

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-SECOND DAY, TUESDAY, APRIL 24, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

First, by listening to a saying of Jesus suggested by the new life of spring.

"Consider how the lilies of the field grow; they neither toil nor spin, yet I say to you that not even Solomon in all his glory was arrayed like one of these. But if God so clothes the grass of the field, which flourishes today but tomorrow is thrown into the oven, how much more you, O you of little faith!" (*Matthew 6:28-30*)

Lord God, we praise You for providing the resources to meet the basic needs of all the people. In this House of Representatives, we have a special dominion over many of the resources You provide, and are responsible to see that they meet the needs of all the people. By Your grace help us to be faithful to Your will in the way we do our work.

We are honored that our work is so closely associated with Your word. We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lillie Glixman, Logan Milford, Elizabeth Drollinger, Brian Grzyb, Hanna Albers, Kevin Deutsch, Andrea Edwards, Paige Stipanovich, Matt Brethorst and Renee Fleddermann.

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

SPECIAL RECOGNITION

The Ruskin High School Golden Eagles Boys Basketball Team was introduced by Representative Brown (50) and recognized for attaining the 2006-2007 Class 4 State Championship.

SECOND READING OF SENATE BILLS

SCS SB 368, SCS SB 391 and **SS SCS SB 668** were read the second time.

PERFECTION OF HOUSE BILL

HB 61 was placed on the Informal Calendar.

Representative Muschany assumed the Chair.

THIRD READING OF SENATE BILLS

SS SCS SB 591, relating to credit unions, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SS SCS SB 591** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Brown 30	Bruns	Casey
Hunter	Kratky	Pratt	Scharnhorst	Silvey
Walton				

Representative Muschany declared the bill passed.

HCS SB 81, relating to tourism and economic development, was taken up by Representative Schlottach.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 81, Section 67.1360, Page 5, Line 103, by inserting opening and closing brackets ("[]") around the word "or"; and

Further amend said section, Page 6, Line 105, by inserting the word "**or**" after "inhabitants;" and inserting after all of said line the following:

"(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;"; and

Further amend said substitute, Section 67.2505, Page 14, Line 115, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to meet an electoral deadline the repeal and reenactment of section 67.1360 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 67.1360 of this act shall be in full force and effect upon its passage and approval."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 81, Page 8, Section 67.2505, Line 39, by deleting all of said line and inserting in lieu thereof the following:

"7. Upon the filing **and approval** of a petition pursuant to this section, the governing body of any city,"; and

Further amend said bill, Page 11, Section 89.400, Line 24, by inserting after all of said line the following:

"94.837. 1. The governing body of any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants, the governing body of any special charter city [with more than nine hundred fifty but fewer than one thousand fifty inhabitants], and the governing body of any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?
 YES NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 81, Page 10, Section 67.2510, Line 22, by inserting after all of said line the following:

"82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Police Services Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become

effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 81, Section 67.1003, Page 3, Line 39, by inserting after all of said line the following:

"67.1016. 1. The governing body of any county of the second, third, or fourth classification may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof. The tax shall be not more than one cent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism related activities in the county. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance shall become effective unless the governing body of the county submits to the voters of the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the county collector of revenue, shall be deposited in a special trust fund, and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. Upon adoption of the tax under this section, there shall be established in each county adopting the tax a "Tourism Commission", to consist of five members appointed by the governing body of the county. No more than one member of the tourism commission shall be a member of the governing body of the county. Of the initial members appointed, two shall hold office for one year, two shall hold office for two years, and one shall hold office for three years. Members appointed after expiration of the initial terms shall be appointed to a three-year term. Each member may be reappointed. Vacancies shall be filled by appointment by the governing body of the county for the remainder of the unexpired term. The members shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses incurred in service of the tourism commission.

5. The governing body of any county that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the county, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any county that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least two percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the county and the repeal is approved by a majority of the qualified voters voting on the question.

7. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; 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. 4.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying amendment.

Representative Muschany requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS SB 81, as amended, with House Amendment No. 4, pending, was laid over.

HCS SCS SB 198, relating to the use of lands, was taken up by Representative Pollock.

Speaker Pro Tem Bearden assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Page 1, Section 195.217, by deleting all of said section from the bill; and

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

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

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

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Section 195.217, Page 1, Line 3, by deleting the words "**heroin, cocaine, LSD, amphetamine, or methamphetamine**" and inserting in lieu thereof the following:

"a controlled substance"; and

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

"2. Unlawful distribution of a controlled substance near a park shall be a penalty consistent to that of unlawful distribution of a controlled substance to a minor as established in section 195.212."; and

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

HCS SCS SB 198, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 376, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SB 376, as amended, relating to financial impact on tourism, was taken up by Representative Wood.

