

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

SIXTY-THIRD DAY, THURSDAY, MAY 1, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we give You glory and bless Your Holy name.

Today, may we hear the Word You give us in the proverb, "To practice justice is a joy for the just, but terror for evildoers". (*Proverbs 21:15*)

Lord God, may justice be the theme that unites all the bills and topics of our work today. When we are weighing the content of one bill or considering the levels of importance among several, may justice be our standard.

In our decisions, may we distribute justice, and find Your Word living in us: To practice justice is a joy for the just.

To You be glory and honor forever and ever. 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: Nichole Wilberg, Melissa Wilberg, Michelle Wilberg, Harry Godwin and Michaela Godwin.

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2486 through House Resolution No. 2529

SECOND READING OF SENATE BILL

SCS SB 865 was read the second time.

BILLS CARRYING REQUEST MESSAGES

HCS SB 841, as amended, relating to vehicle weight regulations, was taken up by Representative St. Onge.

Representative St. Onge moved that the House refuse to recede from its position on **HCS SB 841, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 958, relating to tree trimming by electric suppliers, was taken up by Representative Schad.

Representative Schad moved that the House refuse to recede from its position on **HCS SB 958** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HCS SB 841: Representatives St. Onge, Cooper (120), Wasson, Fallert and Meadows

HCS SB 958: Representatives Schad, Sutherland, Hobbs, Walsh and Bringer

Speaker Pro Tem Pratt resumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SB 724, relating to advanced practice registered nurses, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, Page 3, Section 334.104, Line 15, by inserting after the section number "**195.017, RSMo**" the following:

"; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017, RSMo, for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures"; and

Further amend said bill, Page 4, Section 334.104, Line 64, by inserting after the word "pharmacy." the following:

"Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy."; and

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

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, In the Title, Line 3, by deleting the word "nurses" and inserting in lieu thereof "controlled substances"; and

Further amend said substitute, Section A, Page 1, Line 3, by inserting immediately after said line the following:

"195.017. 1. The department of health and senior services shall place a substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and
(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;
(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (a) Acetyl-alpha-methylfentanyl;
- (b) Acetylmethadol;
- (c) Allylprodine;
- (d) Alphacetylmethadol;
- (e) Alphameprodine;
- (f) Alphamethadol;
- (g) Alpha-methylfentanyl;
- (h) Alpha-methylthiofentanyl;
- (i) Benzethidine;
- (j) Betacetylmethadol;
- (k) Beta-hydroxyfentanyl;
- (l) Beta-hydroxy-3-methylfentanyl;
- (m) Betameprodine;
- (n) Betamethadol;
- (o) Betaprodine;
- (p) Clonitazene;
- (q) Dextromoramide;
- (r) Diampromide;
- (s) Diethylthiambutene;
- (t) Difenoxin;
- (u) Dimenoxadol;
- (v) Dimepheptanol;
- (w) Dimethylthiambutene;
- (x) Dioxaphetyl butyrate;
- (y) Dipipanone;
- (z) Ethylmethylthiambutene;
- (aa) Etonitazene;
- (bb) Etoxidine;
- (cc) Furethidine;
- (dd) Hydroxypethidine;
- (ee) Ketobemidone;
- (ff) Levomoramide;
- (gg) Levophenacymorphan;
- (hh) 3-Methylfentanyl;

- (ii) 3-Methylthiofentanyl;
- (jj) Morpheridine;
- (kk) MPPP;
- (ll) Noracymethadol;
- (mm) Norlevorphanol;
- (nn) Normethadone;
- (oo) Norpipanone;
- (pp) Para-fluorofentanyl;
- (qq) PEPAP;
- (rr) Phenadoxone;
- (ss) Phenampromide;
- (tt) Phenomorphan;
- (uu) Phenoperidine;
- (vv) Pir tramide;
- (ww) Proheptazine;
- (xx) Properidine;
- (yy) Propiram;
- (zz) Racemoramide;
- (aaa) Thiofentanyl;
- (bbb) Tilidine;
- (ccc) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (a) Acetorphine;
- (b) Acetyldihydrocodeine;
- (c) Benzylmorphine;
- (d) Codeine methylbromide;
- (e) Codeine-N-Oxide;
- (f) Cyprenorphine;
- (g) Desomorphine;
- (h) Dihydromorphine;
- (i) Drotebanol;
- (j) Etorphine[; (except Hydrochloride Salt)] (**except hydrochloride salt**);
- (k) Heroin;
- (l) Hydromorphanol;
- (m) Methyldesorphine;
- (n) Methyldihydromorphine;
- (o) Morphine methylbromide;
- (p) Morphine [methyl sulfonate] **methylsulfonate**;
- (q) Morphine-N-Oxide;
- (r) [Morphine] **Myrophine**;
- (s) Nicocodeine;
- (t) Nicomorphine;
- (u) Normorphine;
- (v) Pholcodine;
- (w) Thebacon;

(4) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) [4-bromo-2,5-dimethoxyamphetamine] **4-bromo-2, 5-dimethoxyamphetamine**;
- (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- (c) 2,5-dimethoxyamphetamine;
- (d) 2,5-dimethoxy-4-ethylamphetamine;
- (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- (f) 4-methoxyamphetamine;

