

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, THURSDAY, MAY 17, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, in these last days of the 2007 Session of this body, we ask that Your grace sustain us in the zeal with which we began in January. Help us to give to each topic still on our agenda the attention it deserves. Hold us in the virtue of great integrity, so that our judgments and decisions this week flow from the best of our wisdom and study.

May the work we are accomplishing this Session be like the spring planting, destined to bear fruit aplenty, meeting the needs of the people.

We pray for those who have suffered from the flood waters; we give thanks that not many were harmed and that the waters are returning to their banks. We praise You for these signs of Your care for us.

We pray to You Almighty God, living and reigning 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: Peyton Elizabeth Bowman, Lisa Mitchell, Mark Mitchell, Molly Mitchell, Lilly Mitchell and Dalton Tate.

The Journal of the seventy-sixth day was approved as printed.

SPECIAL RECOGNITION

Jerry Oligschlaeger, Doorman for the Missouri House of Representatives, was introduced by Representative Villa and recognized for twenty-two years of service with the House.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 161** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 328** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 358** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 419** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SS SCS SB 320, relating to veterinary student loan assistance, was taken up by Representative Quinn (7).

Representative Pratt assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 320, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"261.020. The state director of the department of agriculture is hereby constituted the official who has supervision of all the legalized departments of the state which are of a regulatory nature for the advancement of horticulture and agriculture, except after January 1, 1996, he **or she** shall not have direct supervision of the state fair. He **or she** shall cooperate with the college of agriculture of the University of Missouri in all ways beneficial to the horticultural and agricultural interests of the state, without duplicating research, extension or educational work conducted by said college, but nothing herein shall be construed as to subordinate the state department of agriculture to the said college of agriculture. The director has charge of the veterinary service of the state, the appointment of the state veterinarian, and, with the advice of the veterinarian, of deputy veterinarians, and other assistants. The director has the power of reasonable quarantine in relation to the regulatory laws of the state department of agriculture, and the power of quarantine in relation to livestock diseases includes poultry. It is the duty of the director to gather and compile helpful statistics and information, singly or in cooperation with the federal government, relating to horticulture and agriculture, and he **or she** may publish bulletins not duplicating available educational bulletins of the college of agriculture and the United States Department of Agriculture. He **or she** may charge a reasonable amount for any publication distributed by the department of agriculture. Any funds received from the amounts so charged shall be deposited to the credit of the general revenue fund. The director shall make a biennial report to the governor and the general assembly, including the essential information relating to horticulture and agriculture, especially crops and livestock, also data concerning the agricultural organizations of the state, accompanied by recommendations relating to the state department of agriculture and the advancement of agricultural education."; and

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

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

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	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	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Bruns	Low 39	Marsh	Meadows
Richard				

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	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
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	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				

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NOES: 064

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bruns	LeVota	Low 39	Marsh
Meadows	Rucker	Skaggs		

On motion of Representative Quinn (7), **HCS SS SCS SB 320, as amended**, was adopted.

On motion of Representative Quinn (7), **HCS SS SCS SB 320, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	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	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Bruns	Low 39	Marsh	Meadows
Sater				

Representative Pratt declared the bill passed.

HCS SCS SB 299 & SS SCS SB 616, as amended, relating to liquor control, was taken up by Representative Cooper (120).

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Page 19, Section 311.489, Line 60, by inserting immediately after said line the following:

"311.685. 1. Any retail licensee selling intoxicating liquor or nonintoxicating beer under this chapter or chapter 312, RSMo, and aggrieved by official action of the supervisor affecting the licensee, may bring a civil action against any person who is the proximate cause of such official action by the supervisor, if the violation occurred on or about the premises of the retail licensee. If a judgment is entered in favor of the licensee, the court shall award the retail licensee civil damages up to an amount of five thousand dollars and shall award reasonable court costs and attorney fees.

2. No civil action shall be brought under this section against any employee of the supervisor of alcohol and tobacco control or any law enforcement officer.;" and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Section 311.489, Page 18, Line 19, by inserting after "3." the following:

"(1) Except as otherwise provided in subdivision (2) of this subsection,;" and

Further amend said section and page, Line 25, by inserting after "**However**," the following:

"except as otherwise provided in subdivision (2) of this subsection,;" and

Further amend said section and page, Line 32, by inserting the following after all of said line:

"(2) Notwithstanding any provision of this subsection to the contrary, the governing municipality may approve the plan with more restrictive hours of operation."; and

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

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

Which motion was defeated.

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

Representative Skaggs raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

Representative Frame raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 067

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

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Donnelly Marsh Meadows

On motion of Representative Cooper (120), **HCS SCS SB 299 & SS SCS SB 616, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SCS SB 299 & SS SCS SB 616, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley

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Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Wildberger
Wilson 130	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Mr Speaker	

NOES: 021

Baker 123	Bringer	Cooper 155	Corcoran	Darrough
Davis	Dethrow	Ervin	Harris 110	Kuessner
Nasheed	Pollock	Sater	Schieffer	Skaggs
Stevenson	Wells	Whorton	Wilson 119	Wood
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Hobbs	Marsh	Meadows
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Representative Pratt declared the bill passed.

SS SCS SB 225, relating to hunting heritage protection, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **SS SCS SB 225** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh

Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Chappelle-Nadal	Dougherty	Meadows	Schaaf	Sutherland
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Representative Pratt declared the bill passed.

BILL IN CONFERENCE

CCR SS SCS HCS HB 780, as amended, relating to professional registration, was taken up by Representative Wasson.

On motion of Representative Wasson, **CCR SS SCS HCS HB 780, as amended**, was adopted by the following vote:

AYES: 140

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

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NOES: 016

Darrough	Deeken	Dusenberg	Emery	Fallert
Flook	Franz	Guest	Kelly	Lowe 44
Nasheed	Oxford	Quinn 9	Shively	Todd
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Cooper 120	Haywood	Hoskins
Meadows	Schaaf			

On motion of Representative Wasson, **CCS SS SCS HCS HB 780** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dixon	Donnelly
El-Amin	Ervin	Faith	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 016

Brown 50	Darrough	Dethrow	Dusenberg	Emery
Fallert	Flook	Guest	Kelly	Lowe 44
McGhee	Oxford	Quinn 9	Shively	Todd
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman Dougherty Haywood McClanahan Meadows
Schaaf

Representative Pratt declared the bill passed.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 333, relating to health and senior services, was taken up by Representative Cooper (155).

Representative Cooper (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Pages 79 to 85, Sections 197.551, 197.554, 197.557, 197.560, 197.563, 197.566, 197.569, 197.572, 197.575, 197.578, 197.581, 197.584, and 197.587, by deleting all of said sections from the bill; and

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

On motion of Representative Cooper (155), **House Amendment No. 1** was adopted.