Representative Wood moved that the House refuse to recede from its position on **HCS SB 376, as amended**, and grant the Senate a conference.

Which motion was adopted.

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

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Nieves.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nikolas McCurren, Bianca Wiseman, Malory Snyder and Taylor Tribble.

SPECIAL RECOGNITION

Dr. Janice Brunstrom of St. Louis was introduced by Representative Storch and recognized as an Outstanding Missourian.

HOUSE RESOLUTION

Representative Day offered House Resolution No. 2548.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2546 and House Resolution No. 2547
House Resolution No. 2549 through House Resolution No. 2634

HOUSE CONCURRENT RESOLUTION

Representative Pearce, et al., offered House Concurrent Resolution No. 57.

THIRD READING OF SENATE BILL

SB 233, relating to a sales tax for Perry County, was taken up by Representative Stevenson.

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

House Amendment No. 1

AMEND Senate Bill No. 233, Page 1, Section 67.997, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"county. One-half of all revenue collected under this section, less one-half the cost of collection shall be"; and

Further amend said bill, Page 1, Section 67.997, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"of all revenue collected under this section, less one-half the cost of collection shall be used solely to fund"; and

Further amend said bill, Page 2, Section 67.997, Lines 42 to 69, by deleting all of said lines and inserting in lieu thereof the following:

"3. On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

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

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

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

House Amendment No. 2

AMEND Senate Bill No. 233, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"67.113. 1. This section shall be known and may be cited as "The Children's Services Protection Act".
2. Any city or county which has levied the sales tax under section 67.1775 to provide services for children in need shall reimburse the community children's services fund in an amount equal to the portion of revenue from the tax that is used for or diverted to any redevelopment plan or project approved or adopted after August 28, 2007, in any tax increment financing district in any county in this state.";** and

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

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

Representative Nieves requested a parliamentary ruling.

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

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

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

House Amendment No. 3

AMEND Senate Bill No. 233, Page 5, Section 67.997, by inserting after all of said section the following:

"67.1003. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county or (1) a county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants; (2) or a third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand; (3) or a county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand; (4) or any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand; (5) or any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants; (6) or any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed in any city or county already imposing such tax pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels

and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

YES

NO

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

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

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

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

House Amendment No. 4

AMEND Senate Bill No. 233, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.797. 1. When a regional recreational district is organized in only one county, the executive, as that term is defined in subdivision (4) of section 67.750, with the advice and consent of the governing body of the county shall appoint a board of directors for the district consisting of seven persons, chosen from the residents of the district. Where the district is in more than one county, the executives, as defined in subdivision (4) of section 67.750, of the counties in the district [shall], with the advice and consent of the governing bodies of each county shall, as nearly as practicable, evenly appoint such members and allocate staggered terms pursuant to subsection 2 of this section, with the county having the largest area within the district appointing a greater number of directors if the directors cannot be appointed evenly. No member of the governing body of the county or official of any municipal government located within the district shall be a member of the board and no director shall receive compensation for performance of duties as a director. Members of the board of directors shall be citizens of the United States and they shall reside within the district. No board member shall be interested directly or indirectly in any contract entered into pursuant to sections 67.792 to 67.799.

2. The directors appointed to the regional recreation district shall hold office for three-year terms, except that of the members first appointed, two shall hold office for one year, two shall hold office for two years and three shall hold office for three years. The executives of the counties within the regional recreational district shall meet to determine and implement a fair allocation of the staggered terms among the counties, provided that counties eligible to appoint more than one board member may not appoint board members with identical initial terms until each of a one-year, two-year and three-year initial term has been applied to such county. On the expiration of such initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the executives of the respective counties, with the advice and consent of the respective governing bodies. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and such successors have commenced their terms as board members. Board members shall be eligible for reappointment. Upon the petition of the county executive of the county from which the board member received his or her appointment, the governing body of the county may remove any board member for misconduct or neglect of duties.