- (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- (h) [4-methyl-2,5-dimethoxy amphetamine] **4-methyl-2, 5-dimethoxyamphetamine**;
- (i) 3,4-methylenedioxyamphetamine;
- (j) 3,4-methylenedioxymethamphetamine;
- (k) 3,4-methylenedioxy-N-ethylamphetamine;
- (l) [N-hydroxy-3, 4-methylenedioxyamphetamine] **N-hydroxy-3, 4-methylenedioxyamphetamine**;
- (m) 3,4,5-trimethoxyamphetamine;
- (n) Alpha-ethyltryptamine;
- (o) [Benzylpiperazine or B.P.] **Alpha-methyltryptamine**;
- (p) Bufotenine;
- (q) Diethyltryptamine;
- (r) Dimethyltryptamine;
- (s) **5-methoxy-N,N-diisopropyltryptamine**;
- (t) Ibogaine;
- [(t)] **(u)** Lysergic acid diethylamide;
- [(u)] **(v)** Marijuana[; (Marihuana)] **or marihuana**;
- [(v)] **(w)** Mescaline;
- [(w)] **(x)** Parahexyl;
- [(x)] **(y)** Peyote, to include all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;
- [(y)] **(z)** N-ethyl-3-piperidyl benzilate;
- [(z)] **(aa)** N-methyl-3-piperidyl benzilate;
- [(aa)] **(bb)** Psilocybin;
- [(bb)] **(cc)** Psilocyn;
- [(cc)] **(dd)** Tetrahydrocannabinols **naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:**
 - a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;**
 - b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;**
 - c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;**
 - d. Any compounds of these structures, regardless of numerical designation of atomic positions covered;**
- [(dd)] **(ee)** Ethylamine analog of phencyclidine;
- [(ee)] **(ff)** Pyrrolidine analog of phencyclidine;
- [(ff)] **(gg)** Thiophene analog of phencyclidine;
- [(gg)] 1-(3-Trifluoromethylphenyl)piperazine or TFMPP;
- (hh) [1-(1-(2-thienyl)cyclohexyl) pyrrolidine] **1-(1-(2-thienyl)cyclohexyl)pyrrolidine**;
- (ii) *Salvia divinorum*;
- (jj) Salvinorin A;
- (5) Any material, compound, mixture or preparation containing any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
 - (a) [Gamma hydroxybutyric] **Gamma-hydroxybutyric acid**;
 - (b) Mecloqualone;
 - (c) Methaqualone;
- (6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:
 - (a) Aminorex;
 - (b) **N-benzylpiperazine**
 - (c) Cathinone;
 - [(c)] **(d)** Fenethylamine;
 - [(d)] **(e)** Methcathinone;
 - [(e)] **(f)** [(+)-cis-4-methylaminorex ((+)-cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazolamine)] **(+,-)-cis-4-methylaminorex ((+,-)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine)**;
 - [(f)] **(g)** N-ethylamphetamine;

[(g)] (h) N,N-dimethylamphetamine;

(7) A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

(a) [N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide] **N-(1-benzyl-4-piperidyl)-N phenylpropanamide** (benzylfentanyl), its optical isomers, salts and salts of isomers;

(b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers;

[(c) Alpha-Methyltryptamine, or (AMT);

(d) 5-Methoxy-N,N-Diisopropyltryptamine, or(5-MeO-DIPT);]

(8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.

3. The department of health and senior services shall place a substance in Schedule II if it finds that:

(1) The substance has high potential for abuse;

(2) The substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) The abuse of the substance may lead to severe psychic or physical dependence.

4. The controlled substances listed in this subsection are included in Schedule II:

(1) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their respective salts but including the following:

a. Raw opium;

b. Opium extracts;

c. Opium fluid;

d. Powdered opium;

e. Granulated opium;

f. Tincture of opium;

g. Codeine;

h. Ethylmorphine;

i. Etorphine hydrochloride;

j. Hydrocodone;

k. Hydromorphone;

l. Metopon;

m. Morphine;

n. Oxycodone;

o. Oxymorphone;

p. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk [Dextropropoxyphene] **dextropropoxyphene**;

- (f) Carfentanil;
- (g) Butyl nitrite;
- (h) Dihydrocodeine;
- (i) Diphenoxylate;
- (j) Fentanyl;
- (k) Isomethadone;
- (l) Levo-alphaacetylmethadol;
- (m) Levomethorphan;
- (n) Levorphanol;
- (o) Metazocine;
- (p) Methadone;
- (q) Meperidine;
- (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic acid;
- (t) Pethidine (**meperidine**);
- (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (x) Phenazocine;
- (y) Piminodine;
- (z) Racemethorphan;
- (aa) Racemorphan;
- (bb) **Remifentanil**;
- (cc) Sufentanil;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (b) **Lisdexamfetamine, its salts, isomers, and salts of its isomers**;
- (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- [(c)] (d) Phenmetrazine and its salts;
- [(d)] (e) Methylphenidate;

(4) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Amobarbital;
- (b) Glutethimide;
- (c) Pentobarbital;
- (d) Phencyclidine;
- (e) Secobarbital;
- (5) Any material[, compound] or compound which contains any quantity of nabilone;
- (6) Any material, compound, mixture, or preparation which contains any quantity of the following substances:
 - (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
 - (b) Immediate precursors to phencyclidine (PCP):
 - a. 1-phenylcyclohexylamine;
 - b. 1-piperidinocyclohexanecarbonitrile (PCC).