Representative Cooper (155) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 77, Section 194.285, Lines 1-3, by deleting all of said lines and inserting in lieu thereof the following:

“194.285. 1. A person who acts without negligence and in good faith in accordance with sections 194.210 to 194.294 or with the anatomical gift laws of another state or foreign country is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act. A party claiming another person was negligent shall have the burden of proving the claimed negligence.”; and

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

On motion of Representative Cooper (155), **House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 112, Section 620.510, Line 2, by deleting the words **“economic development”** and inserting in lieu thereof the words **“health and senior services”**; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 46, Section 192.2175, Lines 114 through 117, by deleting all of said lines and inserting in lieu thereof the following:

“288.100, RSMo. **Any person who is employed in a position for**”; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 570.145, Page 111, Line 10, by deleting the open bracket "["; and

Further amend said substitute, said section, said page, Line 11, by deleting the closed bracket "]""; and

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

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

Representative Cooper (158) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 5, Section 58.451, Line 92, by inserting after the word "on" and before the word "the" the following:

"the coroner to determine"; and

Further amend said bill, Page 7, Section 58.570, Line 71, by inserting after the word "on" and before the word "the" the following:

"The coroner to determine"; and

Further amend said bill, Page 111, Section 570.145, Line 3, by deleting the "[" before the word "with", inserting an "[" before the word "permanently", removing the "]" after the word "deprive" and inserting a "]" after the word "permanently".

On motion of Representative Cooper (158), **House Amendment No. 6** was adopted.

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

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 58.785, Page 10, Line 59, by inserting after all of said section, the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. [Beginning August 28, 1994.] Such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) Copying, in an amount [not more than seventeen] **of eighteen** dollars and [five] **forty-nine** cents plus [forty] **forty-four** cents per page for the cost of supplies and labor;

(2) Postage, to include packaging and delivery cost; and

(3) **Certification and** notary fee[, not to exceed two] **of eight** dollars, if **certification is** requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet web site by February first of each year."; and

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

Representative Darrough raised a point of order that **House Amendment No. 7** is not germane to the bill.

Representative Pratt requested a parliamentary ruling.

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

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

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

Representative Jones (89) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Silvey offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 101, Section 199.051, Line 2, by inserting immediately after said line the following:

“208.014. 1. There is hereby established the "Medicaid Reform Commission". The commission shall have as its purpose the study and review of recommendations for reforms of the state Medicaid system. The commission shall consist of ten members:

- (1) Five members of the house of representatives appointed by the speaker; and
- (2) Five members of the senate appointed by the pro tem.

No more than three members from each house shall be of the same political party. The directors of the department of social services, the department of health and senior services, and the department of mental health or the directors' designees shall serve as ex officio members of the commission.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties.

3. A chair of the commission shall be selected by the members of the commission.

4. The commission shall meet as necessary.

5. The commission is authorized to contract with a consultant. The compensation of the consultant and other personnel shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.

6. The commission shall make recommendations in a report to the general assembly by January 1, 2006, on reforming, redesigning, and restructuring a new, innovative state Medicaid healthcare delivery system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30 et. seq.) as amended, to replace the current state Medicaid system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30, et seq.), which shall sunset on June 30, [2008] **2010**.

208.631. 1. Notwithstanding any other provision of law to the contrary, the department of social services shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to 208.660 is subject to appropriation. The provisions of sections 208.631 to 208.657 shall be void and of no effect after June 30, [2008] **2010**.

2. For the purposes of sections 208.631 to 208.657, "children" are persons up to nineteen years of age. "Uninsured children" are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children for six months prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for medical assistance as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to 208.657.”; and

Further amend said bill, Page 102, Section 208.909, Line 36, by inserting immediately after said section the following:

“208.930. 1. As used in this section, the term "department" shall mean the department of health and senior services.

2. Subject to appropriations, the department may provide financial assistance for consumer-directed personal care assistance services through eligible vendors, as provided in sections 208.900 through 208.927, to each person who was participating as a non-Medicaid eligible client pursuant to sections 178.661 through 178.673, RSMo, on June 30, 2005, and who:

- (1) Makes application to the department;
- (2) Demonstrates financial need and eligibility under subsection 3 of this section;
- (3) Meets all the criteria set forth in sections 208.900 through 208.927, except for subdivision (5) of subsection 1 of section 208.903;

(4) Has been found by the department of social services not to be eligible to participate under guidelines established by the Medicaid state plan; and

(5) Does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage for personal care assistance services as defined in section 208.900. For purposes of this section, "access to affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan.

Payments made by the department under the provisions of this section shall be made only after all other available sources of payment have been exhausted.

3. (1) In order to be eligible for financial assistance for consumer-directed personal care assistance services under this section, a person shall demonstrate financial need, which shall be based on the adjusted gross income and the assets of the person seeking financial assistance and such person's spouse.

(2) In order to demonstrate financial need, a person seeking financial assistance under this section and such person's spouse must have an adjusted gross income, less disability-related medical expenses, as approved by the department, that is equal to or less than three hundred percent of the federal poverty level. The adjusted gross income shall be based on the most recent income tax return.

(3) No person seeking financial assistance for personal care services under this section and such person's spouse shall have assets in excess of two hundred fifty thousand dollars.

4. The department shall require applicants and the applicant's spouse, and consumers and the consumer's spouse, to provide documentation for income, assets, and disability-related medical expenses for the purpose of determining financial need and eligibility for the program. In addition to the most recent income tax return, such documentation may include, but shall not be limited to:

- (1) Current wage stubs for the applicant or consumer and the applicant's or consumer's spouse;
- (2) A current W-2 form for the applicant or consumer and the applicant's or consumer's spouse;
- (3) Statements from the applicant's or consumer's and the applicant's or consumer's spouse's employers;
- (4) Wage matches with the division of employment security;
- (5) Bank statements; and
- (6) Evidence of disability-related medical expenses and proof of payment.

5. A personal care assistance services plan shall be developed by the department pursuant to section 208.906 for each person who is determined to be eligible and in financial need under the provisions of this section. The plan developed by the department shall include the maximum amount of financial assistance allowed by the department, subject to appropriation, for such services.

6. Each consumer who participates in the program is responsible for a monthly premium equal to the average premium required for the Missouri consolidated health care plan; provided that the total premium described in this section shall not exceed five percent of the consumer's and the consumer's spouse's adjusted gross income for the year involved.

7. (1) Nonpayment of the premium required in subsection 6 shall result in the denial or termination of assistance, unless the person demonstrates good cause for such nonpayment.

(2) No person denied services for nonpayment of a premium shall receive services unless such person shows good cause for nonpayment and makes payments for past-due premiums as well as current premiums.

(3) Any person who is denied services for nonpayment of a premium and who does not make any payments for past-due premiums for sixty consecutive days shall have their enrollment in the program terminated.

(4) No person whose enrollment in the program is terminated for nonpayment of a premium when such nonpayment exceeds sixty consecutive days shall be reenrolled unless such person pays any past-due premiums as well as current premiums prior to being reenrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument.

8. (1) Consumers determined eligible for personal care assistance services under the provisions of this section shall be reevaluated annually to verify their continued eligibility and financial need. The amount of financial assistance for consumer-directed personal care assistance services received by the consumer shall be adjusted or eliminated based on the outcome of the reevaluation. Any adjustments made shall be recorded in the consumer's personal care assistance services plan.

(2) In performing the annual reevaluation of financial need, the department shall annually send a reverification eligibility form letter to the consumer requiring the consumer to respond within ten days of receiving the letter and to provide income and disability-related medical expense verification documentation. If the department does not receive the consumer's response and documentation within the ten-day period, the department shall send a letter notifying the consumer that he or she has ten days to file an appeal or the case will be closed.

(3) The department shall require the consumer and the consumer's spouse to provide documentation for income and disability-related medical expense verification for purposes of the eligibility review. Such documentation may include but shall not be limited to the documentation listed in subsection 4 of this section.