3. Notwithstanding any other provision of sections 67.750 to 67.799, to the contrary, after August 28, 2004, in any district located in whole or in part in any county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, upon the expiration of such initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by election at the next regularly scheduled election date throughout the district. In the event that a vacancy exists before the expiration of a term, the governing body of the county shall appoint a member for the remainder of the unexpired term. Board members shall be elected for terms of three years. Such elections shall be held according to this section and the applicable laws of this state. If no person files as a candidate for election to the vacant office within the applicable deadline for filing as a candidate, then the governing body of any such county shall appoint a person to be a member of the board for a term of three years. Any appointed board members shall be eligible to run for office.

4. Directors shall immediately after their appointment meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. The directors shall make and adopt such bylaws, rules and regulations for their guidance and for the government of the parks, neighborhood trails and recreational grounds and facilities as may be expedient, not inconsistent with sections 67.792 to 67.799. They shall have the exclusive control of the expenditures of all money collected to the credit of the regional recreational fund and of the supervision, improvement, care and custody of public parks, neighborhood trails, recreational facilities and grounds owned, maintained or managed by the district. All moneys received for such purposes shall be deposited in the treasury of the county containing the largest portion of the district to the credit of the regional recreational fund and shall be kept separate and apart from the other moneys of such county. Such board shall have power to purchase or otherwise secure ground to be used for such parks, neighborhood trails, recreational grounds and facilities, shall have power to appoint suitable persons to maintain such parks, neighborhood trails and recreational facilities and administer recreational programs and fix their compensation, and shall have power to remove such appointees.

5. The board of directors may issue debt for the district pursuant to section 67.798.

6. If a county, or a portion of a county, not previously part of any district, shall enter a district, the executives of the new member county and any previous member counties shall promptly meet to apportion the board seats among the counties participating in the enlarged district. All purchases in excess of ten thousand dollars used in the construction or maintenance of any public park, neighborhood trail or recreational facility in the regional recreation district shall be made pursuant to the lowest and best bid standard as provided in section 34.040, RSMo, or pursuant to the lowest and best proposal standard as provided in section 34.042, RSMo. The board of the district shall have the same discretion, powers and duties as the commissioner of administration has in sections 34.040 and 34.042, RSMo.

7. Notwithstanding any other provisions in this section to the contrary, when a regional recreational district is organized in only one county on land owned solely by the county, the governing body of the county shall have exclusive control of the expenditures of all moneys collected to the credit of the regional recreational fund, and of the supervision, improvement, care, and custody of public parks, neighborhood trails, recreational facilities, and grounds owned, maintained, or managed by the county within the district."; and

Further amend said bill, Page 5, Section 67.997, Line 160, by inserting after all of said line the following:

"100.050. 1. Any municipality proposing to carry out a project for industrial development shall first, by majority vote of the governing body of the municipality, approve the plan for the project. The plan shall include the following information pertaining to the proposed project:

- (1) A description of the project;
- (2) An estimate of the cost of the project;
- (3) A statement of the source of funds to be expended for the project;
- (4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality; and

(5) Such other information necessary to meet the requirements of sections 100.010 to 100.200.

2. If the plan for the project is approved after August 28, 2003, and the project plan involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality, the project plan shall additionally include the following information:

- (1) A statement identifying each school district, junior college district, county, or city affected by such project except property assessed by the state tax commission pursuant to chapters 151 and 153, RSMo;
- (2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after development;
- (3) An analysis of the costs and benefits of the project on each school district, junior college district, county, or city; and
- (4) Identification of any payments in lieu of taxes expected to be made by any lessee of the project, and the disposition of any such payments by the municipality.

3. If the plan for the project is approved after August 28, 2003, any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of issuing the bonds and administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each school district, junior college district, county, or city in proportion to the current ad valorem tax levy of each

school district, junior college district, county, or city; however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, **or any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**, if the plan for the project is approved after May 15, 2005, such amounts shall be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

100.059. 1. The governing body of any municipality proposing a project for industrial development which involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality shall, not less than twenty days before approving the plan for a project as required by section 100.050, provide notice of the proposed project to the county in which the municipality is located and any school district that is a school district, junior college district, county, or city; however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, **or any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**, if the plan for the project is approved after May 15, 2005, such notice shall be provided to all affected taxing entities in the county. Such notice shall include the information required in section 100.050, shall state the date on which the governing body of the municipality will first consider approval of the plan, and shall invite such school districts, junior college districts, counties, or cities to submit comments to the governing body and the comments shall be fairly and duly considered.

2. Notwithstanding any other provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to section 26(b), article VI, Constitution of Missouri, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

3. The county assessor shall include the current assessed value of all property within the school district, junior college district, county, or city in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, RSMo, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to section 26(b), article VI, Constitution of Missouri.

