

# JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

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FIFTY-FIRST DAY, WEDNESDAY, APRIL 8, 2009

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend James Earl Jackson.

O God Most High, You are our shelter and strength; You are our help in times of trouble, our safe place in danger, our tower of strength in the storm. *(Ps 46:1)*

As we ponder our coming and going this day and accept the grace of living, give us, O God, Your wisdom and strength, enabling us to fulfill our responsibilities above and beyond our human capacity. For You have said in Your Word, "Wisdom will enter your heart and knowledge will be pleasant to your soul; discretion will guard you, understanding will watch over you. We humbly yield our time, our activities, and our decisions to your wisdom, knowledge and direction in all things. May we gain great insight as we periodically take a breather and ponder the way of truth.

Now may You, the God of peace, make us complete in every good work to do Your will, working in us what is well pleasing in Your sight. To Whom be glory forever and ever.

In the name of Your Son, I pray. Amen.

*(Portions from 77 Days of Prayer)*

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: Christopher Frank, Diamond Lathon, Kaylee Claybrook, Robert Porras, Jonathan Felton, Whitney Estes, Lauren Shotts, Ace Petty, Thomas Robertson, Gabby Wilson, Sara Soles and Linda Renae Switzer.

The Journal of the fiftieth day was approved as printed.

## SPECIAL RECOGNITION

Drug Abuse Resistance Education (DARE) Officers were introduced by Representative Deeken and recognized for their efforts to help children avoid involvement in drugs, gangs and violence.

The Sparta Lady Trojan Basketball Team was introduced by Representative Weter and recognized for attaining the 2008-2009 Class 2 State Championship.

The Maplewood Richmond Heights Blue Devils Basketball Team was introduced by Representative Brown (73) and recognized for attaining the 2008-2009 Class 3 State Championship.

Courtney Marie Mudd, Miss Pre-Teen Missouri, was introduced by Representative Schieffer and presented a Resolution.

### HOUSE RESOLUTION

Representatives Bringer and Stevenson offered House Resolution No. 1603.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1599 through House Resolution No. 1602

House Resolution No. 1604 through House Resolution No. 1641

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 10**, relating to the Appellate Judicial Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HJR 10** was read the third time and passed by the following vote:

AYES: 085

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Dixon	Dougherty	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flanigan
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Icet	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Largent	Leara	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nasheed	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stream
Thomson	Tilley	Tracy	Viebrock	Wallace
Walton Gray	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright	Zerr	Mr Speaker

NOES: 072

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Chappelle-Nadal
Colona	Corcoran	Curls	Diehl	El-Amin
Englund	Fallert	Fischer 107	Flook	Frame
Grill	Harris	Hodges	Holsman	Hoskins 80
Hughes	Hummel	Jones 63	Kander	Kelly
Kirkton	Komo	Kratky	Kuessner	Lampe

LeBlanc	LeVota	Liese	Lipke	McClanahan
McDonald	McNeil	Meadows	Meiners	Morris
Norr	Oxford	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Stevenson	Still	Storch
Sutherland	Swinger	Talboy	Todd	Vogt
Webb	Webber	Wildberger	Witte	Yaeger
Yates	Zimmerman			

PRESENT: 001

Jones 89

ABSENT WITH LEAVE: 005

Casey	Low	Pace	Spreng	Walsh
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Speaker Richard declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HCS HB 62, as amended, with House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, pending**, relating to crime, was taken up by Representative Lipke.

Representative Hobbs assumed the Chair.

**HCS HB 62, as amended, with House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, pending**, was laid over.

On motion of Representative Funderburk, the House recessed until 1:30 p.m.

### **AFTERNOON SESSION**

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

### **PERFECTION OF HOUSE BILLS**

**HCS HB 62, as amended, with House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, pending**, relating to crime, was again taken up by Representative Lipke.

Speaker Richard resumed the Chair.

Representative Colona moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Atkins	Brown 50	Brown 73	Burnett	Calloway
Carter	Chappelle-Nadal	Colona	Corcoran	Dougherty
El-Amin	Englund	Frame	Hughes	Hummel
Jones 63	Kander	Kratky	LeBlanc	LeVota
Liese	McDonald	Morris	Nasheed	Roorda
Salva	Schoemehl	Schupp	Skaggs	Still
Talboy	Walton Gray	Webb	Webber	Wildberger
Yaeger				

NOES: 100

Aull	Biermann	Bivins	Brandom	Bringer
Brown 30	Brown 149	Burlison	Cooper	Cox
Davis	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dugger	Dusenberg	Emery	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Harris	Hodges	Hoskins 121
Icet	Jones 89	Jones 117	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kraus
Lair	Lampe	Largent	Leara	Lipke
Loehner	McClanahan	McGhee	McNary	McNeil
Meadows	Meiners	Munzlinger	Nance	Nieves
Nolte	Norr	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Ruestman	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Storch	Stream	Sutherland
Tilley	Todd	Tracy	Viebrock	Walsh
Wasson	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 027

Allen	Bruns	Casey	Cunningham	Curls
Day	Dixon	Grisamore	Hobbs	Holsman
Hoskins 80	Kuessner	Low	Molendorp	Oxford
Pace	Rucker	Ruzicka	Schieffer	Spreng
Stevenson	Swinger	Thomson	Vogt	Wallace
Wells	Zimmerman			

Representative Jones (89) assumed the Chair.

Representative Skaggs 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. 62, Page 1, Section 566.150, Line 14, by deleting "**class A misdemeanor**" and replacing with "**class D felony**"; and

Further amend Line 15, by deleting the "**D**" and replacing with a "**C**"; and

Further amend Page 2, Line 8, by deleting "**class A misdemeanor**" and replacing with "**class D felony**"; and

Further amend Line 9, by deleting the "**D**" and replacing with a "**C**".

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 62, Section 82.300, Page 11, Line 30, by inserting after all of said line the following:

"195.202. 1. Except as authorized by sections 195.005 to 195.425, it is unlawful for any person to possess or have under his control a controlled substance.

2. **Except as provided in subsection 4 of this section**, any person who violates this section with respect to any controlled substance except thirty-five grams or less of marijuana is guilty of a class C felony.

3. Any person who violates this section with respect to not more than thirty-five grams of marijuana is guilty of a class A misdemeanor.

4. **Any person who violates subsection 2 of this section in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides is guilty of a class B felony.**"; and

Further amend said bill, Section 565.084, Page 30, Line 20, by inserting after all of said line the following:

"568.045. 1. A person commits the crime of endangering the welfare of a child in the first degree if:

(1) The person knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years old; or

(2) The person knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;

(3) The person knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

(4) Such person enlists the aid, either through payment or coercion, of a person less than seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport, test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any material used to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues; or

(5) Such person, in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides, unlawfully manufactures, or attempts to manufacture compounds, **possesses**, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.

2. Endangering the welfare of a child in the first degree is a class C felony unless the offense is committed as part of a ritual or ceremony, or except on a second or subsequent offense, in which case the crime is a class B felony.

3. **This section shall be known as "Hope's Law".**"; 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. 3** was not timely distributed.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 62, Section 565.084, Page 30, Line 20, by inserting after all of said section and line the following:

"570.030. 1. A person commits the crime of stealing if he or she appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion.