9. (1) Applicants for personal care assistance services and consumers receiving such services pursuant to this section are entitled to a hearing with the department of social services if eligibility for personal care assistance services

is denied, if the type or amount of services is set at a level less than the consumer believes is necessary, if disputes arise after preparation of the personal care assistance plan concerning the provision of such services, or if services are discontinued as provided in section 208.924. Services provided under the provisions of this section shall continue during the appeal process.

(2) A request for such hearing shall be made to the department of social services in writing in the form prescribed by the department of social services within ninety days after the mailing or delivery of the written decision of the department of health and senior services. The procedures for such requests and for the hearings shall be as set forth in section 208.080.

10. Unless otherwise provided in this section, all other provisions of sections 208.900 through 208.927 shall apply to individuals who are eligible for financial assistance for personal care assistance services under this section.

11. The department may promulgate rules and regulations, including emergency rules, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. Any provisions of the existing rules regarding the personal care assistance program promulgated by the department of elementary and secondary education in title 5, code of state regulations, division 90, chapter 7, which are inconsistent with the provisions of this section are void and of no force and effect.

12. The provisions of this section shall expire on June 30, [2008] **2010.**"; and

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

Representative Baker (25) offered **House Amendment No. 1 to House Amendment No. 9.**

House Amendment No. 1

to

House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 1, Line 21, by deleting the number "2006" and inserting in lieu thereof the following "[2006,] **2008, and biannually thereafter,**"; and

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

On motion of Representative Baker (25), **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Silvey, **House Amendment No. 9, as amended,** was adopted.

Representative Oxford offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 10, Section 58.785, Line 59, by inserting after all of said section and line the following:

"192.331. For the purposes of sections 192.331 to 192.334, the following terms mean:

(1) **"Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by the employee or the number of different job functions performed by the employee;**

(2) **"Department", the department of health and senior services;**

(3) **"Director", the director of the department of health and senior services;**

(4) **"Professional caseload standards", caseload standards that are established by the director, after consideration of caseload standards established by national setting authorities or caseload standards used in other states which have similar job titles.**

192.332. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established in section 192.333, and consistent with existing professional caseload standards.

2. In establishing standards under sections 192.331 to 192.333, the director shall:

- (1)** Ensure the standards are based on the actual duties of the employee;
- (2)** Ensure the standards are consistent with existing professional caseload standards; and
- (3)** Consider standards developed by other states for workers in similar positions of employment.

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation. Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.

5. Subject to appropriations, the department shall use the standards established under sections 192.331 to 192.333 to assign caseloads to individual employees.

192.333. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

192.334. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1)** The established caseload standards for employees in each program area of the department as required in section 192.332;
- (2)** The actual caseloads for employees in each program area of the department;
- (3)** A description of the methodology used to compute caseloads for employees in each program area of the department;
- (4)** Indicate whether the statewide average caseloads of department employees exceed the caseload standards established by the department as required in section 192.332.

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

Further amend said bill, Page 114, Section 620.510, Line 66, by inserting after all of said section and line the following:

"630.101. For the purposes of sections 630.101 to 630.104, the following terms mean:

- (1)** "Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by the employee or the number of different job functions performed by the employee;
- (2)** "Department", the department of mental health;
- (3)** "Director", the director of the department of mental health;
- (4)** "Professional caseload standards", caseload standards that are established by the director, after consideration of caseload standards established by national setting authorities or caseload standards used in other states which have similar job titles.

630.102. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established under section 630.103, and consistent with existing professional caseload standards.

2. In establishing standards under sections 630.101 to 630.103, the director shall:

- (1) Ensure the standards are based on the actual duties of the employee;**
- (2) Ensure the standards are consistent with existing professional caseload standards; and**
- (3) Consider standards developed by other states for workers in similar positions of employment.**

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation. Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.

5. Subject to appropriations, the department shall use the standards established under sections 630.101 to 630.103 to assign caseloads to individual employees.

630.103. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

630.104. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1) The established caseload standards for employees in each program area of the department as required in section 630.102;**
- (2) The actual caseloads for employees in each program area of the department;**
- (3) A description of the methodology used to compute caseloads for employees in each program area of the department;**
- (4) Indicate whether the statewide average caseloads of department employees exceed the caseload standards established by the department as required in section 630.102.**

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

Further amend said bill, Page 115, Section 660.010, Line 51, by inserting after all of said section and line the following:

"660.020. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established pursuant to section 660.021, and consistent with existing professional caseload standards.

2. In establishing standards pursuant to sections 660.019 to 660.021, the director shall:

- (1) Ensure the standards are based on the actual duties of the caseworker;**
- (2) Ensure the standards are consistent with existing professional caseload standards; and**
- (3) Consider standards developed by other states for workers in similar positions of employment.**

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's

performance evaluation. **Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.**

5. Subject to appropriations, the department shall use the standards established pursuant to sections 660.019 to 660.021 to assign caseloads to individual employees.

660.021. 1. The director shall convene, at least [biannually] **annually**, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

660.022. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1) The established caseload standards for employees in each program area of the department as required in section 660.020;**
- (2) The actual caseloads for employees in each program area of the department;**
- (3) A description of the methodology used to compute caseloads for caseworkers in each program area of the department;**
- (4) Indicate whether the statewide average caseloads of department caseworkers exceed the caseload standards established by the department as required in section 660.020.**

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

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

Representative Oxford moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Page offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 198.006, Page 89, Line 141, by inserting after all of said line the following:

“198.069. For any resident of an assisted living facility who is released from a hospital or skilled nursing facility and returns to an assisted living facility as a resident, such resident's assisted living facility shall immediately, upon return, implement physician orders in the hospital or discharge summary, and within twenty-four hours of the patient's return to the facility, review and document such review of any physician orders related to the resident's hospital discharge care plan or the skilled nursing facilities discharge care plan and modify the individual service plan for the resident accordingly. The department of health and senior services may adjust personal care units authorized as described in subsection 14 of section 208.152, RSMo, upon the effective date of the physicians orders to reflect the services required by such orders.”; and

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

On motion of Representative Page, **House Amendment No. 11** was adopted.

Representative Fallert offered **House Amendment No. 12**.

Representative Jones (89) raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	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	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	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	Chappelle-Nadal	Corcoran	Curls	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Whorton
Witte	Wright-Jones	Young	Zimmerman	Zweifel

PRESENT: 003

Aull	Dougherty	Todd
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ABSENT WITH LEAVE: 009

Bowman	Cooper 120	Darrough	Meadows	Oxford
Salva	Walton	Wildberger	Yaeger	

On motion of Representative Cooper (155), **HCS#2 SCS SB 333, as amended**, was adopted.

On motion of Representative Cooper (155), **HCS#2 SCS SB 333, as amended**, was read the third time and passed by the following vote:

AYES: 151

Avery	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Harris 110	Onder	Sander	Schoeller
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PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Bowman	Cooper 120	El-Amin	Hunter
McClanahan	Meadows	Schaaf		

Representative Pratt 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 329**, entitled:

An act to repeal sections 425.010 and 425.020, RSMo, an to enact in lieu thereof four new sections relating to debt adjusters, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 583**, entitled:

An act to repeal sections 191.225, 431.056, 565.072, 595.030, 595.036, 595.209, RSMo, and to enact in lieu thereof twenty new sections relating to crime victims, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 583, Page 9, Section 455.038, Line 25, by inserting immediately after said line the following:

"537.047. 1. Any person who, while a child or minor as defined by section 573.010, RSMo, was a victim of a violation of sections 573.023, 573.025, 573.035, or 573.037, RSMo, and who suffers physical or psychological injury or illness as a result of such violation, shall be entitled to bring a civil action to recover the actual damages sustained as a result of the violation, and shall also be entitled to recover the costs of the civil action and reasonable fees for attorneys and expert witnesses. A psychological injury or illness as described under this section need not be accompanied by physical injury or illness.