4. This section is applicable only if the plan for the project is approved after August 28, 2003."; and

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

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

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

House Amendment No. 5

AMEND Senate Bill No. 233, Section 67.997, Page 5, Line 160, by inserting after all of said line the following:

"82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted

under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Police Services Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

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

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

On motion of Representative Stevenson, **SB 233, as amended**, was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 25	Bearden	Bivins	Brandom
Brown 50	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Faith	Fares	Fisher	Franz
Funderburk	Guest	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Liese	Lipke	Loehner	May

McGhee	Meiners	Moore	Munzlinger	Nance
Nieves	Nolte	Parson	Pearce	Pollock
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schoeller	Self	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Young	Mr Speaker		

NOES: 066

Aull	Baker 123	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Cunningham 86	Curls	Daus
Davis	Donnelly	Dusenberg	El-Amin	Ervin
Fallert	Flook	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Low 39
Lowe 44	McClanahan	Meadows	Muschany	Nasheed
Norr	Onder	Oxford	Page	Portwood
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Schneider	Schoemehl	Shively	Silvey	Skaggs
Spreng	Storch	Todd	Vogt	Walsh
Wildberger	Witte	Yaeger	Yates	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Kratky	Marsh
Pratt	Rucker	Salva	Scharnhorst	

Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SB 376: Representatives Wood, Cooper (120), Tilley, Aull and Lampe

Representative Nieves resumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SB 198, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, relating to the use of lands, was again taken up by Representative Pollock.

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

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

Representative Nieves requested a parliamentary ruling.

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

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

Representative Yates offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Substitute Amendment No.1 for House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Page 1, Line 2, by deleting the word "deleting" and inserting in lieu thereof the following:

"inserting after"; and

Further amend said substitute amendment, Lines 3 and 4, by deleting the words 'and inserting in lieu thereof the following: "**a controlled substance**"; and' and inserting in lieu thereof the following:

'the words "**or phencyclidine**"; and'; and

Further amend said substitute amendment, by deleting all of Lines 6-10; and

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

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

AYES: 121

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood

1299 *Journal of the House*

Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Mr Speaker				

NOES: 030

Bland	Burnett	Corcoran	Curls	Donnelly
El-Amin	George	Haywood	Holsman	Hughes
Johnson	LeVota	Low 39	Lowe 44	Nasheed
Oxford	Rucker	Schoemehl	Skaggs	Spreng
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Zweifel

PRESENT: 001

Sander

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Kratky	Marsh	McGhee	Page	Pratt
Scharnhorst				

Representative Talboy moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be withdrawn.

Representative Yates raised a point of order that pursuant to Rule 67, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, may not be withdrawn.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

House Amendment No. 1, with House Substitute Amendment No. 1, as amended, pending, was withdrawn.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery

Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 060

Baker 25	Bland	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 006

Aull	Frame	Quinn 9	Spreng	Todd
Young				

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Hoskins	Hubbard	Kratky	Marsh	Pratt
Scharnhorst	Silvey			

On motion of Representative Pollock, **HCS SCS SB 198** was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emerly	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Sander

1301 *Journal of the House*

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

NOES: 024

Bland	Brown 50	Burnett	Curls	George
Haywood	Holsman	Hubbard	Hughes	Johnson
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Rucker	Salva	Schieffer	Talboy	Vogt
Walton	Whorton	Wildberger	Wright-Jones	

PRESENT: 002

Darrough	Spreng
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ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
El-Amin	Kratky	Marsh	Pratt	Scharnhorst

On motion of Representative Pollock, **HCS SCS SB 198** was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh

Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 026

Bland	Brown 50	Burnett	Curls	Darrough
El-Amin	George	Haywood	Holsman	Hubbard
Hughes	Johnson	LeVota	Low 39	Lowe 44
Nasheed	Oxford	Rucker	Salva	Schieffer
Talboy	Vogt	Walton	Whorton	Wildberger
Wright-Jones				

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Funderburk	Kratky	Marsh	Nolte	Pratt
Scharnhorst	Schlottach			

Representative Nieves declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 30, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 376, as amended**: Senators Griesheimer, Nodler, Goodman, Callahan and Kennedy.

BILL CARRYING REQUEST MESSAGE

HCS SB 30, as amended, relating to taxation, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference.

Representative Roorda made a substitute motion that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference, and that the House bind the House conferees to the Senate position on said bill.