2. Evidence of the following is admissible in any criminal prosecution pursuant to this section on the issue of the requisite knowledge or belief of the alleged stealer:

- (1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;
- (2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;
- (3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;
- (4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse;
- (5) That he or she, with intent to cheat or defraud a retailer, possesses, uses, utters, transfers, makes, alters, counterfeits, or reproduces a retail sales receipt, price tag, or universal price code label, or possesses with intent to cheat or defraud, the device that manufactures fraudulent receipts or universal price code labels.

3. Notwithstanding any other provision of law, any offense in which the value of property or services is an element is a class C felony if:

- (1) The value of the property or services appropriated is five hundred dollars or more but less than twenty-five thousand dollars; or
- (2) The actor physically takes the property appropriated from the person of the victim; or
- (3) The property appropriated consists of:
  - (a) Any motor vehicle, watercraft or aircraft; or
  - (b) Any will or unrecorded deed affecting real property; or
  - (c) Any credit card or letter of credit; or
  - (d) Any firearms; or
  - (e) **Any explosive weapon as defined in section 571.010, RSMo; or**
  - (f) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or
- [(f)] (g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or
- [(g)] (h) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or
- [(h)] (i) Any book of registration or list of voters required by chapter 115, RSMo; or
- [(i)] (j) Any animal of the species of horse, mule, ass, cattle, swine, sheep, or goat; or
- [(j)] (k) Live fish raised for commercial sale with a value of seventy-five dollars; or
- [(k)] (l) Any controlled substance as defined by section 195.010, RSMo; or
- [(l)] (m) Anhydrous ammonia;

[(m)] (n) Ammonium nitrate; or

[(n)] (o) Any document of historical significance which has fair market value of five hundred dollars or more.

4. If an actor appropriates any material with a value less than five hundred dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class C felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class B felony. The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

5. The theft of any item of property or services pursuant to subsection 3 of this section which exceeds five hundred dollars may be considered a separate felony and may be charged in separate counts.

6. Any person with a prior conviction of paragraph [(i)] (j) of subdivision (3) of subsection 3 of this section and who violates the provisions of paragraph [(i)] (j) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony.

7. Any offense in which the value of property or services is an element is a class B felony if the value of the property or services equals or exceeds twenty-five thousand dollars.

8. Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor."; and

Further amend said bill, Section 570.040, Page 30, Line 16, by inserting after all of said section and line the following:

"570.080. 1. A person commits the crime of receiving stolen property if for the purpose of depriving the owner of a lawful interest therein, he or she receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen.

2. Evidence of the following is admissible in any criminal prosecution pursuant to this section to prove the requisite knowledge or belief of the alleged receiver:

(1) That he or she was found in possession or control of other property stolen on separate occasions from two or more persons;

(2) That he or she received other stolen property in another transaction within the year preceding the transaction charged;

(3) That he or she acquired the stolen property for a consideration which he or she knew was far below its reasonable value;

(4) That he or she obtained control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce a person to believe the property was stolen.

3. Receiving stolen property is a class A misdemeanor unless the property involved has a value of five hundred dollars or more, or the person receiving the property is a dealer in goods of the type in question, **or the property involved is a firearm or explosive weapon as those terms are defined in section 571.010, RSMo**, in which cases receiving stolen property is a class C felony."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 62, Page 30, Section 565.084, Line 20, by inserting after all of said section the following:

"566.148. 1. Any person who has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting

child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors shall not knowingly be physically present in or loiter within five hundred feet of or to approach, contact, or communicate with any child under eighteen years of age in any child care facility building, on the real property comprising any child care facility when persons under the age of eighteen are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building or on the grounds.

2. For purposes of this section, "child care facility" shall have the same meaning as such term is defined in section 210.201, RSMo.

3. Any person who violates the provisions of this section is guilty of a class A misdemeanor."; and

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

Representative Franz offered **House Amendment No. 1 to House Amendment No. 5**.

Representative Burnett raised a point of order that **House Amendment No. 1 to House Amendment No. 5** is in violation of Rule 46.

Representative Roorda raised an additional point of order that **House Amendment No. 1 to House Amendment No. 5** is not properly drafted.

Representative Jones (89) requested a parliamentary ruling.

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

On motion of Representative Dusenberg, **House Amendment No. 5** was adopted.

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 62, Section 570.080, Page 31, Line 16, by inserting immediately after said line the following:

"575.082. 1. A person commits the crime of filing a false report if such person knowingly files a report with the Missouri department of natural resources that a regulation or ordinance has been violated and such report is false.

2. Filing a false report is a class C misdemeanor."; and

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

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

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

Representative Cox offered **House Amendment No. 2 to House Amendment No. 6**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for House Bill No. 62, Page 1, Line 4, by inserting after the first occurrence of the word "a" the word "**false**"; and

Further amend said amendment and page, Line 5, by deleting the words "**and such report is false**"; and

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

On motion of Representative Cox, **House Amendment No. 2 to House Amendment No. 6** was adopted.

On motion of Representative Munzlinger, **House Amendment No. 6, as amended**, was adopted.

Representative Fischer (107) offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 62, Section 565.084, Page 30, Line 20, by inserting after all of said line the following:

"566.093. 1. A person commits the crime of sexual misconduct in the second degree if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has previously been convicted of an offense under this chapter, in which case it is a class A misdemeanor, **or unless it is committed by a prisoner or offender in the presence of an employee of, or person assigned to work in, any jail, prison, or correctional facility, in which case it is a class D felony.**"; and

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

On motion of Representative Fischer (107), **House Amendment No. 7** was adopted by the following vote:

AYES: 124

Atkins	Aull	Biermann	Brandom	Bringer
Brown 30	Brown 50	Brown 73	Brown 149	Bruns
Burlison	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Cunningham	Curls
Davis	Day	Deeken	Dieckhaus	Diehl
Dixon	Dougherty	El-Amin	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Flanigan
Flook	Frame	Grill	Grisamore	Guernsey
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hughes	Hummel	Jones 63	Jones 117	Kander
Keeney	Kelly	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe

Largent	Leara	LeBlanc	LeVota	Liese
Loehner	Low	McClanahan	McDonald	McGhee
McNeil	Meiners	Morris	Munzlinger	Nance
Nasheed	Norr	Oxford	Pace	Parkinson
Parson	Pratt	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Schad	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Walton Gray	Wasson	Webb
Webber	Weter	Wildberger	Wilson 119	Witte
Wood	Yaeger	Yates	Zerr	

NOES: 027

Bivins	Cooper	Cox	Denison	Dethrow
Dusenberg	Fisher 125	Franz	Funderburk	Gatschenberger
Guest	Hoskins 121	Jones 89	Lipke	McNary
Nieves	Nolte	Pollock	Sater	Scharnhorst
Schlottach	Stevenson	Tracy	Wells	Wilson 130
Wright	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Dugger	Icet	Kingery	Meadows
Molendorp	Quinn	Salva	Schieffer	Skaggs
Spreng	Zimmerman			

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

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 62, Section 565.081, Page 29, Line 1, by inserting immediately after the comma "," the following:

**"corrections officer,"**; and

Further amend said substitute, said section, said page, Line 2, by inserting immediately after the comma "," the following:

**"highway worker in a construction zone or work zone,"**; and

Further amend said substitute, said section, said page, Line 4, by deleting all of said line and inserting in lieu thereof the following:

**"officer [or], corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer."**; and

Further amend said substitute, said section, said page, Line 7, by deleting all of said line and inserting in lieu thereof the following:

**"defined in subdivisions (15), (16), [and] (17), and (18) of section 190.100, RSMo."**; and

Further amend said substitute, said section, said page, Line 8, by inserting immediately after the number "3." the following:

**"As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.**

**4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580, RSMo.**

**5.";** and

Further amend said substitute, said section, said page, said line, by inserting immediately after the comma "," in the first instance the following:

**"corrections officer,";** and

Further amend said section, said page, said line, by inserting immediately after the comma "," in the second instance the following:

**"highway worker in a construction zone or work zone,";** and

Further amend said substitute, said section, said page, Line 9, by inserting immediately after said line the following:

"565.082. 1. A person commits the crime of assault of a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, **corrections officer**, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), [and] (17), and (18) of section 190.100, RSMo.