5. The department of health and senior services shall place a substance in Schedule III if it finds that:

- (1) The substance has a potential for abuse less than the substances listed in Schedules I and II;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) Abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

6. The controlled substances listed in this subsection are included in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

- (a) Benzphetamine;
- (b) Chlorphentermine;
- (c) Clortermine;

- (d) Phendimetrazine;
- (2) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances or salts having a depressant effect on the central nervous system:
 - (a) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances combined with one or more active medicinal ingredients:
 - a. Amobarbital;
 - b. [Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in a drug product for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act;]
 - [c.] Secobarbital;
 - [d.] **c.** Pentobarbital;
 - (b) Any suppository dosage form containing any quantity or salt of the following:
 - a. Amobarbital;
 - b. Secobarbital;
 - c. Pentobarbital;
 - (c) Any substance which contains any quantity of a derivative of barbituric acid or its salt;
 - (d) Chlorhexadol;
 - (e) **Embutramide;**
 - (f) **Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in a drug product for which an application has been approved under Section 505 of the federal Food, Drug, and Cosmetic Act;**
 - [e)] (g) Ketamine, its salts, isomers, and salts of isomers;
 - [f)] (h) Lysergic acid;
 - [g)] (i) Lysergic acid amide;
 - [h)] (j) Methyprylon;
 - [i)] (k) Sulfondiethylmethane;
 - [j)] (l) Sulfonethylmethane;
 - [k)] (m) Sulfonmethane;
 - [l)] (n) Tiletamine and zolazepam or any salt thereof;
- (3) Nalorphine;
- (4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or their salts:
 - (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
 - (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;
 - (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
 - (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or **not** more than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
 - (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - (g) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
 - (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (5) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;
- (6) Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, [and] corticosteroids, **and dehydroepiandrosterone**) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing

any quantity of the following substances, including its salts, **esters and ethers** [isomers and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation]:

- (a) [Boldenone;
- (b) Chlorotestosterone (4-Chlorotestosterone);
- (c) Clostebol;
- (d) Dehydrochlormethyltestosterone;
- (e) Dihydrotestosterone (4-Dihydro-testosterone);
- (f) Drostanolone;
- (g) Ethylestrenol;
- (h) Fluoxymesterone;
- (i) Formebolone (Formebolone);
- (j) Mesterolone;
- (k) Methandienone;
- (l) Methandranone;
- (m) Methandriol;
- (n) Methandrostenolone;
- (o) Methenolone;
- (p) Methyltestosterone;
- (q) Mibolerone;
- (r) Nandrolone;
- (s) Norethandrolone;
- (t) Oxandrolone;
- (u) Oxymesterone;
- (v) Oxymetholone;
- (w) Stanolone;
- (x) Stanozolol;
- (y) Testolactone;
- (z) Testosterone;
- (aa) Trenbolone;
- (bb)] **3 β ,17-dihydroxy-5 α -androstane;**
- (b) **3 α ,17 β -dihydroxy-5 α -androstane;**
- (c) **5 α -androstan-3,17-dione;**
- (d) **1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);**
- (e) **1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);**
- (f) **4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);**
- (g) **5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);**
- (h) **1-androstenedione ([5 α]-androst-1-en-3,17-dione);**
- (i) **4-androstenedione (androst-4-en-3,17-dione);**
- (j) **5-androstenedione (androst-5-en-3,17-dione);**
- (k) **Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);**
- (l) **Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);**
- (m) **Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);**
- (n) **Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);**
- (o) **Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);**
- (p) **Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);**
- (q) **4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);**
- (r) **Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);**
- (s) **Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);**
- (t) **Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);**
- (u) **Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);**
- (v) **Furazabol (17 α -methyl-17 β -hydroxyandrostan-2,3-c]-furazan);**
- (w) **13 β -ethyl-17 β -hydroxygon-4-en-3-one;**
- (x) **4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);**
- (y) **4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);**
- (z) **Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);**
- (aa) **Mesterolone (1 α methyl-17 β -hydroxy-[5 α]-androstan-3-one);**

- (bb) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- (cc) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- (dd) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- (ee) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
- (ff) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
- (gg) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene);
- (hh) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
- (ii) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- (jj) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
- (kk) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- (ll) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- (mm) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- (nn) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- (oo) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
- (pp) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- (qq) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- (rr) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- (uu) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- (vv) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- (ww) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
- (xx) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
- (yy) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
- (zz) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
- (aaa) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
- (bbb) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
- (ccc) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
- (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
- (eee) Testosterone (17 β -hydroxyandrost-4-en-3-one);
- (fff) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
- (ggg) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
- (hhh) Any salt, ester, or [isomer] ether of a drug or substance described or listed in this subdivision, [if that salt, ester or isomer promotes muscle growth] except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration;

(7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product. [Some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-)- delta-9-(trans)-tetrahydracannabinol];

(8) The department of health and senior services may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subdivisions (1) and (2) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

7. The department of health and senior services shall place a substance in Schedule IV if it finds that:

- (1) The substance has a low potential for abuse relative to substances in Schedule III;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) Abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III.