Representative Stevenson raised a point of order that the substitute motion on **HCS SB 30** is not properly drafted.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stevenson again moved that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SB 308, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6, and House Amendment No. 6, pending, relating to licensed professionals, was taken up by Representative Wasson.

Representative Schaaf moved that **House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 023

Burnett	Curls	Daus	Donnelly	George
Harris 23	Harris 110	Holsman	Hughes	Hunter
Liese	Onder	Page	Rucker	Schaaf
Stevenson	Talboy	Villa	Vogt	Whorton
Wright 159	Yaeger	Young		

NOES: 129

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Schieffer	Schlottach	Schneider

Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Yates	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 001

Storch

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Corcoran
Dempsey	Kratky	Marsh	Pratt	Scharnhorst

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 59, Section 337.600, Line 92, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 60, Section 337.600, Line 94, by deleting all of said line and inserting in lieu thereof the following:

"(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social"; and

Further amend said bill, Page 60, Section 337.600, Line 103, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 60, Section 337.600, Line 105, by deleting all of said line and inserting in lieu thereof the following:

"(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social"; and

Further amend said bill, Page 60, Section 337.600, Line 112, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 63, Section 337.618, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"of continuing education for renewal of a license issued pursuant to sections 337.600 to [337.639]"; and

Further amend said bill, Page 63, Section 337.622, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"2. The committee shall consist of [nine] **ten** members, including a public member"; and

Further amend said bill, Page 64, Section 337.622, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"licensed baccalaureate social workers, **one licensed advanced macro social worker**, and one voting"; and

Further amend said bill, Page 69, Section 337.644, Line 14, by deleting the word "**division**" and inserting in lieu thereof the word "**committee**"; and

Further amend said bill, Page 72, Section 337.665, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"[division] **committee**."; and

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

On motion of Representative Page, **House Amendment No. 7** was adopted.

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 2, Section 167.194, Line 1, by inserting immediately preceding all of said line the following:

"37.800. 1. This section shall be known and may be cited as the "The Human Voice Contact Act".

2. A state agency that uses automated telephone answering equipment to answer incoming telephone calls shall, during normal business hours of the agency, provide the caller with the option of speaking to a live operator. This section shall not apply to field offices, telephone lines dedicated as hotlines for emergency services, telephone lines dedicated to providing general information, and any system that is designed to permit an individual to conduct a complete transaction with the state agency over the telephone solely by pressing one or more touch tone telephone keys in response to automated prompts. As used in this section, "state agency" refers to each board, commission, department, officer or other administrative office or unit of the state other than the general assembly, the courts, the governor, or a political subdivision of the state, existing under the constitution or statute."; and

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

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

Representative Jones (117) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 6, Section 192.935, Line 28, by inserting after all of said line the following:

"195.070. 1. A physician, podiatrist, dentist, or a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, RSMo, in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. **An advanced practice registered nurse, as defined in section 335.016, RSMo, who holds a certificate of controlled substance prescriptive authority from the board of nursing pursuant to section 335.019, RSMo, and who is delegated the authority to prescribe controlled substances under a controlled substance collaborative practice agreement pursuant to section 334.104, RSMo, may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, RSMo. However, no such certified advanced practice registered nurse shall ever, under any circumstances, prescribe controlled substance for his or her own self or family.**

3. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and he may cause them to be administered by an assistant or orderly under his direction and supervision.

[3.] 4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

[4.] 5. An individual practitioner may not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in a commercial container unless such container bears a label containing an identifying symbol for such substance in accordance with federal laws.

2. It shall be unlawful for any manufacturer of any controlled substance to distribute such substance unless the labeling thereof conforms to the requirements of federal law and contains the identifying symbol required in subsection 1 of this section.

3. The label of a controlled substance in Schedule II, III or IV shall, when dispensed to or for a patient, contain a clear, concise warning that it is a criminal offense to transfer such narcotic or dangerous drug to any person other than the patient.