2. Any action described under this section shall be commenced within ten years of the plaintiff attaining the age of twenty-one, or within three years of the date the plaintiff discovers that the injury or illness was caused by the violation of an offense enumerated in subsection one of this section, whichever later occurs.

3. A cause of action under this section may arise only if the violation that caused the injury occurs on or after August 28, 2007."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 820**, entitled:

An act to repeal section 546.720, RSMo, and to enact in lieu thereof one new section relating to administration of the death penalty, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 22, as amended**: Senators Griesheimer, Engler, Goodman, Callahan and McKenna.

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#2 SCS SB 313, as amended**: Senators Scott, Lager, Engler, Kennedy and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 516, 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 582, as amended**: Senators Shoemyer, Griesheimer, Nodler, Vogel and Callahan.

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 Speaker Pro Tem Bearden.

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 516, 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 516, as amended, relating to judicial personnel and proceedings, was taken up by Representative Pratt.

Representative Pratt moved that the House refuse to recede from its position on **HCS SB 516, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS#2 SS SCS SB 3, relating to mental health reform, was taken up by Representative Stevenson.

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

House Amendment No. 1 was withdrawn.

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

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, Page 3, Section 565.214, Line 27, by inserting after all of said line the following:

“4. Nothing in this section shall be construed to mean that a vulnerable person is abused solely because such person chooses to rely on spiritual means through prayer, in lieu of medical care, for his or her health care, as evidenced by the vulnerable person’s explicit consent, advance directive for health care, or practice.”; and

Further amend said bill, Page 4, Section 565.218, Line 20, by inserting immediately following the period “:” the following:

“Notwithstanding any other provision of this section, a duly ordained minister, clergy, religious worker, or Christian Science practitioner while functioning in his or her ministerial capacity shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.”; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, Page 1, Section A, Line 5, by inserting after all of said section the following:

"208.225. 1. To implement fully the provisions of section 208.152, the division of medical services shall calculate the Medicaid per diem reimbursement rates of each nursing home participating in the Medicaid program as a provider of nursing home services based on its costs reported in the Title XIX cost report filed with the division of medical services for its fiscal year as provided in subsection 2 of this section.

2. The recalculation of Medicaid rates to all Missouri facilities will be performed as follows: effective July 1, 2004, the department of social services shall use the Medicaid cost report containing adjusted costs for the facility fiscal year ending in 2001 and redetermine the allowable per-patient day costs for each facility. The department shall recalculate the class ceilings in the patient care, one hundred twenty percent of the median; ancillary, one hundred twenty percent of the median; and administration, one hundred ten percent of the median cost centers. Each facility shall receive as a rate increase one-third of the amount that is unpaid based on the recalculated cost determination.

3. For a facility new to the Medicaid program that did not have a Medicaid cost report for the year ending 2001, its Medicaid per diem reimbursement rate shall be calculated from its fiscal year cost report which covers the second twelve-month fiscal year following the facility's initial date of Medicaid certification using the class ceilings of this section. This prospective rate shall be retroactive to the beginning of the first day of the facility's second full twelve-month fiscal year.”; and

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

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

HCS#2 SS SCS SB 3, as amended, was laid over.

Speaker Jetton resumed the Chair.

MESSAGE FROM THE SENATE

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 516, as amended**: Senators Goodman, Bartle, Crowell, Barnitz and Justus.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HCS SCS SB 86: Representatives Sutherland, Cooper (120), Stevenson, Chappelle-Nadal and Zweifel

HCS SB 516: Representatives Pratt, Flook, Smith (150), Burnett and Johnson

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILL

HCS#2 SS SCS SB 3, as amended, relating to mental health reform, was again taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS#2 SS SCS SB 3, as amended**, was adopted.

On motion of Representative Stevenson, **HCS#2 SS SCS SB 3, as amended**, was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icey	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Emery Hunter Whorton

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman Curls Meadows Nieves Rucker
 Spreng Viebrock Walton Wasson

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HBs 952 & 674, as amended, relating to long-term care facilities, was taken up by Representative Wilson (130).

Representative Dixon assumed the Chair.

On motion of Representative Wilson (130), **SS SCS HCS HBs 952 & 674, as amended**, was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	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	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Curls	Hughes	Meadows	Roorda
Spreng	Viebrock	Walton	Wright-Jones	

On motion of Representative Wilson (130), **SS SCS HCS HBs 952 & 674, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
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
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	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: 005

Meadows	Schaaf	Spreng	Viebrock	Walton
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Representative Dixon declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 315, relating to liability for agricultural damage, was taken up by Representative Munzlinger.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 315, Section 260.546, Page 3, Line 51, by inserting immediately after said line the following:

"260.1003. As used in sections 260.1000 to 260.1039, the following terms shall mean:

(1) **"Activity and use limitations"**, restrictions or obligations with respect to real property created under sections 260.1000 to 260.1039;

(2) **"Common interest community"**, a condominium, cooperative, or other real property with respect to which a person, by virtue of the person's ownership of a parcel of real property, is obligated to pay property taxes, insurance premiums, maintenance, or improvement of other real property described in a recorded covenant that creates the common interest community;

(3) **"Department"**, the department of natural resources or any other state or federal department that determines or approves the environmental response project under which the environmental covenant is created;

(4) **"Environmental covenant"**, a servitude arising under an environmental response project that imposes activity and use limitations;

(5) **"Environmental response project"**, a plan or work performed for environmental remediation of real property and conducted:

(a) Under a federal or state program governing environmental remediation of real property, including but not limited to the Missouri hazardous waste management law as specified in this chapter;

(b) Incident to closure of a solid or hazardous waste management unit, if the closure is conducted with approval of the department; or

(c) Under a state voluntary cleanup program authorized in the Missouri hazardous waste management law as specified in this chapter;

but shall not include plans or work performed for environmental remediation of releases from aboveground storage tanks or underground storage tanks as defined in section 319.100, RSMo;

(6) **"Holder"**, the grantee of an environmental covenant as specified in section 260.1006;

(7) **"Person"**, an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, governmental subdivision, department, or instrumentality, or any other legal or commercial entity;

(8) **"Record"**, information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(9) **"State"**, a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

260.1012. 1. An environmental covenant that complies with sections 260.1000 to 260.1039 shall run with the land.

2. An environmental covenant that is otherwise effective is valid and enforceable even if:

(1) It is not appurtenant to an interest in real property;

(2) It can be or has been assigned to a person other than the original holder;

(3) It is not of a character that has been recognized traditionally at common law;

(4) It imposes a negative burden;

(5) It imposes an affirmative obligation on a person having an interest in the real property or on the holder;

(6) The benefit or burden does not touch or concern real property;

(7) There is no privity of estate or contract;

(8) The holder dies, ceases to exist, resigns, or is replaced; or

(9) The owner of an interest subject to the environmental covenant and the holder are the same person.

