuant to 610.021.

JUDICIARY

Thursday, May 1, 2008, Hearing Room 7 upon afternoon adjournment.
Executive session may follow.
Public hearings to be held on: HCS SCS SB 781, HCS SB 976

RULES

Thursday, May 1, 2008, Hearing Room 5 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: HB 1484

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

Thursday, May 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS SCS SB 994, SS SB 1159,
HCS SCS SB 720, HCS SCS SBs 754 & 794, SCR 31,
HCS HBs 2281, 2489 & 2537, HB 1594, HCS HB 2460, HCS HJR 64

SPECIAL COMMITTEE ON IMMIGRATION

Thursday, May 1, 2008, House Chamber side gallery upon afternoon adjournment.

Executive session will be held.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2594, SCS SB 788

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, MAY 1, 2008

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter

- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard

HOUSE BILLS FOR PERFECTION - INFORMAL

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

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2260 - Storch
- 3 HB 1957 - Hughes
- 4 HCS HB 1644, E.C. - Muschany

HOUSE BILLS FOR THIRD READING - CONSENT

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

SENATE BILL FOR SECOND READING

SCS SB 865

HOUSE CONCURRENT RESOLUTION

HCR 11, (3-05-08, Pages 421-422) - Nolte

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 HCS SB 1010 - Stevenson
- 4 HCS SCS SB 830, HA 1 to HA 3, HA 3, pending - Day
- 5 HCS SB 932 - Grisamore
- 6 SB 955 - Wildberger
- 7 SB 970 - May
- 8 HCS SB 1175 - Cox
- 9 HCS SS SCS SB 711 - Sutherland
- 10 HCS SCS SB 907 - Cooper (120)
- 11 HCS SB 1288, E.C. - Cooper (120)
- 12 HCS SCS SB 901 - Hunter
- 13 SB 1038, E.C. - Cox
- 14 HCS SCS SB 724 - Jones (117)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 2224 - Jones (117)
- 2 SCS HCS HB 2188 - Pearce
- 3 SS SCS HCS HB 1779, as amended - Emery

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SB 958, (request House recede/grant conference) - Schad
- 2 HCS SB 841, as amended (request House recede/grant conference) - St. Onge

BILLS IN CONFERENCE

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet
- 13 HCS SS SCS SB 931, as amended - Munzlinger