**3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.**

**4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580, RSMo.**

**5. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.**

**For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.**

565.083. 1. A person commits the crime of assault of a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer without the consent of the law enforcement officer [or], **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone, or probation and parole officer**.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), [and] (17), **and (18)** of section 190.100, RSMo.

3. **As used in this section the term "corrections officer" includes any jailor or corrections officer of the state or any political subdivision of the state.**

4. **When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580, RSMo.**

5. Assault of a law enforcement officer, **corrections officer**, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in the third degree is a class A misdemeanor."; and

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

On motion of Representative Dusenberg, **House Amendment No. 8** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Bivins	Brandom	Brown 30	Brown 149	Bruns
Burlison	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook
Franz	Funderburk	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Munzlinger	Nance	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Zerr	Mr Speaker	

NOES: 068

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	El-Amin
Englund	Fallert	Fischer 107	Frame	Grill
Harris	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Nasheed	Norr	Oxford
Pace	Roorda	Rucker	Salva	Scavuzzo
Schoemehl	Schupp	Shively	Skaggs	Spreng
Still	Storch	Swinger	Talboy	Todd
Vogt	Walsh	Walton Gray	Webb	Webber
Wildberger	Witte	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Dougherty	Gatschenberger	Jones 63	Kingery
Meadows	Molendorp	Quinn	Schieffer	Thomson
Zimmerman				

On motion of Representative Lipke, **HCS HB 62, as amended**, was adopted.

On motion of Representative Lipke, **HCS HB 62, as amended**, was ordered perfected and printed.

**HCS HBs 620 & 671**, relating to bingo, was taken up by Representative Lair.

Representative Hoskins (121) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 620 & 671, Page 6, Section 313.055, Line 1, by inserting immediately at the beginning of said line the following "[ "; and

Further amend said page and section, Line 18, by inserting immediately at the end of said line the following " ]"; and

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

On motion of Representative Hoskins (121), **House Amendment No. 1** was adopted.

Speaker Richard resumed the Chair.

Representative Roorda requested a division of the question on **HCS HBs 620 & 671, as amended**.

**HCS HBs 620 & 671, with Part I, as amended, and Part II pending**, was laid over.

**HB 599**, relating to the Missouri Public Service Commission, was taken up by Representative Diehl.

On motion of Representative Diehl, **HB 599** was ordered perfected and printed.

**HB 258**, relating to the minimum wage, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 258, Page 1, Section A, Line 2, by inserting after all of said line the following:

"290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of \$6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents. **This subsection shall not apply to employees who receive and retain compensation in the form of gratuities, except that any modification of the minimum wage made under this subsection prior to January 1, 2009, shall be used to calculate the minimum wage for those receiving and retaining compensation in the form of gratuities pursuant to this section and section 290.512, RSMo.**"; and

Further amend said bill, Section 290.512, Page 1, Line 2, by deleting immediately after the word "wages", "[ "; and

Further amend said bill, section, and page, Lines 5 through 7, by deleting all of said lines and inserting in lieu thereof the following:

"the difference being made up by the employer. **However, the total compensation for such tipped**"; and

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

Representative Zerr offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 258, Page 1, Line 18, by deleting the words "**January 1**" and inserting in lieu thereof the words "**July 24**"; and

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

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

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Ice	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	Loehner
McGhee	McNary	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Tilley	Tracy
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright	Yates
Zerr	Mr Speaker			

NOES: 064

Atkins	Aull	Biermann	Bringer	Brown 73
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Corcoran	Curls	El-Amin	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Kelly	Kirkton	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low	McClanahan
McDonald	McNeil	Meiners	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Salva	Scavuzzo	Schoemehl	Schupp
Shively	Skaggs	Still	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webb
Webber	Wildberger	Witte	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Cooper	Dougherty	Jones 63	Kander
LeBlanc	Meadows	Molendorp	Schieffer	Spreng
Storch	Zimmerman			

On motion of Representative Jones (89), **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 086

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Icet	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	Loehner
McGhee	McNary	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Thomson	Tilley	Tracy	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright	Yates	Zerr
Mr Speaker				

NOES: 067

Atkins	Aull	Biermann	Bringer	Brown 73
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Corcoran	Curls	El-Amin	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Meiners
Morris	Nasheed	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Salva	Scavuzzo
Schoemehl	Schupp	Shively	Silvey	Skaggs
Still	Swinger	Talboy	Todd	Vogt
Walsh	Walton Gray	Webb	Webber	Wildberger
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cooper	Dougherty	Kander	Meadows
Molendorp	Schieffer	Spreng	Storch	Zimmerman

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook
Funderburk	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Leara	Lipke	Loehner	McNary	Munzlinger
Nance	Nieves	Nolte	Parkinson	Pollock
Pratt	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright
Yates	Zerr	Mr Speaker		

NOES: 064

Atkins	Aull	Biermann	Bringer	Brown 73
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Corcoran	Curls	El-Amin	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kelly	Kirkton	Kratky	Kuessner	Lampe
LeBlanc	LeVota	Liese	Low	McClanahan
McDonald	McNeil	Meiners	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Salva	Scavuzzo	Schoemehl	Schupp
Shively	Skaggs	Still	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webb
Webber	Wildberger	Witte	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Burnett	Cox	Dougherty	Franz
Kander	Komo	Largent	McGhee	Meadows
Molendorp	Parson	Schieffer	Spreng	Storch
Zimmerman				

On motion of Representative Jones (89), **HB 258, as amended**, was ordered perfected and printed.

**HCS HB 575, with House Amendment No. 1, pending**, relating to business incentives, was taken up by Representative Diehl.

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 575, Page 7, Section 100.770, Line 13, by inserting after all of said line the following:

"338.337. It shall be unlawful for any out-of-state wholesale drug distributor or out-of-state pharmacy acting as a distributor to do business in this state without first obtaining a license to do so from the board of pharmacy and paying the required fee. Application for an out-of-state wholesale drug distributor's license under this section shall be made on a form furnished by the board. The issuance of a license under sections 338.330 to 338.370 shall not change or affect tax liability imposed by the Missouri department of revenue on any out-of-state wholesale drug distributor or out-of-state pharmacy. Any out-of-state wholesale drug distributor that is a drug manufacturer and which produces and distributes from a facility which has been inspected and approved by the Food and Drug Administration [within the last two years] **and has provided a copy of the most recent Food and Drug Administration Establishment Inspection Report to the board** and which is licensed by the state in which the distribution facility is located, **or if located within a foreign jurisdiction, is authorized and in good standing to operate as a drug manufacturer within such jurisdiction**, need not be licensed as provided in this section but such out-of-state distributor shall register its business name and address with the board of pharmacy and pay a filing fee of ten dollars."; and

Further amend said bill, Page 16, Section 620.1881, Lines 88 to 90, by deleting all of said lines and inserting in lieu thereof the follow:

"located. **For high-impact projects in a facility located within two adjacent counties the new payroll shall equal or exceed the higher county average wage of the adjacent counties.**"; and

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

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

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 575, Page 2, Section 338.337, Line 1, by inserting before the word "and" the following:

", **maintains current approval by the Food and Drug Administration,**".