3. An instrument that creates restrictions or obligations with respect to real property that would qualify as activity and use limitations except for the fact that the instrument was recorded before the effective date of sections 260.1000 to 260.1039 is not invalid or unenforceable because of any of the limitations on enforcement of interests described in subsection 2 of this section or because it was identified as an easement, servitude, deed restriction, or other interest. Sections 260.1000 to 260.1039 do not apply in any other respect to such an instrument.

4. Sections 260.1000 to 260.1039 do not invalidate or render unenforceable any interest, whether designated as an environmental covenant or other interest, that is established or required by a constitutionally created state agency or federal agency."; and

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

HCS SB 315, with House Amendment No. 1, pending, was laid over.

HCS SS#2 SCS SB 161, relating to elementary and secondary education, was taken up by Representative Muschany.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Pages 1 and 2, Section 160.041, Lines 1 to 13; Pages 2 to 4, Section 160.400, Lines 1 to 82; Page 4, Section 160.480, Lines 1 to 18; Pages 4 to 5, Section 161.375, Lines 1 to 34; Pages 5 to 6, Section 161.720, Lines 1 to 22; Pages 6 to 9, Section 162.1031, Lines 1 to 104; Pages 9 to 10, Section 162.1110, Lines 1 to 25; Page 10, Section 163.051, Lines 1 to 10; Pages 10 to 12, Section 167.031, Lines 1 to 81; Pages 12 to 15, Section 167.128, Lines 1 to 101; Pages 15 to 17, Section 167.231, Lines 1 to 74; Pages 21 to 22, Section 168.104, Lines 1 to 37; Page 22, Section 168.114, Lines 1 to 15; Page 22, Section 168.135, Lines 1 to 10; Pages 22 to 23, Section 168.138, Lines 1 to 8; Pages 23 to 24, Section 168.215, Lines 1 to 43; by striking said all of sections from the bill; and

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

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

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Section 168.114, Page 1, Line 10, by inserting the following after all of said line:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the background check shall be conducted on drivers employed by the school district or employed by a pupil transportation company under contract with the school district.

2. In order to facilitate the criminal history background check on any person employed after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

5. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

6. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

7. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

8. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for a period of at least one year and transferrable from one school district to another district. A teacher's change in type of certification shall have no effect on the transferability of such records.

9. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

[9.] 10. The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void."; and

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

HCS SS#2 SCS SB 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

Speaker Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 69**, entitled:

An act to repeal sections 21.750, 41.655, 50.327, 50.333, 50.565, 50.1250, 52.290, 52.312, 52.315, 52.317, 57.113, 58.451, 58.500, 58.510, 58.720, 64.620, 64.890, 64.940, 65.677, 66.010, 67.320, 67.797, 67.1360, 67.1451, 67.1545, 67.2500, 67.2510, 70.220, 70.515, 70.545, 72.080, 79.050, 79.370, 84.120, 84.170, 86.590, 87.006, 89.010, 89.400, 94.660, 94.837, 99.805, 100.050, 100.059, 105.483, 108.170, 110.130, 110.140, 110.150, 141.150, 141.640, 144.030, 144.062, 144.757, 144.759, 162.431, 190.305, 210.861, 238.202, 238.207, 238.208, 238.225, 238.230, 238.275, 246.005, 304.015, 311.174, 313.055, 313.057, 320.200, 320.271, 320.310, 392.410, 393.705, 393.710, 393.715, 393.720, 393.829, 409.107, 432.070, 451.040, 473.743, 479.010, 479.011, 650.396, and 650.399, RSMo, section 67.1000 as enacted by senate committee substitute for senate bill no. 820, eighty-ninth general assembly, second regular session, section 67.1000 as enacted by house bill no. 1587, eighty-ninth general assembly, second regular session, section 67.2505 as enacted by conference committee substitute for senate substitute for senate committee substitute for house

committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and sections 21.750, 99.812, and 144.054, as Truly Agreed To and Finally Passed by the first regular session of the ninety-fourth general assembly in Senate Committee Substitute for House Committee Substitute for House Bill No. 327, and to enact in lieu thereof one hundred thirty-nine new sections relating to political subdivisions, with penalty provisions and emergency clauses for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 69, Page 190, Section 190.305, Lines 5-10 of said page, by striking said lines and inserting in lieu thereof the following:

"to sections 190.327 and 190.328. **The board of any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants shall provide services to a city located in more than one county only after making an agreement or contracting with the city for such services, provided that any agreement or contract in effect, as of January 1, 2006, shall continue until such time as a successor agreement or contract is entered into by the board and city and such agreement or contract is to provide services for a period of three or more years.**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 98**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 596**, entitled:

An act to repeal sections 94.660, 226.527, 226.530, 226.580, 227.107, 238.202, 238.207, 238.208, 238.210, 238.225, 238.230, 238.275, 301.010, 301.030, 301.040, 301.131, 301.150, 301.301, 301.310, 301.420, 301.440, 301.640, 301.716, 302.010, 302.272, 302.275, 302.321, 302.545, 302.700, 302.720, 302.755, 302.775, 303.415, 304.015, 304.022, 304.070, 304.170, 304.180, 304.230, 304.281, 307.010, 307.015, 307.090, 307.100, 307.120, 307.125, 307.155, 307.172, 307.173, 307.179, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 311.326, 390.030, 390.071, 390.136, 407.730, 407.732, 407.815, 556.021, 577.029, 577.039, and 622.095, RSMo, and to enact in lieu thereof ninety-one new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

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

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 596, Page 114, Section 304.230, Line 11 of said page, by striking the following:

"If the"; and

Further amend Lines 12-28 of said page, by striking all of said lines; and

Further amend said bill and section, Page 115, Lines 1-12 of said page, by striking all of said lines.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 596, Page 54, Section 301.040, Line 14, by inserting after all of said line, the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the number, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. **Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired.** License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. Commencing January 1, 2009, the director of revenue shall cause to be reissued new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire between January 1, 2009, and December 31, 2011, applicants for registration of trailers or semitrailers with license plates that expire between January 1, 2009, and December 31, 2011, and applicants for registration of vehicles that are to be issued new license plates shall pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly reissued plates required by this subsection. The additional fee prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 619 & 118**, entitled:

An act to amend chapter 41, RSMo, by adding thereto one new section relating to the civil air patrol.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 619 & 118, Page 2, Section 41.970, Line 38, by inserting immediately after "supporting" the following:

"the department of public safety or".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 654 & 938**, entitled:

An act to repeal section 313.835, RSMo, and to enact in lieu thereof two new sections relating to veterans, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 654 & 938, Page 1, Section A, Line 2, by inserting after all of said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes; [and]
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverters;
- (9) **All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated**

in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended.

137.101. 1. The activities of nationally affiliated fraternal, benevolent, [veteran,] or service organizations which promote good citizenship, humanitarian activities, or improve the physical, mental, and moral condition of an indefinite number of people [or] **are** purposes purely charitable within the meaning of subsection 1 of section 6 of article X of the constitution and local assessing authorities may exempt such portion of the real and personal property of such organizations as the assessing authority may determine is utilized in purposes purely charitable from the assessment, levy, and collection of taxes.

2. If, at any time, an assessor finally determines, after any and all hearings or rightful appeals, that personal property, upon which an organization would otherwise owe taxes but for the provisions of subsection 1 of this section or subdivision (5) of section 137.100, is not used for purposes purely charitable, or for purposes described in subdivision (5) of section 137.100, then the assessor shall notify the department of revenue of such final determination within thirty days."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SS SCS SB 3, 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 Senate refuses to concur in **HCS SCS SB 299 & SS SCS SB 616, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

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

SS HB 744: Representatives St. Onge, Schlottach, Cooper (120), Kuessner and Daus

Representative Dixon resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS#2 SCS SB 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to elementary and secondary education, was again taken up by Representative Muschany.