4. Whenever a manufacturer sells or dispenses a controlled substance and whenever a wholesaler sells or dispenses a controlled substance in a package prepared by him, he shall securely affix to each package in which that drug is contained, a label showing in legible English the name and address of the vendor and the quantity, kind, and form of controlled substance contained therein. No person except a pharmacist for the purpose of filling a prescription under sections 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

5. Whenever a pharmacist or practitioner sells or dispenses any controlled substance on a prescription issued by a physician, dentist, podiatrist [or] veterinarian, **or advanced practice registered nurse**, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name and address of the pharmacy or practitioner for whom he is lawfully acting; the name of the patient or, if the patient is an animal, the name of the owner of the animal and the species of the animal; the name of the physician, dentist, podiatrist [or] , veterinarian, **or advanced practice registered nurse** by whom the prescription was written; **the name of the collaborating physician if the prescription is written by an advanced practice registered nurse**, and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016, RSMo. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. **Controlled substance collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, RSMo, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, RSMo. Such controlled substance**

collaborative practice agreements shall be in writing and shall also set forth provisions for the type of collaboration between the advanced practice registered nurse and the collaborating physician. The written controlled substance collaborative practice agreement shall contain at least the following provisions:

- (1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;
- (2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;
- (3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse;
- (4) All specialty or board certifications of the collaborating physician and the advanced practice registered nurse;
- (5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:
 - (a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;
 - (b) Maintain geographic proximity; and
 - (c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;
- (6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, and that it is consistent with each professional's education, knowledge, skill, and competence;
- (7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse; and
- (8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036, RSMo, may jointly promulgate rules regulating the use of collaborative practice arrangements **and controlled substance collaborative practice arrangements**. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements **including collaborative practice arrangements delegating the authority to prescribe controlled substances**. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197, RSMo.

[4.] 5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

[5.] 6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, **including collaborative practice arrangements delegating the authority to prescribe controlled substances**, or

physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

[6.] 7. Notwithstanding anything to the contrary in this section, a registered nurse who has graduated from a school of nurse anesthesia accredited by the Council on Accreditation of Educational Programs of Nurse Anesthesia or its predecessor and has been certified or is eligible for certification as a nurse anesthetist by the Council on Certification of Nurse Anesthetists shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present.

10. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority regarding protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

11. No contract or other agreement shall require an advanced practice registered nurse to act as a collaborating advanced practice registered nurse for a collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

335.016. As used in this chapter, unless the context clearly requires otherwise, the following words and terms mean:

(1) "Accredited", the official authorization or status granted by an agency for a program through a voluntary process;

(2) "Advanced practice **registered** nurse", a nurse who has [had] education beyond the basic nursing education and is certified by a nationally recognized [professional organization] **certifying body** as [having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses.] **an advanced registered nurse practitioner, certified nurse midwife, or a certified clinical nurse specialist. The board shall have the authority to approve any nationally recognized certifying body for the purposes of this section.** Advanced practice nurses and only such individuals may use the title "Advanced Practice Registered Nurse" and the abbreviation "APRN";

(3) "**Advanced registered nurse practitioner**", a registered nurse who is currently certified as a nurse practitioner by a nationally recognized certifying body approved by the board of nursing;

(4) "Approval", official recognition of nursing education programs which meet standards established by the board of nursing;

[4] (5) "Board" or "state board", the state board of nursing;

(6) "**Certified clinical nurse specialist**", a registered nurse who is currently certified as a clinical nurse specialist by a nationally recognized certifying board approved by the board of nursing;

(7) "**Certified nurse midwife**", a registered nurse who is currently certified as a nurse midwife by the American College of Nurse Midwives, or other nationally recognized certifying body approved by the board of nursing;

[5] (8) "Executive director", a qualified individual employed by the board as executive secretary or otherwise to administer the provisions of this chapter under the board's direction. Such person employed as executive director shall not be a member of the board;

[(6)] (9) "Inactive nurse", as defined by rule pursuant to section 335.061;

[(7)] (10) A "licensed practical nurse" or "practical nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of practical nursing;

[(8)] (11) "Licensure", the issuing of a license to practice professional or practical nursing to candidates who have met the specified requirements and the recording of the names of those persons as holders of a license to practice professional or practical nursing;

[(9)] (12) "Practical nursing", the performance for compensation of selected acts for the promotion of health and in the care of persons who are ill, injured, or experiencing alterations in normal health processes. Such performance requires substantial specialized skill, judgment and knowledge. All such nursing care shall be given under the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse. For the purposes of this chapter, the term "direction" shall mean guidance or supervision provided by a person licensed by a state regulatory board to prescribe medications and treatments or a registered professional nurse, including, but not limited to, oral, written, or otherwise communicated orders or directives for patient care. When practical nursing care is delivered pursuant to the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse, such care may be delivered by a licensed practical nurse without direct physical oversight;

[(10)] (13) "Professional nursing", the performance for compensation of any act which requires substantial specialized education, judgment and skill based on knowledge and application of principles derived from the biological, physical, social and nursing sciences, including, but not limited to:

(a) Responsibility for the teaching of health care and the prevention of illness to the patient and his or her family;

(b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill, injured or experiencing alterations in normal health processes;

(c) The administration of medications and treatments as prescribed by a person licensed by a state regulatory board to prescribe medications and treatments;

(d) The coordination and assistance in the delivery of a plan of health care with all members of a health team;

(e) The teaching and supervision of other persons in the performance of any of the foregoing;

[(11) A] (14) "Registered professional nurse" or "registered nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of professional nursing.