On motion of Representative Colona, **House Amendment No. 1 to House Amendment No. 2** was adopted.

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 575, Section 620.1881, Page 16, Lines 88 to 90, by deleting all of said lines and inserting in lieu thereof the following:

"located. **For high-impact projects in a facility located within two adjacent counties the new payroll shall equal or exceed the higher county average wage of the adjacent counties.**"; and

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

**Representative Komo 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 House Bill No. 575, Section 620.1881, Page 1, Line 5 of said amendment, by inserting after all of said line the following:

' "House Committee Substitute for House Bill No. 575, Section 100.710, Page 5, Line 11, by striking the brackets "[ ]" from said line"; and

Further amend said page, Lines 17 to 21, by striking all of said lines and inserting in lieu thereof the following:

"costs of an economic development project from any funds available therefor."; and

Further amend said bill, Section 100.750, Page 6, Lines 12 to 17, by striking all of said lines and inserting in lieu thereof the following:

"the economic development project is located; and  
(e) Pursue any other applicable legal remedy."; and '; and

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

On motion of Representative Komo, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Flook, **House Amendment No. 3, as amended**, was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 575, Section A, Page 1, Line 4, by inserting after all of said line the following:

"99.1082. As used in sections 99.1080 to 99.1092, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Baseline year", the calendar year prior to the adoption of an ordinance by the municipality approving a redevelopment project; provided, however, if local sales tax revenues or state sales tax revenues, from businesses other than any out-of-state business or businesses locating in the redevelopment project area, decrease in the redevelopment project area in the year following the year in which the ordinance approving a redevelopment project is approved by a municipality, the baseline year may, at the option of the municipality approving the redevelopment project, be the year following the year of the adoption of the ordinance approving the redevelopment project. When a redevelopment project area is located within a county for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor under section 44.100, RSMo, due to a natural disaster of major proportions and the redevelopment project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, the baseline year may, at the option of the municipality approving the redevelopment project, be the calendar year in which the natural disaster occurred or the year following the year in which the natural disaster occurred, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;

(2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(3) "Central business district", the area at or near the historic core that is locally known as the "downtown" of a municipality that has a median household income of sixty-two thousand dollars or less, according to the last decennial census. In addition, at least fifty percent of existing buildings in this area will have been built in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-five years prior to the adoption of the ordinance approving the redevelopment plan. The historical land use emphasis of a central business district prior to redevelopment will have been a mixed use of business, commercial, financial, transportation, government, and multifamily residential uses;

(4) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;

(5) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo;

(6) "Local sales tax increment", at least fifty percent of the local sales tax revenue from taxes that are imposed by a municipality and its county, and that are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such a redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area while financing under sections 99.1080 to 99.1092 remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees, or special assessments; provided however, the governing body of any county may, by resolution, exclude any portion of any countywide sales tax of such county. For redevelopment projects or redevelopment plans approved after August 28, 2005, if a retail establishment relocates within one year from one facility within the same county and the governing body of the municipality finds that the retail establishment is a direct beneficiary of tax increment financing, then for the purposes of this subdivision, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes that are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(7) "Local sales tax revenue", city sales tax revenues received under sections 94.500 to 94.550, RSMo, and county sales tax revenues received under sections 67.500 to 67.594, RSMo;

(8) "Major initiative", a development project within a central business district which promotes tourism, cultural activities, arts, entertainment, education, research, arenas, multipurpose facilities, libraries, ports, mass transit, museums, economic development, or conventions for the municipality, and where the capital investment within the redevelopment project area is:

(a) At least five million dollars for a project area within a city having a population of one hundred thousand to one hundred ninety-nine thousand nine hundred and ninety-nine inhabitants;

(b) At least one million dollars for a project area within a city having a population of fifty thousand to ninety-nine thousand nine hundred and ninety-nine inhabitants;

(c) At least five hundred thousand dollars for a project area within a city having a population of ten thousand to forty-nine thousand nine hundred and ninety-nine inhabitants; or

(d) At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine thousand nine hundred and ninety-nine inhabitants;

(9) "Municipality", any city or county of this state having fewer than two hundred thousand inhabitants;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by the municipality or authority, or other public entity authorized to issue such obligations under sections 99.1080 to 99.1092 to carry out a redevelopment project or to refund outstanding obligations;

(11) "Ordinance", an ordinance enacted by the governing body of any municipality;

(12) **"Other net new revenues", the amount of state sales tax increment or state income tax increment or the combination of the amount of each such increment as determined under section 99.918;**

(13) "Redevelopment area", an area designated by a municipality in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area or a conservation area, which area shall have the following characteristics:

(a) It can be renovated through one or more redevelopment projects;

(b) It is located in the central business district;

(c) The redevelopment area shall not exceed ten percent of the entire geographic area of the municipality.

Subject to the limitation set forth in this subdivision, the redevelopment area can be enlarged or modified as provided in section 99.1088;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality to reduce or eliminate those conditions which qualify a redevelopment area as a blighted area or a conservation area, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area through the reimbursement, payment, or other financing of redevelopment project costs in accordance with sections 99.1080 to 99.1092 and through application for and administration of downtown revitalization preservation program financing under sections 99.1080 to 99.1092;

[(14)] (15) "Redevelopment project", any redevelopment project **described in a redevelopment plan and** within a redevelopment area which constitutes a major initiative in furtherance of the objectives of the redevelopment plan, and any such redevelopment project shall include a legal description of the area selected for such redevelopment project;

[(15)] (16) "Redevelopment project area", the area located within a redevelopment area selected for a redevelopment project;

[(16)] (17) "Redevelopment project costs" include such costs to the redevelopment plan or a redevelopment project, as applicable, which are expended on public property, buildings, or rights-of-way for public purposes to provide infrastructure to support a redevelopment project, including facades. Such costs shall only be allowed as an initial expense which, to be recoverable, must be included in the costs of a redevelopment plan or redevelopment project, except in circumstances of plan amendments approved by the department of economic development. Such infrastructure costs include, but are not limited to, the following:

(a) Costs of studies, appraisals, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning, or special services;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings and fixtures;

(e) Costs of construction of public works or improvements;

(f) Financing costs, including, but not limited to, all necessary expenses related to the issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more redevelopment projects, and which may include capitalized interest on any such obligations and reasonable reserves related to any such obligations;

(g) All or a portion of a taxing district's capital costs resulting from any redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan, to the extent the municipality by written agreement accepts and approves such infrastructure costs;

(h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by approval of a redevelopment project when all debt is retired;

(i) State government costs, including, but not limited to, the reasonable costs incurred by the department of economic development and the department of revenue in evaluating an application for and administering downtown revitalization preservation financing for a redevelopment project;