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

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	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	Dusenberg	El-Amin

Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Dougherty	Meadows	Richard	Salva
Schneider	Speng	Viebrock	Wildberger	

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Wallace

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

NOES: 066

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Dougherty	Meadows	Schaaf	Spreng
Sutherland	Viebrock	Zweifel		

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

Representative Pratt resumed the Chair.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 18, Section 168.021, Lines 26 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"(4) By the state board, under rules and regulations prescribed by it for a pilot program to run through school year 2011-2012, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) in all certification areas available for grades nine through twelve and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a public, private or charter school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE professional certificate of license to teach. Upon completion of the requirements listed in paragraphs (a), (b), (c), (d), and (e) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

- (a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;**
- (b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;**
- (c) Attainment of a successful performance-based teacher evaluation;**
- (d) Participation in a beginning teacher assistance program; and**

(e) Successful attainment of the Missouri qualifying score on the exit assessment for teachers designated by the state board of education within two years"; and

Further amend said section, Page 19, Line 68, by deleting the words "**and (c)**" and inserting in lieu thereof the following:

"(c), (d), and (e)"; and

Further amend said bill, Page 26, Section 210.205, Line 11, by inserting after the word "**system.**" the following:

"Adoption of any quality rating system shall be accomplished through the rule-making process under chapter 536, RSMo."; and

Further amend said bill, Page 26, Section 210.205, Line 18, by deleting the word "**outcomes.**" and inserting in lieu thereof the following:

"outcomes; and

(4) Permit the appeal of any rating to the department of social services through an appeals process established by rule.

3. The quality rating system shall be:

(1) Voluntary for facilities that are licensed under sections 210.201 to 210.259, and do not receive the child care subsidy under chapter 208, RSMo, or any other state funds;

(2) Mandatory for facilities that are licensed under sections 210.201 to 210.259, and receive a child care subsidy under chapter 208, RSMo, or any other state funds;

(3) Voluntary for facilities that are license-exempt under the exceptions described in section 210.211 to 210.259. A license-exempt facility under the exceptions described in section 210.211 may be rated with an explanation that it is rated but license-exempt."; and

Further amend said bill by renumbering the remaining subsections accordingly; and

Further amend said section, Page 27, Lines 56 and 57, by deleting all of said lines and inserting in lieu thereof the following:

"7. For purposes of this section, "early childhood program" shall mean programs that are both centered and home-based and providing services for children from birth to kindergarten."; and

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

Representative Skaggs raised a point of order that **House Amendment No. 2** is out of order pursuant to Rule 84.

Representative Pratt requested a parliamentary ruling.

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

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

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 2, Line 7 of said amendment, by inserting immediately after the word "RSMo." the following:

"Any adopted rating system shall not award or diminish rating scores for any facility based on criteria that are consistent with the facility's religious beliefs by laws or mission statement as long as such beliefs by laws or mission statement do not result in practices that constitute a violation of state law or local ordinance, nor shall such practices affect a facility's eligibility for child care subsidies or grants under this section."; and

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

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

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 023

Burnett	Chappelle-Nadal	Corcoran	Darrough	Daus
Fares	Haywood	Hughes	Johnson	LeVota
Low 39	Lowe 44	Nasheed	Oxford	Robinson
Roorda	Skaggs	St. Onge	Talboy	Vogt
Whorton	Wright-Jones	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland	Harris 23	Kratky	Loehner	Meadows
Spreng	Viebrock			

Representative Storch requested a division of the question on **House Amendment No. 2, as amended.**

Representative Nieves assumed the Chair.

House Amendment No. 2

PART I

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 18, Section 168.021, Lines 26 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"(4) By the state board, under rules and regulations prescribed by it for a pilot program to run through school year 2011-2012, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) in all certification areas available for grades nine through twelve and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a public, private or charter school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE professional certificate of license to teach. Upon completion of the requirements listed in paragraphs (a), (b), (c), (d), and (e) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation;

(d) Participation in a beginning teacher assistance program; and

(e) Successful attainment of the Missouri qualifying score on the exit assessment for teachers designated by the state board of education within two years"; and

Further amend said section, Page 19, Line 68, by deleting the words "**and (c)**" and inserting in lieu thereof the following:

"(c), (d), and (e)"; and

Representative Storch offered **House Amendment No. 1 to Part I.**

Representative Muschany raised a point of order that **House Amendment No. 1 to Part I** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative El-Amin assumed the Chair.

Representative Nieves resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery
Brown 30

Baker 123
Bruns

Bearden
Cooper 120

Bivins
Cooper 155

Brandom
Cooper 158

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

NOES: 068

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

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Day	Meadows	Schaaf	Spreng
Viebrock				

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

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nieves	Nolte	Onder	Parson	Pearce

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Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Rucker	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Yates	Zweifel	Mr Speaker

NOES: 064

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Moore	Nance
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Smith 150	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright 159
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 008

Bland	Day	Meadows	Page	Sater
Schaaf	Spreng	Viebrock		

HCS SS#2 SCS SB 161, as amended, with Part II of House Amendment No. 2, as amended, pending, was laid over.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 299 & SS SCS SB 616, as amended, relating to liquor control, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HCS SCS SB 299 & SS SCS SB 616, as amended,** and grant the Senate a conference.

Which motion was adopted.

HCS#2 SS SCS SB 3, as amended, relating to mental health reform, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **HCS#2 SS SCS SB 3, as amended,** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HCS#2 SS SCS SB 3: Representatives Stevenson, Icet, Portwood, Corcoran and Walsh

HCS SCS SB 299 & SS SCS SB 616: Representatives Cooper (120), Pratt, Tilley, Talboy and Villa

Representative Nieves resumed the Chair.

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 adopted the Conference Committee Report on **HB 574 with Senate Amendment No. 1 and Senate Amendment No. 3**, and has taken up and passed **CCS HB 574**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 780, as amended**, and has taken up and passed **CCS SS SCS HCS HB 780**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 320, as amended**, and has taken up and passed **HCS SS SCS SB 320, as amended**.

SUPPLEMENTAL CALENDAR

MAY 17, 2007

SENATE BILL FOR THIRD READING

SB 164, HCA 1 - Wasson

On motion of Representative Dempsey, the House recessed until 7:30 p.m.