335.019. The board of nursing may grant a certificate of controlled substance prescriptive authority to an advanced practice nurse who:

(1) Submits proof of successful completion of an advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines and therapeutic devices; and

(2) Provides documentation of a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor; and

(3) Provides evidence of a minimum of one thousand hours of practice in an advanced practice nursing category prior to application for a certificate of prescriptive authority. The one thousand hours shall not include clinical hours obtained in the advanced practice nursing education program. The one thousand hours of practice in an advanced practice nursing category may include transmitting a prescription order orally or telephonically or to an inpatient medical record from protocols developed in collaboration with and signed by a licensed physician; and

(4) Has a controlled substance prescribing authority delegated in the collaborative practice agreement pursuant to section 334.104, RSMo, with a physician who has an unrestricted federal Drug Enforcement Administration registration number and who is actively engaged in a practice comparable in scope, specialty, or expertise to that of the advanced practice registered nurse."; and

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

Representative Page offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

Representative Stevenson raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 9** is not a true substitute amendment, goes beyond the scope of the bill, and was not timely distributed.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order well taken.

Speaker Jetton resumed the Chair.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 004

Frame Quinn 9 Spreng Todd

ABSENT WITH LEAVE: 009

Bowman Brown 30 Bruns Chappelle-Nadal Dempsey
 Kratky Marsh Pratt Scharnhorst

Representative Jones (117) moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	El-Amin	Fallert	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 003

Frame Spreng Todd

ABSENT WITH LEAVE: 010

Bowman Brown 30 Bruns Chappelle-Nadal Dempsey
 Donnelly Kratky Marsh Pratt Scharnhorst

On motion of Representative Wasson, **HCS SCS SB 308, as amended**, was adopted.

On motion of Representative Wasson, **HCS SCS SB 308, as amended**, was read the third time and passed by the following vote:

AYES: 134

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 019

Baker 123	Burnett	Curls	Davis	Donnelly
Emery	Ervin	Franz	Harris 23	Haywood
Lowe 44	Nasheed	Oxford	Rucker	Schaaf
Schieffer	Todd	Whorton	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Kratky	Marsh	Pratt	Scharnhorst	Stevenson

Speaker Jetton declared the bill passed.

Representative Pearce assumed the Chair.

HCS SB 81, as amended, with House Amendment No. 4, pending, relating to tourism and economic development, was again taken up by Representative Schlottach.

Representative Sater offered **House Amendment No. 2 to House Amendment No. 4**.

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 81, Page 1, Line 6, by deleting the word "**cent**" and inserting in lieu thereof the word "**percent**"; and

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

On motion of Representative Sater, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Wood, **House Amendment No. 4, as amended**, was adopted.

Representative Harris (23) offered **House Amendment No. 5**.

Representative Jones (89) raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Pearce requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS SB 81, as amended, was laid over.

COMMITTEE REPORTS

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 103**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Education Reform, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1052**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HCR 44**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 44

WHEREAS, the United States Department of Veterans Affairs (VA) provides medical care for veterans, including men and women, who have risked their lives to protect the security of our nation; and

WHEREAS, the funding for this health care at the VA is passed each year by Congress as part of the discretionary budget; and

WHEREAS, each year the budget that gets passed has been seriously underfunded; and

WHEREAS, this serious and now chronic shortfall affects the access to and the quality of medical care services that the VA provides for our veterans; and

WHEREAS, the priority of serving our veterans must be absolute and irrevocable, and must be the foundation for the VA and for our nation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urgently request the United States Congress to pass assured funding for Veterans Health Care; and

BE IT FURTHER RESOLVED that the Governor and the Missouri Congressional Delegation are urgently requested to support assured funding for our veterans' health care; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the Secretary of Veterans Affairs, key members of Congress, all veterans organizations registered with the Missouri Veterans' Commission, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **SB 433**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 309**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 95**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 733**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 769**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 802**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 62 & 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 82**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 90 minutes for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 156**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 90 minutes for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 197**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 271**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 593 and SCS SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 666**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 825 - Special Committee on Professional Registration and Licensing

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 82 - Fiscal Review (Fiscal Note)

SS SCS SB 428 - Agriculture Policy

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Wednesday, April 25, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 428

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, April 26, 2007, 8:15 a.m. Hearing Room 5.