8. The controlled substances listed in this subsection are included in Schedule IV:

(1) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(a) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Dextropropoxyphene [(alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane)] **(alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane)**;

(c) Any of the following limited quantities of narcotic drugs or their salts, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- a. Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;
- b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;
- c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;

(2) Any material, compound, mixture or preparation containing any quantity of the following substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Alprazolam;
- (b) Barbitol;
- (c) Bromazepam;
- (d) Camazepam;
- (e) Chloral betaine;
- (f) Chloral hydrate;
- (g) Chlordiazepoxide;
- (h) Clobazam;
- (i) Clonazepam;
- (j) Clorazepate;
- (k) Clotiazepam;
- (l) Cloxazolam;
- (m) Delorazepam;
- (n) Diazepam;
- (o) Dichloralphenazone;
- (p) Estazolam;
- (q) Ethchlorvynol;
- (r) Ethinamate;
- (s) Ethyl loflazepate;
- (t) Fludiazepam;
- (u) Flunitrazepam;
- (v) Flurazepam;
- (w) Halazepam;
- (x) Haloxazolam;
- (y) Ketazolam;
- (z) Loprazolam;
- (aa) Lorazepam;
- (bb) Lormetazepam;
- (cc) Mebutamate;
- (dd) Medazepam;
- (ee) Meprobamate;
- (ff) Methohexital;
- (gg) Methylphenobarbital (**mephobarbital**);
- (hh) Midazolam;
- (ii) Nimetazepam;
- (jj) Nitrazepam;
- (kk) Nordiazepam;
- (ll) Oxazepam;
- (mm) Oxazolam;
- (nn) Paraldehyde;
- (oo) Petrichloral;
- (pp) Phenobarbital;
- (qq) Pinazepam;

- (rr) Prazepam;
- (ss) Quazepam;
- (tt) Temazepam;
- (uu) Tetrazepam;
- (vv) Triazolam;
- (ww) Zaleplon;
- (xx) Zolpidem;
- (yy) Zopiclone;**

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substance including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible: fenfluramine;

(4) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

- (a) Cathine ((+)-norpseudoephedrine);
- (b) Diethylpropion;
- (c) Fencamfamin;
- (d) Fenproporex;
- (e) Mazindol;
- (f) Mefenorex;
- (g) Modafinil;
- (h) Pemoline, including organometallic complexes and chelates thereof;
- (i) Phentermine;
- (j) Pipradrol;
- (k) Sibutramine;
- (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

(5) Any material, compound, mixture or preparation containing any quantity of the following substance, including its salts:

- (a) butorphanol;
- (b) pentazocine;

(6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance is the only active medicinal ingredient;

(7) The department of health and senior services may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

9. The department of health and senior services shall place a substance in Schedule V if it finds that:

- (1) The substance has low potential for abuse relative to the controlled substances listed in Schedule IV;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) The substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

10. The controlled substances listed in this subsection are included in Schedule V:

(1) Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;
- (b) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams;
- (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(2) Any material, compound, mixture or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers: pyrovalerone;

(3) Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

(4) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts: pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

11. If any compound, mixture, or preparation as specified in subdivision (3) of subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a prescription:

(1) All packages of any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician; and

(2) Any person purchasing, receiving or otherwise acquiring any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least eighteen years of age; and

(3) The pharmacist, **intern pharmacist**, or registered pharmacy technician shall require any person, **prior to their** purchasing, receiving or otherwise acquiring such compound, mixture, or preparation[, who is not known to the pharmacist or registered pharmacy technician.] to furnish suitable photo identification **that is issued by a state or the federal government or a document that, with respect to identification, is considered acceptable and** showing the date of birth of the person;

(4) The seller shall deliver the product directly into the custody of the purchaser.

12. [Within ninety days of the enactment of this section.] Pharmacists, **intern pharmacists**, and registered pharmacy technicians shall implement and maintain [a written or] **an** electronic log of each transaction. Such log shall include the following information:

(1) The name [and], address, **and signature** of the purchaser;

(2) The amount of the compound, mixture, or preparation purchased;

(3) The date **and time** of each purchase; and

(4) The name or initials of the pharmacist, **intern pharmacist**, or registered pharmacy technician who dispensed the compound, mixture, or preparation to the purchaser.

13. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with transmission methods and frequency established by the department by regulation;

14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities greater than those specified in this chapter.

[14.] **15.** [Within thirty days of the enactment of this section.] All persons who dispense or offer for sale pseudoephedrine and ephedrine products in a pharmacy shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[15. Within thirty days of the enactment of this section, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, and which does not have a state and federal controlled substances registration, shall return these products to a manufacturer or distributor or transfer them to an authorized controlled substances registrant.]

16. Any person who knowingly or recklessly violates the provisions of subsections 11 to 15 of this section is guilty of a class A misdemeanor.

17. The scheduling of substances specified in subdivision (3) of subsection 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound, mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

18. The manufacturer of a drug product or another interested party may apply with the department of health and senior services for an exemption from this section. The department of health and senior services may grant an exemption by rule from this section if the department finds the drug product is not used in the illegal manufacture of methamphetamine or other controlled or dangerous substances. The department of health and senior services shall rely on reports from law enforcement and law enforcement evidentiary laboratories in determining if the proposed product can be used to manufacture illicit controlled substances.