EVENING SESSION

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3766 through House Resolution No. 3795

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 adopted **HCR 24**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 125**, entitled:

An act to repeal sections 50.327, 52.290, 52.312, 52.315, 52.317, 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, 140.730, 141.150, 141.440, 141.500, 141.540, 141.640, 165.071, and 301.025, RSMo, and to enact in lieu thereof thirty-nine new sections relating to county collectors, with penalty provisions.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Pages 7-9, Section(s) 52.450, 52.455, 52.460, 52.465 and 52.470, by deleting all of said sections; and

Further amend said bill, Page 21, Section 140.250, Lines 12-13, by deleting the following:

“Any surplus shall be paid to county treasury.”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 2*

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 125, Pages 1-2, Section 50.327, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 2, Section 50.327, Line 26, by inserting after all of said line the following:

"52.240. **1.** The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed on him by law. **However, no penalty and interest, including that imposed under this chapter and chapters 139 and 140, RSMo, shall be charged on real property tax when there is clear and convincing evidence that an error or omission was made by the county in determining taxes owed by a taxpayer.**

2. The county commission shall have the authority to refund penalties, interest, and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December thirty-first and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes along with any penalties or interest due and owing. The taxpayer may then submit a request for a refund of penalties, interest, or taxes, in writing, to the county commission. If the county commission approves the refund of penalties, interest, or taxes, then such refunds approved by the county commission shall be handled under subsection 5 of section 139.031, RSMo."; and

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

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 7, Section 52.370, Lines 8-11 of said page, by striking the following:

", except any county of the first classification with more than one hundred eight-four thousand but fewer than one hundred eighty-eight thousand inhabitants,"; and

Further Line 15 of said page, by inserting at the end of said line the following:

"The collector shall provide a report to the county auditor each time electronic transfers are completed."

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 9, Section 55.140, Lines 8-18 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 9-10, Section 55.190, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 184**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 686**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the Conference Committee on **SS HB 744, as amended**.

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#2 SS SCS SB 3, as amended**: Senators Gibbons, Shields, Purgason, Justus and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SS SCS SB 3, as amended**, and has taken up and passed **CCS HCS#2 SS SCS SB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SCS SB 86, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SCS SB 156, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 308, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 308**.

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 SCS SB 299 & SS SCS SB 616, as amended**: Senators Purgason, Griesheimer, Engler, McKenna and Wilson.

BILLS IN CONFERENCE

CCR#3 HCS SCS SB 64, as amended, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

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

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 009

Bland	Bowman	Day	El-Amin	Marsh
Schoemehl	Spreng	Viebrock	Wright-Jones	

On motion of Representative Wallace, **CCR#3 HCS SCS SB 64, as amended**, was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	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	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Bringer	Daus	Haywood	Lowe 44	Nasheed
Oxford	Swinger	Todd	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Day	El-Amin	Marsh
Schoemehl	Spreng	Viebrock		

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On motion of Representative Wallace, **CCS#3 HCS SCS SB 64** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 010

Bringer	Daus	Haywood	Lowe 44	Nasheed
Oxford	Swinger	Todd	Vogt	Witte

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Cooper 155	Day	El-Amin
Marsh	Page	Salva	Schoemehl	Spreng
Viebrock	Zimmerman			

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS SB 416, relating to adverse possession of certain lands, was taken up by Representative Pratt.

On motion of Representative Pratt, **CCR HCS SB 416** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Harris 110	Haywood	Whorton
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PRESENT: 002

Darrough	Oxford
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ABSENT WITH LEAVE: 011

Bland	Bowman	Day	El-Amin	Marsh
Meadows	Page	Schoemehl	Spreng	St. Onge
Viebrock				

On motion of Representative Pratt, **CCS HCS SB 416** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120

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Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Walton	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: 002

Darrough Oxford

ABSENT WITH LEAVE: 016

Bland	Bowman	Day	El-Amin	Fares
Funderburk	Hoskins	Hunter	Marsh	Page
Quinn 7	Schoemehl	Spreng	St. Onge	Viebrock
Vogt				

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 134, relating to equipment grants, was taken up by Representative Guest.

On motion of Representative Guest, **SS HB 134** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith

Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Day	El-Amin
Marsh	Page	Salva	Schaaf	Schoemehl
Spreng	Stream	Viebrock	Vogt	Wasson
Wildberger				

On motion of Representative Guest, **SS HB 134** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
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
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May

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McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Day	Hughes	Marsh
Page	Schaaf	Schoemehl	Spreng	Viebrock
Wasson				

Speaker Pro Tem Bearden declared the bill passed.

SCS HCS HB 298, relating to Missouri Blasting Safety Act, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SCS HCS HB 298** was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
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	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder

Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	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: 010

Bland	Bowman	Day	Marsh	Page
Schaaf	Schoemehl	Spreng	Viebrock	Wasson

On motion of Representative Cooper (120), **SCS HCS HB 298** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	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	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood

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Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Bruns	Day	Hunter
Marsh	Schoemehl	Spreng	Viebrock	Wasson

Speaker Pro Tem Bearden declared the bill passed.

SS HB 579, relating to civil defense, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SS HB 579** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	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	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharmhorst	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	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: 015

Bland	Bowman	Brown 50	Bruns	Corcoran
Day	Hobbs	Marsh	Richard	Salva
Schaaf	Schieffer	Schoemehl	Spreng	Viebrock

On motion of Representative Dempsey, **SS HB 579** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	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	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	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: 009

Bland	Bruns	Corcoran	Day	Marsh
Salva	Schoemehl	Spreng	Viebrock	

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Lochner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 006

George Whorton	Haywood	Norr	Quinn 9	Roorda
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bruns	Corcoran	Day	Marsh
McClanahan	Salva	Schoemehl	Spreng	Storch
Viebrock				

SCS HCR 20, relating to the Real ID Act, was taken up by Representative Guest.

On motion of Representative Guest, **SCS HCR 20** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155

Cooper 158	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	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 003

Roorda	St. Onge	Zweifel
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bruns	Cooper 120	Corcoran	Haywood
Marsh	Nasheed	Salva	Schoemehl	Spreng
Viebrock	Wallace			

SCS HB 801, relating to telecommunications, was taken up by Representative Kraus.

Representative Kraus moved to adopt **SCS HB 801**.

Representative Onder made a substitute motion that the House refuse to adopt **SCS HB 801** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Pearce moved to amend the substitute motion by inserting after the word “thereon” the following:

“; and bind the conferees to section 407.1095.”.

Which motion was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 062

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

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bruns	Corcoran	Cox	Marsh
Nieves	Robinson	Roorda	Salva	Schneider
Schoemehl	Spreng	Stream	Viebrock	Vogt
Zweifel				

Representative Onder moved that the House refuse to adopt **SCS HB 801** and request the Senate to recede from its position and, failing to do so, grant the House a conference and the conferees be bound to Section 407.1095.

Which motion was adopted.

Representative Nieves resumed the Chair.

SCS HB 215, as amended, relating to juvenile courts, was taken up by Representative Stevenson.

Representative Stevenson moved that **SCS HB 215, as amended**, be adopted.

Representative Witte made a substitute motion that the House refuse to adopt **SCS HB 215, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was defeated.

Representative Stevenson again moved that **SCS HB 215, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 077

Aull	Baker 123	Bearden	Bivins	Bringer
Cooper 155	Cox	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Lembke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Talboy	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Mr Speaker			

NOES: 072

Avery	Baker 25	Bowman	Brandom	Brown 30
Burnett	Casey	Chappelle-Nadal	Cooper 158	Corcoran
Cunningham 145	Curls	Darrough	Daus	Donnelly
Dusenberg	El-Amin	Fallert	Frame	Franz
Grill	Harris 23	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kraus
Kuessner	Lampe	LeVota	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Parson	Quinn 9
Robinson	Roorda	Rucker	Schaaf	Schieffer
Schlottach	Schneider	Shively	Skaggs	Storch
Swinger	Thomson	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 003

Brown 50	Liese	Scavuzzo
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ABSENT WITH LEAVE: 011

Bland	Bruns	Cooper 120	Dougherty	George
Kratky	Marsh	Salva	Schoemehl	Spreng
Viebrock				

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following members to the Conference Committee on **HCS#2 SCS SB 313**: Representatives Burnett and Zimmerman

RE-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 SCS SB 86, as amended: Representatives Sutherland, Cooper (120), Stevenson, Chappelle-Nadal and Zweifel

Representative Nieves resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 431, relating to business organizations, was taken up by Representative Pratt.