**(18) "State income tax increment", the estimate of the income tax due the state for salaries or wages paid to new employees in new jobs at a business located in the redevelopment project area and created by the redevelopment project. The estimate shall be a percentage of the gross payroll which percentage shall be based upon an analysis by the department of revenue of the practical tax rate on gross payroll as a factor in overall taxable income. In no event shall the percentage exceed two percent;**

[(17)] (19) "State sales tax increment", up to one-half of the incremental increase in the state sales tax revenue in the redevelopment project area provided the local taxing jurisdictions commit one-half of their local sales tax to paying for redevelopment project costs. The incremental increase shall be the amount by which the state sales tax revenue generated at the facility or within the redevelopment project area exceeds the state sales tax revenue generated at the facility or within the redevelopment project area in the baseline year. For redevelopment projects or redevelopment plans

approved after August 28, 2005, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the retail establishment is a direct beneficiary of tax increment financing, then for the purposes of this subdivision, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes that are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to the relocation to the redevelopment area;

[(18)] (20) "State sales tax revenues", the general revenue portion of state sales tax revenues received under section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

[(19)] (21) "Taxing district's capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from a redevelopment project;

[(20)] (22) "Taxing districts", any political subdivision of this state having the power to levy taxes.

99.1088. 1. Prior to the adoption of the ordinance designating a redevelopment area, adopting a redevelopment plan, or approving a redevelopment project, the municipality or authority shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area or redevelopment project area affected. Such notice shall comply with the provisions of subsections 2 and 3 of this section. At the public hearing any interested person or affected taxing district may file with the municipality or authority written objections to, or comments on, and may be heard orally in respect to any issues regarding the plan or issues embodied in the notice. The municipality or authority shall hear and consider all protests, objections, comments, and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, redevelopment area or redevelopment project area, provided that written notice of such changes is available at the public hearing. After the public hearing but prior to the adoption of an ordinance designating a redevelopment area, adopting a redevelopment plan or approving a redevelopment project, changes may be made to any such proposed redevelopment plan, redevelopment project, redevelopment area, or redevelopment project area without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area, and do not substantially affect the general land uses established in a redevelopment plan or redevelopment project, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the redevelopment area or redevelopment project area, as applicable, not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance designating the redevelopment area, adopting a redevelopment plan, approving a redevelopment project, or designating a redevelopment project area, no ordinance shall be adopted altering the exterior boundaries of the redevelopment area or a redevelopment project area affecting the general land uses established under the redevelopment plan or the general nature of a redevelopment project without holding a public hearing in accordance with this section. One public hearing may be held for the simultaneous consideration of a redevelopment area, redevelopment plan, redevelopment project, or redevelopment project area.

2. Notice of the public hearing required by this section shall be given by publication and mailing. Notice by publication shall be given by publication at least twice, the first publication to be not more than thirty days and the second publication to be not more than ten days prior to the hearing, in a newspaper of general circulation in the proposed redevelopment area or redevelopment project area, as applicable. Notice by mailing shall be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed redevelopment area or redevelopment project area, as applicable. Such notice shall be mailed not less than ten working days prior to the date set for the public hearing.

3. The notices issued under this section shall include the following:

- (1) The time and place of the public hearing;
- (2) The general boundaries of the proposed redevelopment area or redevelopment project area, as applicable, by street location, where possible;
- (3) A statement that all interested persons shall be given an opportunity to be heard at the public hearing;
- (4) A description of the redevelopment plan and the proposed redevelopment projects and a location and time where the entire redevelopment plan or redevelopment projects proposed may be reviewed by any interested party;
- (5) A statement that [redevelopment financing involving tax revenues is being sought for the project] **financial assistance is being sought under sections 99.1080 to 99.1092** and an estimate of the amount of [local redevelopment financing that will be requested, if applicable] **assistance that will be requested**; and

(6) Such other matters as the municipality or authority may deem appropriate.

4. Not less than forty-five days prior to the date set for the public hearing, the municipality or authority shall give notice by mail as provided in subsection 2 of this section to all taxing districts whose taxes are affected in the redevelopment area or redevelopment project area, as applicable, and in addition to the other requirements under subsection 3 of this section, the notice shall include an invitation to each taxing district to submit comments to the municipality or authority concerning the subject matter of the hearing prior to the date of the hearing.

5. A copy of any and all hearing notices required by this section shall be submitted by the municipality or authority to the director of the department of economic development and the date such notices were mailed or published, as applicable.

99.1090. 1. A municipality shall submit an application to the department of economic development for review and determination as to approval of the disbursement of the project costs of one or more redevelopment projects from the downtown revitalization preservation fund. The department of economic development shall forward the application to the commissioner of the office of administration for approval. In no event shall any approval authorize a disbursement of one or more redevelopment projects from the downtown revitalization preservation fund which exceeds the allowable amount of other net new revenues derived from the redevelopment area. An application submitted to the department of economic development shall contain the following, in addition to the items set forth in section 99.1086:

(1) An estimate that one hundred percent of the local sales tax increment deposited to the special allocation fund must and will be used to pay redevelopment project costs or obligations issued to finance redevelopment project costs to achieve the objectives of the redevelopment plan;

(2) Identification of the existing businesses located within the redevelopment project area and the redevelopment area;

(3) The aggregate baseline year amount of state sales tax revenues reported by existing businesses within the redevelopment project area. Provisions of section 32.057, RSMo, notwithstanding, municipalities will provide this information to the department of revenue for verification. The department of revenue will verify the information provided by the municipalities within forty-five days of receiving a request for such verification from a municipality;

(4) An estimate of the state sales tax increment **and state income tax increment** within the redevelopment project area after redevelopment. The department of economic development shall have the discretion to exempt smaller projects from this requirement;

(5) An affidavit that is signed by the developer or developers attesting that the provision of subdivision (2) of subsection 2 of section 99.1086 has been met;

(6) The amounts and types of other net new revenues sought by the applicant to be disbursed from the downtown revitalization preservation fund over the term of the redevelopment plan;

(7) The methodologies and underlying assumptions used in determining the estimate of the state sales tax increment **and state income tax increment**; and

(8) Any other information reasonably requested by the department of economic development.

2. The department of economic development shall make all reasonable efforts to process applications within a reasonable amount of time.

3. The department of economic development shall make a determination regarding the application for a certificate allowing disbursements from the downtown revitalization preservation fund and shall forward such determination to the commissioner of the office of administration. In no event shall the amount of disbursements from the downtown revitalization preservation fund approved for a project, in addition to any other state economic redevelopment funding or other state incentives, exceed the projected state benefit of the redevelopment project, as determined by the department of economic development through a cost-benefit analysis. Any political subdivision located either wholly or partially within the redevelopment area shall be permitted to submit information to the department of economic development for consideration in its cost-benefit analysis. Upon approval of downtown revitalization preservation financing, a certificate of approval shall be issued by the department of economic development containing the terms and limitations of the disbursement.

4. At no time shall the annual amount of other net new revenues approved for disbursements from the downtown revitalization preservation fund exceed fifteen million dollars.

5. Redevelopment projects receiving disbursements from the downtown revitalization preservation fund shall be limited to receiving such disbursements for twenty-five years. The approved term notwithstanding, downtown revitalization preservation financing shall terminate when redevelopment financing for a redevelopment project is terminated by a municipality.