19. The department of health and senior services shall revise and republish the schedules annually.

20. The department of health and senior services shall promulgate rules under chapter 536, RSMo, regarding the security and storage of Schedule V controlled substances, as described in subdivision (3) of subsection 10 of this section, for distributors as registered by the department of health and senior services.

21. Logs of transactions required to be kept and maintained by this section and section 195.417, shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs."; and

Further amend said substitute, Section 195.100, Page 3, Line 25, by inserting immediately after said line the following:

"195.417. 1. The limits specified in [subsection 2 of] this section shall not apply to any quantity of such product, mixture, or preparation **which must be dispensed, sold, or distributed in a pharmacy** pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, **phenylpropanolamine**, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than nine grams, **without regard to the number of transactions.**

3. **Within any twenty-four hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:**

- (1) **The sole active ingredient; or**
- (2) **One of the active ingredients of a combination drug; or**
- (3) **A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any**

total amount greater than three and six tenths grams without regard to the number of transactions.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, **phenylpropanolamine**, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[4.] 5. **Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation;**

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to [any products that the state department of health and senior services, upon application of a manufacturer, exempts by rule from this section because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, or its salts or precursors or to] the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. **All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.**

[5. Persons selling and dispensing substances containing any detectable amount of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall maintain logs, documents, and records as specified in section 195.017. Persons selling only compounds, mixtures, or preparations that are excluded from Schedule V in subsection 17 or 18 of section 195.017 shall not be required to maintain such logs, documents, and records. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

6.] **8.** Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[7. Within thirty days of June 15, 2005, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, and which does not have a state and federal controlled substances registration, shall return these products to a manufacturer or distributor or transfer them to an authorized controlled substance registrant.

8.] **9.** Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

[9. The provisions of subsection 2 of this section limiting individuals from purchasing the specified amount in any thirty-day period shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form. However, no person shall purchase, receive, or otherwise acquire more than nine grams of any compound, mixture, or preparation excluded in subsection 17 or 18 of section 195.017, in a single purchase as provided in subsection 2 of this section.]"; and

Further amend said substitute, Section 335.019, Page 9, Line 20, by inserting immediately after said line the following:

"Section B. The repeal and reenactment of sections 195.017 and 195.417 of this act shall become effective January 1, 2009."; and

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

Representative Hobbs assumed the Chair.

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

Representative Cooper (120) assumed the Chair.

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, Page 1, In the Title, Line 2, by deleting "and 335.016" and inserting in lieu thereof the following:

", 335.016, and 335.076"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting "and 335.016" and inserting in lieu thereof the following:

", 335.016, and 335.076"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting "and 335.019" and inserting in lieu thereof the following:

", 335.019, and 335.076"; and

Further amend said bill, Page 9, Section 335.019, Line 20, by inserting after all of said line the following:

"335.076. 1. Any person who holds a license to practice professional nursing in this state may use the title "Registered Professional Nurse" and the abbreviation "R.N.". No other person shall use the title "Registered Professional Nurse" or the abbreviation "R.N.". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a registered professional nurse.

2. Any person who holds a license to practice practical nursing in this state may use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall use the title "Licensed Practical Nurse" or the abbreviation "L.P.N.". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a licensed practical nurse.

3. Any person who holds a license or recognition to practice advanced practice nursing in this state may use the title "Advanced Practice Registered Nurse", and the abbreviation "APRN", and any other title designations appearing on his or her license. No other person shall use the title "Advanced Practice Registered Nurse" or the abbreviation "APRN". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is an advanced practice registered nurse.

4. No person shall practice or offer to practice professional nursing, practical nursing, or advanced practice nursing in this state or use any title, sign, abbreviation, card, or device to indicate that such person is a practicing professional nurse, practical nurse, or advanced practice nurse unless he or she has been duly licensed under the provisions of this chapter.

5. In the interest of public safety and consumer awareness, it is unlawful for any person to use the title "nurse" in reference to himself or herself in any capacity, except individuals who are or have been licensed as a registered nurse, licensed practical nurse, or advanced practice registered nurse under this chapter.

6. Notwithstanding any law to the contrary, nothing in this chapter shall prohibit a [person listed as a] Christian Science nurse [in the Christian Science Journal published by the Christian Science Publishing Society, Boston, Massachusetts,] from using the title "Christian Science nurse", so long as such person provides **only** religious nonmedical services when offering or providing **such** services to [a member of his or her own religious organization and does not hold his or her own religious organization] **those who choose to rely upon healing by spiritual means alone** and does not hold himself or herself out as a registered nurse, advanced practice registered nurse, nurse practitioner, licensed practical nurse, nurse midwife, clinical nurse specialist, or nurse anesthetist, unless otherwise authorized by law to do so."; and

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

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

On motion of Representative Jones (117), **HCS SCS SB 724, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 724, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood

Hobbs	Hodges	Hoskins	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Thomson	Tilley	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 017

Cunningham 86	Curts	Daus	Dusenberg	El-Amin
Holsman	Hubbard	Hughes	Kasten	Liese
Onder	Page	Schaaf	Stevenson	Talboy
Vogt	Yaeger			

PRESENT: 002

Oxford Threlkeld

ABSENT WITH LEAVE: 017

Avery	Bland	Corcoran	Darrough	Harris 23
Loehner	Marsh	Meiners	Moore	Muschany
Spreng	Swinger	Todd	Viebrock	Walton
Wright-Jones	Young			

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 1779, as amended, relating to telecommunications services, was taken up by Representative Emery.