Informational presentation from: Missouri Vocational Enterprise,
The Inmate Health/Mental Health Contracts, Probation and Parole Intervention Fee.

Executive session may follow.

BUDGET

Wednesday, April 25, 2007, 8:15 a.m. Hearing Room 3.

Tax credit review.

Executive session may follow.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3, upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 25, 2007, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1073

HEALTH CARE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: SCS SB 4

INSURANCE POLICY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

RULES

Wednesday, April 25, 2007, 1:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HR 1738

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

Wednesday, April 25, 2007, 1:00 p.m. Hearing Room 2.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 38, HCS HB 833, HB 1104, SB 498, SB 509,
SCS SB 525, SCS SB 526, SB 164, SB 513, HCS SS SCS SB 320, SCS SB 418,
HCS SCS SB 52

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 25, 2007, House Chamber south gallery upon afternoon adjournment.
Executive session only.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 4.
Executive session may follow. CORRECTED NOTICE.
Public hearings to be held on: HJR 31, HJR 33, HJR 34, HB 567

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 1.
Executive session may follow. AMENDED
Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 5.
Presentation by the Department of Public Safety and Missouri Office of Homeland Security.
Public testimony welcomed.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: SS SB 31, SCS SB 313, SCS SB 482

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Thursday, April 26, 2007, 9:30 a.m. House Chamber north gallery.
Executive session will be held on: HB 1272

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 440, HB 1144

WAYS AND MEANS

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 3.
Possible Executive session.
Public hearing to be held on: SCS SB 86

HOUSE CALENDAR

SIXTY-THIRD DAY, WEDNESDAY, APRIL 25, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

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

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)

4 HCS HB 466 - Schaaf
5 HCS HB 771 - Bearden
6 HCS HBs 180, 396 & 615 - Day
7 HCS HB 238 - Yates
8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
9 HCS HB 788 - Cooper (155)
10 HCS HB 218 - Stevenson
11 HCS HB 811 - Schad
12 HB 412 - Emery
13 HB 432 - Schaaf
14 HCS HB 699 - Tilley
15 HCS HB 768 - St. Onge
16 HCS HB 122 - Nance
17 HCS HB 487 - Cooper (120)
18 HCS HB 493 - Baker (123)
19 HCS HB 512 - Pratt
20 HCS HB 261, as amended - Yates
21 HB 746 - Franz
22 HB 882 - Page
23 HCS HB 1002 - Fisher
24 HCS HB 124 - Nance
25 HCS HB 765, HA 1, pending - Dempsey
26 HCS HBs 807 & 690 - Baker (123)
27 HCS HB 121 - Nance
28 HB 249 - Moore
29 HCS HB 252 - Robb
30 HCS HB 417 - Cunningham (86)
31 HCS HB 478 - Dethrow
32 HCS HB 490 - Baker (123)
33 HCS HB 508 - Schaaf
34 HCS HB 709 - Dethrow
35 HB 821 - Onder
36 HCS HB 995 - Hobbs
37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page

1319 *Journal of the House*

- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough
- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

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

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HB 647 - Young

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 64, E.C. - Wallace
- 2 HCS SB 81, as amended, E.C. - Schlottach
- 3 HCS#2 SB 406 - Wallace
- 4 HCS SB 416 - Pratt
- 5 SCS SB 302 - Pratt
- 6 HCS SB 25 - Franz
- 7 SCS SB 46 - Grisamore
- 8 HCS SB 84 - Franz
- 9 SCS SB 91 - St. Onge
- 10 SB 135 - Kingery
- 11 HCS SCS SB 232 - Cooper (158)
- 12 HCS SCS SB 384, E.C. - Daus
- 13 SCS SB 456 - Dempsey
- 14 HCS SCS SB 520 - Hunter
- 15 SB 352 - Ruzicka
- 16 HCS SCS SBs 62 & 41 - Ruestman
- 17 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 18 HCS SB 593 & SCS SB 594 - May
- 19 SB 648 - Kelly
- 20 HCS SB 666 - Day

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HB 1 - Icet
- 3 SCS HCS HB 2 - Icet
- 4 SCS HCS HB 3 - Icet
- 5 SCS HCS HB 4 - Icet

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

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