6. The municipality shall deposit payments received from the downtown revitalization preservation redevelopment fund in a separate segregated account for other net new revenues within the special allocation fund.

7. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the downtown revitalization preservation fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the downtown revitalization preservation fund created under section 99.1092.

8. A redevelopment project approved for downtown revitalization preservation financing shall not thereafter elect to receive tax increment financing under the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, and continue to receive downtown revitalization financing under sections 99.1080 to 99.1092.

9. The department of economic development may establish the procedures and standards for the determination and approval of applications by the promulgation of rules and publish forms to implement the provisions of this section and section 99.1092.

10. 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 and section 99.1092 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, section 99.1092, 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, 2005, shall be invalid and void.

99.1092. 1. There is hereby established within the state treasury a special fund to be known as the "Downtown Revitalization Preservation Fund", to be administered by the department of economic development. Any unexpended balance and any interest in the fund at the end of the biennium shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund. The fund shall consist of:

- (1) The first fifteen million dollars of other net new revenues generated annually by the redevelopment projects;
- (2) Money received from costs charged under subsection 7 of section 99.1090; and
- (3) Gifts, contributions, grants, or bequests received from federal, private, or other sources.

2. Notwithstanding the provisions of section 144.700, RSMo, to the contrary, the department of revenue shall annually submit the first fifteen million dollars of other net new revenues generated by the redevelopment projects to the treasurer for deposit in the downtown revitalization preservation fund.

3. The department of economic development shall annually disburse funds from the downtown revitalization preservation fund in amounts determined under the certificates of approval for projects, providing that the amounts of other net new revenues generated from the redevelopment area have been verified and all of the conditions of sections 99.1080 to 99.1092 are met. If the revenues appropriated from the downtown revitalization preservation fund are not sufficient to equal the amounts determined to be disbursed under such certificates of approval, the department of economic development shall disburse the revenues on a pro rata basis to all such projects and other costs approved under section 99.1090.

4. In no event shall the amounts distributed to a project from the downtown revitalization preservation fund exceed the lesser of the amount of the certificates of approval for projects or the actual other net new revenues generated by the projects.

5. The department of economic development shall not disburse any moneys from the downtown revitalization preservation fund for any project which has not complied with the annual reporting requirements determined by the department of economic development.

6. Money in the downtown revitalization preservation fund may be spent for the reasonable and necessary costs associated with the administration of the program authorized under sections 99.1080 to 99.1092.

7. No municipality shall obligate or commit the expenditure of disbursements received from the downtown revitalization preservation fund prior to receiving a certificate of approval for the redevelopment project generating other net new revenues. In addition, no municipality shall commence work on a redevelopment project prior to receiving a certificate of approval for the redevelopment project.

8. Taxpayers in any redevelopment area who are required to remit sales taxes under chapter 144, RSMo, **or income tax withholdings under chapter 143, RSMo**, shall provide additional information to the department of revenue in a form prescribed by the department by rule. Such information shall include, but shall not be limited to, information upon which other net new revenues can be calculated and sales tax generated in the redevelopment area by such taxpayer in the baseline year and during the time period related to the **withholding or** sales tax remittance.

9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created pursuant to 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, 2003, shall be invalid and void."; 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. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 4**.

Representative Witte raised points of order that **House Amendment No. 1 to House Amendment No. 4** is not a true amendment to the amendment and goes beyond the scope of the underlying amendment.

The Chair ruled the second point of order well taken.

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 575, Section 620.1878, Page 14, Line 171, by placing brackets "[ ]" around the word "or"; and

Further amend said page, Line 173, by inserting after the semicolon ";" on said line the following:

"or

**(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;**"; and

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

On motion of Representative Yates, **House Amendment No. 5** was adopted.

Representative Nieves assumed the Chair.

On motion of Representative Diehl, **HCS HB 575, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 575, as amended**, was ordered perfected and printed.

**HCS HB 668**, relating to firearms and the defensive use of force, was taken up by Representative Jones (117).

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 668, Section 571.104, Page 11, Line 115, by inserting after all of said section and line the following:

"571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No driver's license or nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2) and (4) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor or nonintoxicating beer for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment

and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any [higher education institution or] elementary or secondary school facility without the consent of [the governing body of the higher education institution or] a school official or the district school board. Possession of a firearm in a vehicle on the premises of any [higher education institution or] elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child-care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child-care facility in a family home from owning or possessing a firearm or a driver's license or nondriver's license containing a concealed carry endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement and the department of revenue shall issue a notice of such suspension or revocation of the concealed carry

endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302, RSMo, which does not contain such endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing."; and

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

Representative Lampe offered **House Amendment No. 1 to House Amendment No. 1.**

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

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 668, Page 5, Section 571.107, Line 17, by inserting after said line the following:

"Private property shall include private institutions of higher education."

Representative Lampe moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

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

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

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Icet	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	McGhee
McNary	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Thomson	Tilley	Tracy	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright	Yates	Zerr
Mr Speaker				

NOES: 062

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	El-Amin
Englund	Fallert	Fischer 107	Frame	Harris
Hodges	Hoskins 80	Hughes	Hummel	Jones 63
Kelly	Kirkton	Komo	Kratky	Kuessner
Lampe	LeBlanc	LeVota	Liese	Low
McClanahan	McDonald	McNeil	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Salva
Scavuzzo	Schieffer	Schoemehl	Schupp	Shively
Skaggs	Still	Swinger	Talboy	Todd
Walsh	Walton Gray	Webb	Webber	Wildberger
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 015

Dougherty	Grill	Holsman	Hoskins 121	Kander
Loehner	Meadows	Meiners	Molendorp	Roorda
Rucker	Spreng	Storch	Vogt	Zimmerman

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

AYES: 106

Allen	Aull	Biermann	Bivins	Brandom
Bringer	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Calloway	Casey	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Harris	Hobbs	Hughes	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Komo	Kraus	Kuessner	Lair	Largent
Leara	Liese	Lipke	McGhee	McNary
Munzlinger	Nance	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Zerr
Mr Speaker				

NOES: 041

Atkins	Brown 73	Burnett	Carter	Chappelle-Nadal
Colona	Corcoran	Curls	El-Amin	Englund
Hodges	Hoskins 80	Hummel	Jones 63	Kelly
Kirkton	Kratky	Lampe	LeBlanc	LeVota
Low	McClanahan	McDonald	McNeil	Morris
Nasheed	Norr	Oxford	Pace	Salva
Schoemehl	Schupp	Skaggs	Still	Talboy
Walsh	Walton Gray	Webb	Webber	Wildberger
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 016

Dougherty	Grill	Holsman	Hoskins 121	Kander
Loehner	Meadows	Meiners	Molendorp	Roorda
Rucker	Spreng	Storch	Vogt	Weter
Zimmerman				

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 668, Page 1, Section A, Line 3, by inserting after said line the following:

"21.750. 1. The general assembly hereby occupies and preempts the entire field of legislation touching in any way firearms, components, ammunition and supplies to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void except as provided in subsection 3 of this section.

2. No county, city, town, village, municipality, or other political subdivision of this state shall adopt any order, ordinance or regulation concerning in any way the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permit, registration, taxation other than sales and compensating use taxes or other controls on firearms, components, ammunition, and supplies except as provided in subsection 3 of this section.