SS SCS HCS HB 1779, as amended, was laid over.

SCS HCS HB 2188, relating to mortgage fraud, was taken up by Representative Pearce.

On motion of Representative Pearce, **SCS HCS HB 2188** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	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	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Moore	Munzlinger	Nance	Nasheed
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
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	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	Zweifel
Mr Speaker				

NOES: 003

LeVota	Oxford	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 012

Corcoran	Darrough	Marsh	Meadows	Meiners
Muschany	Robinson	Spreng	Swinger	Todd
Wright-Jones	Young			

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Pearce, **SCS HCS HB 2188** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	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	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	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Moore	Munzlinger	Nance
Nasheed	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
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

Burnett	Hughes	Lowe 44	Oxford	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bivins	Corcoran	Darrough	Marsh
Meadows	Meiners	Muschany	Robinson	Spreng
Swinger	Threlkeld	Todd	Wright-Jones	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 2260, relating to a qualified research expenses credit, was taken up by Representative Storch.

On motion of Representative Storch, **HCS HB 2260** was read the third time and passed by the following vote:

AYES: 082

Aull	Baker 25	Bland	Brandom	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Cox	Cunningham 145
Curls	Daus	Day	Dixon	Donnelly
Dougherty	El-Amin	Fallert	Fares	Flook
Frame	Funderburk	Grill	Guest	Harris 23
Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Johnson	Jones 117	Kasten
Komo	Lampe	LeVota	Liese	Low 39
May	McClanahan	Munzlinger	Nasheed	Nolte
Norr	Oxford	Page	Parson	Pearce
Quinn 7	Richard	Robb	Roorda	Rucker
Ruestman	Salva	Schlottach	Schneider	Silvey
Skaggs	Smith 14	St. Onge	Storch	Sutherland
Talboy	Threlkeld	Tilley	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Weter
Whorton	Wildberger	Wilson 119	Witte	Zimmerman
Zweifel	Mr Speaker			

NOES: 063

Baker 123	Bivins	Bringer	Brown 30	Bruns
Casey	Cunningham 86	Davis	Deeken	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith
Fisher	Franz	George	Grisamore	Harris 110
Hodges	Icet	Jones 89	Kelly	Kingery
Kratky	Kraus	Kuessner	Lembke	Lipke
Loehner	McGhee	Moore	Nance	Nieves
Onder	Parkinson	Pollock	Portwood	Pratt
Quinn 9	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schoeller
Schoemehl	Self	Shively	Smith 150	Stevenson
Stream	Thomson	Wells	Wilson 130	Wood
Wright 159	Yaeger	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 155	Corcoran	Darrough	Lowe 44
Marsh	Meadows	Meiners	Muschany	Robinson
Spreng	Swinger	Todd	Viebrock	Wright-Jones
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

MOTION

Representative Tilley moved that the Missouri Senate return to the Missouri House of Representatives **SS SCS SB 944**, relating to state auditor compensation for bond registration, for the sole purpose of reconsidering the vote on the emergency clause.

Which motion was adopted by the following:

AYES: 134

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	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	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	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	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 008

Chappelle-Nadal	Daus	George	Hughes	Lowe 44
Skaggs	Talboy	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Corcoran	Darrough	Johnson	LeVota
Low 39	Marsh	Meadows	Meiners	Muschany
Robinson	Spreng	Swinger	Todd	Viebrock
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

THIRD READING OF SENATE BILLS

HCS SCS SB 907, relating to petroleum fuel storage tanks, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 907, Section 260.1003, Page 2, Line 33, by inserting immediately after said line the following:

"319.109. The department shall establish requirements for the reporting of any releases and corrective action taken in response to a release from an underground storage tank, including the specific quantity of a regulated substance, which if released, requires reporting and corrective action. In so doing, the department shall use risk-based corrective standards which take into account the level of risk to public health and the environment associated with site-specific conditions and future land usage. The hazardous waste management commission is authorized to promulgate rules to implement this section, in accordance with section 319.137. **By February 13, 2009, the hazardous waste management commission shall propose rules to implement the provisions of this section.** To the extent there is a conflict between this section and section 644.143, RSMo, or 644.026, RSMo, this section shall prevail."; and

Further amend said substitute, Section 319.129, Page 4, Lines 53-54, by deleting all of said lines and inserting in lieu thereof the following:

"8. [All] **The board of trustees shall be a type III agency and shall appoint an executive director and other employees as needed, who shall be state employees and be eligible for all corresponding benefits. The executive director shall have charge of the offices, operations, records, and other employees of the board, subject to the direction of the board. Employees of the board shall receive such salaries and necessary expenses as shall be fixed by the board.**"; and

Further amend said substitute, Section 319.131, Page 5, Line 13, by deleting the open bracket "[" in the first instance and the closed bracket "]" in the first instance; and

Further amend said substitute, said section, Page 7, Line 77, by deleting the word "**available**"; and