3. Nothing contained in this section shall prohibit any ordinance of any political subdivision which conforms exactly with any of the provisions of sections 571.010 to 571.070, RSMo, with appropriate penalty provisions, [or which regulates the open carrying of firearms readily capable of lethal use] or the discharge of firearms within a jurisdiction, provided such ordinance complies with the provisions of section 252.243, RSMo, **and incorporates the justification defenses found in chapter 563, RSMo.**

4. The lawful design, marketing, manufacture, distribution, or sale of firearms or ammunition to the public is not an abnormally dangerous activity and does not constitute a public or private nuisance.

5. No county, city, town, village or any other political subdivision nor the state shall bring suit or have any right to recover against any firearms or ammunition manufacturer, trade association or dealer for damages, abatement or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, distribution, or sale of firearms or ammunition to the public. This subsection shall apply to any suit pending as of October 12, 2003, as well as any suit which may be brought in the future. Provided, however, that nothing in this section shall restrict the rights of individual citizens to recover for injury or death caused by the negligent or defective design or manufacture of firearms or ammunition.

6. Nothing in this section shall prevent the state, a county, city, town, village or any other political subdivision from bringing an action against a firearms or ammunition manufacturer or dealer for breach of contract or warranty as to firearms or ammunition purchased by the state or such political subdivision."; and

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

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

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

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 668, Page 1, Line 12, by inserting after said line:

**"Except that such political subdivisions shall be allowed to adopt any order, ordinance or regulation which prohibits illegal immigrants from selling, purchasing, transferring, owning, using, or possessing firearms, components, or ammunition."**

On motion of Representative Skaggs, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 146

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 73
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	El-Amin
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeBlanc
LeVota	Liese	Lipke	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Morris
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Pace	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Still	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webb	Webber	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Zerr
Mr Speaker				

NOES: 003

Hoskins 80	Hughes	Stevenson
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PRESENT: 000

ABSENT WITH LEAVE: 014

Dougherty	Holsman	Kander	Loehner	Meadows
Meiners	Molendorp	Oxford	Parkinson	Rucker
Spreng	Storch	Vogt	Zimmerman	

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

AYES: 116

Allen	Aull	Biermann	Bivins	Brandom
Bringer	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Casey	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Englund	Faith	Fallert	Fischer 107
Fisher 125	Flanigan	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Hoskins 121
Hughes	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Komo	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	McGhee	McNary	Munzlinger
Nance	Nieves	Nolte	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Wasson	Webber
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Zerr
Mr Speaker				

NOES: 033

Atkins	Brown 73	Burnett	Calloway	Carter
Chappelle-Nadal	Colona	Corcoran	Curls	El-Amin
Hoskins 80	Hummel	Jones 63	Kelly	Kirkton
Kratky	LeBlanc	Low	McClanahan	McDonald
McNeil	Morris	Nasheed	Norr	Oxford
Pace	Schoemehl	Schupp	Still	Walsh
Walton Gray	Webb	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 014

Dougherty	Ervin	Holsman	Kander	Loehner
Meadows	Meiners	Molendorp	Parkinson	Rucker
Spreng	Storch	Vogt	Zimmerman	

On motion of Representative Jones (117), **HCS HB 668, as amended**, was adopted.

On motion of Representative Jones (117), **HCS HB 668, as amended**, was ordered perfected and printed.

**HCS HBs 620 & 671, with Part I, as amended, and Part II, pending**, relating to bingo, was again taken up by Representative Lair.

On motion of Representative Lair, **Part I of HCS HBs 620 & 671, as amended**, was adopted.

Representative Lair moved that **Part II of HCS HBs 620 & 671** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Allen	Atkins	Bivins	Brandom	Brown 50
Brown 73	Brown 149	Bruns	Burnett	Calloway
Carter	Colona	Day	Deeken	Dieckhaus
El-Amin	Faith	Fisher 125	Grill	Hobbs
Hoskins 80	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Kelly	Kingery	Lair	Lampe
Largent	LeBlanc	LeVota	McDonald	McNary
Munzlinger	Nieves	Nolte	Norr	Pace
Parson	Rucker	Ruestman	Ruzicka	Salva
Schaaf	Scharnhorst	Schieffer	Schlottach	Self
Silvey	Smith 14	Still	Stream	Talbov
Tilley	Tracy	Wallace	Walton Gray	Webb
Webber	Wildberger	Wilson 130	Zerr	Mr Speaker

NOES: 083

Aull	Biermann	Bringer	Brown 30	Burlison
Casey	Chappelle-Nadal	Cooper	Cox	Cunningham
Curls	Davis	Denison	Dethrow	Diehl
Dixon	Dugger	Dusenberg	Emery	Englund
Ervin	Fallert	Fischer 107	Flanigan	Flook
Frame	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Harris	Hodges	Hughes
Jones 117	Keeney	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Leara	Liese
Lipke	McClanahan	McGhee	McNeil	Nance
Oxford	Parkinson	Pollock	Pratt	Quinn
Riddle	Roorda	Sander	Sater	Scavuzzo
Schad	Schoeller	Schoemehl	Schupp	Shively
Skaggs	Smith 150	Stevenson	Sutherland	Swinger
Thomson	Todd	Viebrock	Walsh	Wasson
Wells	Weter	Wilson 119	Witte	Wood
Wright	Yaeger	Yates		

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 014

Corcoran	Dougherty	Holsman	Kander	Loehner
Low	Meadows	Meiners	Molendorp	Morris
Spreng	Storch	Vogt	Zimmerman	

On motion of Representative Lair, **HCS HBs 620 & 671, as amended**, was ordered perfected and printed by the following vote:

AYES: 097

Allen	Atkins	Aull	Biermann	Brandom
Brown 30	Brown 50	Brown 73	Brown 149	Bruns
Burnett	Calloway	Carter	Chappelle-Nadal	Colona
Cunningham	Curls	Day	Deeken	Diehl
Dixon	El-Amin	Englund	Faith	Fallert
Fisher 125	Flanigan	Gatschenberger	Grill	Guest
Hobbs	Hodges	Hoskins 80	Hoskins 121	Hummel
Jones 63	Jones 89	Jones 117	Kelly	Kingery
Kirkton	Komo	Kratky	Lair	Lampe
Largent	LeBlanc	LeVota	Liese	McClanahan
McDonald	McNary	McNeil	Munzlinger	Nance
Nieves	Nolte	Norr	Pace	Parkinson
Parson	Quinn	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schoemehl	Self
Shively	Silvey	Smith 14	Still	Stream
Sutherland	Swinger	Talboy	Tilley	Todd
Wallace	Walsh	Walton Gray	Wasson	Webb
Webber	Wildberger	Wilson 130	Witte	Wright
Zerr	Mr Speaker			

NOES: 049

Bivins	Bringer	Burlison	Casey	Cooper
Cox	Davis	Denison	Dethrow	Dugger
Dusenberg	Emery	Ervin	Fischer 107	Flook
Frame	Franz	Funderburk	Guernsey	Harris
Hughes	Icet	Keeney	Koenig	Kraus
Kuessner	Leara	Lipke	McGhee	Oxford
Pollock	Pratt	Riddle	Sater	Schad
Schoeller	Schupp	Skaggs	Smith 150	Stevenson
Thomson	Tracy	Viebrock	Wells	Weter
Wilson 119	Wood	Yaeger	Yates	