Further amend said substitute, said section, Page 8, Line 133, by inserting immediately after the word "**subsection**" the following:

", provided the creditor, who is a successor in interest as provided in subdivision (2) of subsection 3 of this section, is subject to no greater or lesser responsibility for corrective action than such successor in interest would have on or before December 31, 2017"; and

Further amend said substitute, said section, Page 9, Line 144, by inserting immediately after the word "**subsection**" the following:

", provided the creditor, who is a successor in interest as provided in subdivision (2) of subsection 3 of this section, is subject to no greater or lesser responsibility for corrective action than such successor in interest would have on or before December 31, 2017"; and

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

Representative Jones (89) assumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 907, Page 1, Section A, Line 3, by inserting after said line the following:

"49.292. 1. Notwithstanding any other law to the contrary, the county commission of any county may reject the transfer of title of real property to the county by donation or dedication if the commission determines that such rejection is in the public interest of the county.

2. No transfer of title of real property to the county commission or any other political subdivision by donation or dedication authorized to be recorded in the office of the recorder of deeds shall be valid unless it has been proved or acknowledged. The preparer of the document relating to subsection 1 of this section shall not submit a document to the recorder of deeds for recording unless the acceptance thereof of the grantee named in the document has been proved or acknowledged. **No water or sewer line easement shall be construed as a transfer of title of real property under this subsection.**"; and

Further amend said bill, Page 12, Section 414.072, Line 13, by inserting after said line the following:

"442.558. 1. As used in this section, the following terms shall mean:

(1) "Transfer", the sale, gift, conveyance, assignment, inheritance, or other transfer of ownership interest in real property located in this state;

(2) "Transfer fee", a fee or charge payable upon the transfer of an interest in real property, or payable for the right to make or accept such transfer, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property, the purchase price, or other consideration given for the transfer. Transfer fee shall not include the following:

(a) Any consideration payable by the grantee to the grantor for the interest in real property being transferred;

(b) Any commission payable to a licensed real estate broker for the transfer of real property under an agreement between the broker and the grantor or the grantee;

(c) Any interest, charges, fees, or other amounts payable by a borrower to a lender under a loan secured by a mortgage against real property, including but not limited to any fee payable to the lender for consenting to an assumption of the loan or a transfer of the real property subject to the mortgage, any fees or charges payable to the lender for estoppel letters or certificates, and any other consideration allowed by law and payable to the lender in connection with the loan;

(d) Any rent, reimbursement, charge, fee, or other amount payable by a lessee to a lessor under a lease, including but not limited to any fee payable to the lessor for consenting to an assignment, subletting, encumbrance, or transfer of the lease;

(e) Any consideration payable to the holder of an option to purchase an interest in real property or the holder of a right of first refusal or first offer to purchase an interest in real property for waiving, releasing, or not exercising the option or right upon the transfer of the property to another person;

(f) Any tax, fee, charge, assessment, fine, or other amount payable to or imposed by a governmental authority;

(3) "Transfer fee covenant", a declaration or covenant purporting to affect real property which requires or purports to require the payment of a transfer fee to the declarant or other person specified in the declaration or covenant or to their successors or assigns upon a subsequent transfer of an interest in the real property.

2. A transfer fee covenant recorded in this state on or after September 1, 2008, shall not run with the title to real property and is not binding on or enforceable at law or in equity against any subsequent owner, purchaser, or mortgagee of any interest in real property as an equitable servitude or otherwise. Any lien purporting to secure the payment of a transfer fee under a transfer fee covenant recorded in this state on or after September 1, 2008, is void and unenforceable."; and

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

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

Representative Jones (89) requested a parliamentary ruling.

The point of order was withdrawn.

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

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

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cooper (120), **HCS SCS SB 907, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SCS SB 907, as amended**, was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	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	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	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	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter

Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 009

Burnett	Dougherty	Frame	Hughes	LeVota
Low 39	Skaggs	Talboy	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 017

Chappelle-Nadal	Corcoran	Darrough	Donnelly	Haywood
Marsh	Meiners	Muschany	Robinson	Spreng
Swinger	Todd	Vogt	Walton	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Jones (89) declared the bill passed.

HCS SCS SB 830, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending, relating to the Returning Heroes' Education Act, was taken up by Representative Day.

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

On motion of Representative Day, **HCS SCS SB 830** was adopted.

On motion of Representative Day, **HCS SCS SB 830** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	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	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt

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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	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Cooper 120	Corcoran	Darrough	Johnson
Marsh	Meiners	Muschany	Page	Robinson
Spreng	Swinger	Todd	Walton	Wildberger
Wright-Jones	Young	Zweifel		

VACANCIES: 002

Representative Jones (89) declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate is returning to the House Truly Agreed To and Finally Passed **SS SCS SB 944** for the sole purpose of allowing the House to reconsider the vote on the emergency clause.

RECONSIDERATION

SS SCS SB 944, relating to bond registration fees, was taken up by Representative Robb.