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 016

Corcoran	Dieckhaus	Dougherty	Grisamore	Holsman
Kander	Loehner	Low	Meadows	Meiners
Molendorp	Morris	Spreng	Storch	Vogt
Zimmerman				

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 30** - Fiscal Review (Fiscal Note)  
**HCS HB 62** - Fiscal Review (Fiscal Note)  
**HCS HB 575** - Fiscal Review (Fiscal Note)  
**HB 599** - Fiscal Review (Fiscal Note)  
**HCS HBs 620 & 671** - Fiscal Review (Fiscal Note)

## **COMMITTEE REPORTS**

**Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Corrections and Public Institutions**, Chairman McGhee reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 15**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 435**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman Deeken reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Wallace reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 55**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Cooper reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCS HBs 357 & 298**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 819**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 147**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 157**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 176**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Public Safety, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Public Safety, to which was referred **SB 263**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Public Safety, to which was referred **SCS SB 468**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SB 154**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SB 196**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Ervin reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 979**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Small Business, to which was referred **SB 156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(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 **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Children and Families**, Chairman Davis reporting:

Mr. Speaker: Your Special Standing Committee on Children and Families, to which was referred **HB 570**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Children and Families, to which was referred **SB 232**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, April 9, 2009.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Thursday, April 9, 2009, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Discussion/questions regarding the licensing of commercial motor vehicles.

Public hearing to be held on: SB 398

### BUDGET

Thursday, April 9, 2009, 8:00 a.m. Hearing Room 3.

Executive Branch testimony regarding:

Re-appropriations Maintenance and Repair; Capital Improvements.

### BUDGET

Thursday, April 9, 2009, Hearing Room 3 upon morning adjournment.

Executive Branch testimony regarding:

Re-Appropriations Maintenance and Repair, Capital Improvements.

Executive session may follow.

Public hearings to be held on: HB 1129, HB 15

### ENERGY AND ENVIRONMENT

Thursday, April 9, 2009, 8:30 a.m. House Chamber south gallery.

Executive session only.

### FISCAL REVIEW

Thursday, April 9, 2009, 8:30 a.m. Hearing Room 7.

All other bills referred to committee.

Executive session may follow. AMENDED

Public hearing to be held on: HCS HB 95

### HIGHER EDUCATION

Thursday, April 9, 2009, 9:30 a.m. South gallery.

Executive session will be held on: SB 255

### JOB CREATION AND ECONOMIC DEVELOPMENT

Thursday, April 9, 2009, Hearing Room 1.

12:30 p.m. or upon morning adjournment, whichever is later

Executive session may follow.

### RETIREMENT

Thursday, April 9, 2009, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 161, SCS SB 411, SCS SB 563

**RULES - PURSUANT TO RULE 25(32)(f)**

Thursday, April 9, 2009, Hearing Room 5.

2:15 p.m. or upon adjournment, whichever comes later.

Possible Executive session.

Public hearings to be held on: HJR 17, HJR 37, HCS HB 190,  
HCS#2 HBs 357 & 298, HB 779, HCS HB 958, SCS SB 127, SCS SB 394

**SPECIAL STANDING COMMITTEE ON GENERAL LAWS**

Thursday, April 9, 2009, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: SCS SB 140, SB 171, SB 224,  
SCS SB 265, SCS SB 355, SB 480, SCS SJR 5, SS SCS SB 141

**TRANSPORTATION**

Thursday, April 9, 2009, North gallery upon morning adjournment.

Executive session.

**UTILITIES**

Thursday, April 9, 2009, 9:30 a.m. South gallery.

Executive session will be held on: HB 654

**WAYS AND MEANS**

Thursday, April 9, 2009, 8:30 a.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 602, HB 767, HB 1015

**HOUSE CALENDAR**

FIFTY-SECOND DAY, THURSDAY, APRIL 9, 2009

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 36 - Emery
- 2 HJR 11 - McGhee
- 3 HCS HJR 16 - Davis
- 4 HCS HJR 32 - Kelly

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 522 - Fisher (125)
- 2 HCS HB 703 - Jones (89)
- 3 HCS HB 497 - Ervin
- 4 HB 354 - Schlottach
- 5 HCS HB 414 - Low
- 6 HCS HB 967 - Hobbs
- 7 HB 746 - Bringer
- 8 HB 952 - Sutherland

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- 9 HB 170 - Cox
- 10 HCS HB 631 - Jones (89)
- 11 HCS HB 330 - Riddle
- 12 HCS HB 553 - Spreng
- 13 HCS HB 152 - Ruestman
- 14 HB 734 - Ruzicka
- 15 HCS HB 577 - Yates
- 16 HCS HB 795 - Dethrow
- 17 HCS HB 313 - Yates
- 18 HB 716 - Todd
- 19 HB 845 - Munzlinger
- 20 HCS HBs 568 & 534 - Koenig
- 21 HCS HB 361 - Guest
- 22 HCS HB 316 - Jones (89)
- 23 HCS HB 217 - Hoskins (80)
- 24 HCS HB 799 - Jones (89)
- 25 HCS HBs 915 & 923 - Hobbs
- 26 HCS HB 390 - Nolte
- 27 HCS HB 228 - Parson
- 28 HCS HB 384 - Keeney
- 29 HCS HB 883 - Flook
- 30 HCS HB 162 - Dusenberg
- 31 HCS HB 246 - Loehner
- 32 HB 321 - Emery
- 33 HCS HB 363 - Silvey
- 34 HCS HB 735 - Yates
- 35 HCS HB 387 - Cooper
- 36 HCS HB 566 - Salva

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 509, (Fiscal Review 3-31-09) - Stream
- 2 HCS HB 95, (Fiscal Review 4-02-09) - Schaaf
- 3 HCS HBs 187 & 235, (Fiscal Review 4-02-09) - Flook
- 4 HCS HB 495 - Parson
- 5 HCS HB 299 - Wilson (119)
- 6 HCS HB 863 - Dixon
- 7 HCS HB 250 - Wilson (119)
- 8 HCS HB 909 - Brandom
- 9 HCS HBs 658 & 706 - Dugger
- 10 HB 30, (Fiscal Review 4-08-09) - Brandom
- 11 HCS HB 62, (Fiscal Review 4-08-09) - Lipke
- 12 HB 599, (Fiscal Review 4-08-09) - Diehl
- 13 HB 258 - Jones (89)
- 14 HCS HB 575, (Fiscal Review 4-08-09), E.C. - Diehl
- 15 HCS HB 668 - Jones (117)
- 16 HCS HBs 620 & 671, (Fiscal Review 4-08-09) - Lair

**HOUSE BILLS FOR THIRD READING - CONSENT**

HCS HB 304 - Schad

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 17, (3-12-09, Pages 593-594) - Sander
- 2 HCR 19, (3-11-09, Pages 554-555) - Wright

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/08/09)

- 1 SB 277 - Brandom
- 2 HCS SB 421, E.C. - Cunningham
- 3 SB 66 - Hoskins (121)

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 1 - Wasson
- 2 HCS SCS SB 242, E.C. - Jones (89)

**HOUSE CONCURRENT RESOLUTIONS - INFORMAL**

HCR 9, (2-23-09, Page 370) - Nance