Representative Harris (110), having voted on the prevailing side, moved that the vote by which the emergency clause to **SS SCS SB 944** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
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	Hobbs	Hodges	Holsman	Hoskins

Hubbard	Hughes	Hunter	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Lipke	Loehner	Lowe 44	McClanahan	McGhee
Moore	Munzlinger	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
Scharmhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 002

Skaggs	Talboy
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PRESENT: 004

Chappelle-Nadal	George	Liese	Wildberger
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ABSENT WITH LEAVE: 018

Corcoran	Darrough	Ice	Johnson	Low 39
Marsh	May	Meadows	Meiners	Muschany
Salva	Schneider	Spreng	Swinger	Todd
Wright-Jones	Young	Zweifel		

VACANCIES: 002

On motion of Representative Robb, the emergency clause to **SS SCS SB 944** was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	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
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	McClanahan	McGhee
Meadows	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford

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Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 008

Burnett	Daus	George	Low 39	Roorda
Talboy	Vogt	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper 120	Darrough	Hunter	Johnson	Marsh
May	Meiners	Muschany	Spreng	Swinger
Todd	Walton	Wright-Jones	Young	Zweifel

VACANCIES: 002

THIRD READING OF SENATE BILL

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

Speaker Jetton resumed the Chair.

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	Cunningham 86	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Nance	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	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	Yates	Mr Speaker

NOES: 055

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
McClanahan	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Cooper 120	Cooper 155	Darrough	Hunter
Johnson	Low 39	Lowe 44	Marsh	Meadows
Meiners	Muschany	Nieves	Quinn 7	Spreng
Swinger	Todd	Walton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Harris (110), **SB 839** was truly agreed to and finally passed by the following vote:

AYES: 124

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Casey	Cooper 155
Corcoran	Cox	Cunningham 86	Curls	Daus
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Frame	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Moore
Munzlinger	Nasheed	Nieves	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace

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Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 020

Baker 123	Brown 30	Burnett	Chappelle-Nadal	Cunningham 145
Davis	Dethrow	Dusenberg	Ervin	Flook
Franz	George	Hughes	Hunter	Nance
Nolte	Portwood	Silvey	Talboy	Walsh

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 25	Cooper 120	Darrough	Johnson	Low 39
Lowe 44	Marsh	Meadows	Meiners	Muschany
Spreng	Swinger	Todd	Walton	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1644 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 29 - Conservation and Natural Resources

SCR 39 - Special Committee on Student Achievement

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 45 - Conservation and Natural Resources

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 726 - Special Committee on Family Services

SS SCS SB 738 - Special Committee on Energy and Environment

SS SB 817 - Special Committee on Healthcare Transformation

SCS SB 1040 - Conservation and Natural Resources

SCS SB 1107 - Special Committee on State Parks and Waterways
SCS SB 1172 - Special Committee on General Laws
SCS SBs 1181, 1100, 1262 & 1263 - Special Committee on Utilities
SB 1245 - Elections
SS SCS SB 1283 - Special Committee on Healthcare Transformation

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1884**, 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 Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 732**, 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 Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 873**, 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 Judiciary, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1185**, 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 Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 788**, 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 **SCS SB 1209**, 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 HJR 64**, 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 1484**, 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 2281, 2489 & 2537**, 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 2460**, 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 **SCR 31**, 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 720**, 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 SBs 754 & 794**, 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 SBs 930 & 947**, 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 **SS SB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Friday, May 2, 2008.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Hodges, District 161, hereby state and affirm that my vote as recorded on Page 1223 of the House Journal for April 30, 2008 to third read and pass House Committee Substitute for Senate Bill No. 863 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Steve Hodges
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 1st day of May in the year 2008.

/s/ Megan Limbach
Notary Public

I, State Representative Jeff Roorda, District 102, hereby state and affirm that my vote as recorded on Page 1241 of the House Journal for April 30, 2008 to perfect and print House Committee Substitute for House Bill No. 1644, as amended, was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Jeff Roorda
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 1st day of May in the year 2008.

/s/ Megan Limbach
Notary Public

I, State Representative Ed Schieffer, District 11, hereby state and affirm that my vote as recorded on Page 1223 of the House Journal for April 30, 2008 to third read and pass House Committee Substitute for Senate Bill No. 863 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Ed Schieffer
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 1st day of May in the year 2008.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

ELECTIONS

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SB 1245

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.

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 6, 2008, Hearing Room 3 upon morning recess.
Executive session may follow.
Public hearing to be held on: HB 1842

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: SCS SB 1172

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 3.
Executive session will follow.
Public hearing to be held on: SCS SB 1107

SPECIAL COMMITTEE ON UTILITIES

Monday, May 5, 2008, Hearing Room 5 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: SCS SBs 1181, 1100, 1262 & 1263

TRANSPORTATION

Tuesday, May 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session.

HOUSE CALENDAR

SIXTY-FOURTH DAY, FRIDAY, MAY 2, 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)

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- 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
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

HOUSE BILLS FOR THIRD READING - CONSENT

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

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

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 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901 - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Cooper (120)
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus

- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 2224 - Jones (117)
- 2 SS SCS HCS HB 1779, as amended - Emery
- 3 SS HB 1678, as amended - Day

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
- 14 HCS SB 841, as amended - St. Onge
- 15 HCS SB 958 - Schad

SENATE CONCURRENT RESOLUTION

SCR 40, (4-14-08, Pages 914-915) - Pratt

HOUSE RESOLUTION

HR 185, (4-30-08, Page 1248) - Jones (117)