On motion of Representative Pratt, **SCS HCS HB 431** was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	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	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Sutherland

Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bruns	Kratky	Kuessner	Marsh
Roorda	Schoemehl	Spreng	Stream	Viebrock

On motion of Representative Pratt, **SCS HCS HB 431** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	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	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	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: 010

Bland	Bruns	Kratky	Kuessner	Marsh
Sater	Schoemehl	Spreng	Stream	Viebrock

Representative Nieves declared the bill passed.

SS HCS HB 820, relating to a death penalty execution team, was taken up by Representative Moore.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 064

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Kratky	Kuessner	Marsh	Meiners
Schaaf	Schoemehl	Spreng	Viebrock	

Speaker Jetton resumed the Chair.

On motion of Representative Moore, **SS HCS HB 820** was adopted by the following vote:

AYES: 110

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Harris 23
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lembke	Lipke	Loehner	May	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 043

Baker 25	Bowman	Burnett	Chappelle-Nadal	Corcoran
Curls	Daus	El-Amin	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Scavuzzo
Schieffer	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 002

Roorda	Rucker
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ABSENT WITH LEAVE: 008

Bland	Cooper 120	Kratky	Marsh	Schaaf
Schoemehl	Spreng	Viebrock		

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On motion of Representative Moore, **SS HCS HB 820** was truly agreed to and finally passed by the following vote:

AYES: 110

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grisamore	Guest
Harris 23	Hobbs	Hodges	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lembke	Lipke	Loehner
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Ruestman	Ruzicka	Sander	Sater	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 041

Baker 25	Bowman	Burnett	Chappelle-Nadal	Corcoran
Curls	Daus	El-Amin	George	Grill
Harris 110	Haywood	Holsman	Hoskins	Hubbard
Hughes	Johnson	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Scavuzzo	Schieffer	Skaggs
Storch	Talboy	Villa	Vogt	Walsh
Whorton	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 002

Roorda	Rucker
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ABSENT WITH LEAVE: 010

Bland	Kratky	Lowe 44	Marsh	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger

Speaker Jetton declared the bill passed.

Representative Nieves resumed the Chair.

SS SCS HCS HB 583, as amended, relating to orders of protection, was taken up by Representative Johnson.

On motion of Representative Johnson, **SS SCS HCS HB 583, as amended**, was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	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	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Walsh	Walton	Weter	Whorton
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 020

Baker 123	Brown 30	Cox	Cunningham 145	Emery
Ervin	Hunter	Jones 117	Loehner	Onder
Parson	Pearce	Pollock	Richard	Sater
Wallace	Wasson	Wells	Wilson 119	Wilson 130

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Kratky	Marsh	Schaaf	Schoemehl
Spreng	Viebrock	Wildberger		

On motion of Representative Johnson, **SS SCS HCS HB 583, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cooper 158
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison

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Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Ice	Johnson	Jones 89	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Walsh
Walton	Weter	Whorton	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 019

Baker 123	Brown 30	Cox	Cunningham 145	Emery
Ervin	Jones 117	Loehner	Onder	Parson
Pearce	Pollock	Richard	Sater	Wallace
Wasson	Wells	Wilson 119	Wilson 130	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Cooper 120	Hubbard	Hunter	Kratky
Marsh	Schaaf	Schoemehl	Spreng	Viebrock
Wildberger				

Representative Nieves declared the bill passed.

SCS HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SCS HCS HB 329** was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Liese
Lipke	Loehner	May	McGhee	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 058

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kuessner	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Cooper 120	Corcoran	Hobbs	Kratky
Marsh	Meadows	Page	Salva	Schaaf
Schoemehl	Self	Spreng	Viebrock	Wildberger

On motion of Representative Cunningham (145), SCS HCS HB 329 was truly agreed to and finally passed by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Liese	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells

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Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 058

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Corcoran	Hunter	Lampe	Marsh
Meadows	Page	Salva	Schaaf	Schoemehl
Spreng	Viebrock	Wildberger		

Representative Nieves declared the bill passed.

SS SCS HB 596, as amended, relating to the Highway and Transportation Commission, was taken up by Representative St. Onge.

Representative Bringer raised a point of order that **SS SCS HB 596, as amended**, is out of order pursuant to Rule 41.

Representative Nieves requested a parliamentary ruling.

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	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	Pratt	Quinn 7	Richard

Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 057

Aull	Baker 25	Bowman	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Daus	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Corcoran	Darrough	El-Amin	Hughes
Marsh	Meadows	Salva	Schaaf	Schoemehl
Spreng	Viebrock	Wildberger	Young	Zweifel

Speaker Jetton resumed the Chair.

On motion of Representative St. Onge, **SS SCS HB 596, as amended**, was adopted by the following vote:

AYES: 089

Aull	Avery	Bearden	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dixon	Dougherty	Dusenberg	Emery	Faith
Fallert	Fares	Fisher	Funderburk	Grisamore
Guest	Hobbs	Hodges	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nieves
Onder	Parson	Pearce	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Scharnhorst	Schlottach	Schoeller	Shively
Silvey	Smith 14	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Wallace	Walton	Wasson	Weter
Wilson 119	Wood	Yates	Mr Speaker	

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NOES: 062

Baker 25	Baker 123	Bowman	Brown 50	Burnett
Cooper 158	Cunningham 145	Curls	Daus	Dethrow
Donnelly	El-Amin	Ervin	Flook	Frame
Franz	George	Grill	Harris 23	Harris 110
Haywood	Holsman	Hoskins	Hughes	Johnson
Kratky	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan
Nance	Nasheed	Nolte	Norr	Oxford
Page	Pollock	Sander	Schad	Schieffer
Schneider	Self	Skaggs	Smith 150	Stevenson
Talboy	Villa	Vogt	Walsh	Wells
Whorton	Witte	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Corcoran	Marsh	Meadows	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger
Wilson 130	Zweifel			

Representative St. Onge moved that **SS SCS HB 596, as amended**, be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 066

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dusenberg	Emery	Faith	Fares	Fisher
Funderburk	Grisamore	Guest	Hobbs	Hunter
Jones 89	Jones 117	Kelly	Kingery	Kraus
May	McGhee	Moore	Munzlinger	Muschany
Onder	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Scharnhorst	Schlottach	Schoeller
Shively	Silvey	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Yates
Mr Speaker				

NOES: 081

Baker 25	Baker 123	Bearden	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 158
Cunningham 86	Curls	Daus	Dixon	Donnelly
El-Amin	Ervin	Fallert	Flook	Frame
Franz	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan

Meiners	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Portwood	Quinn 9
Robinson	Rucker	Scavuzzo	Schad	Schieffer
Schneider	Self	Skaggs	Smith 14	Smith 150
Storch	Talboy	Todd	Villa	Vogt
Walsh	Walton	Wells	Whorton	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman				

PRESENT: 005

Aull	Darrough	Dougherty	Roorda	Swinger
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ABSENT WITH LEAVE: 011

Bland	Corcoran	Marsh	Meadows	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger
Zweifel				

Representative Nieves resumed the Chair.

HCS HBs 654 & 938, with Senate Amendment No. 1, relating to veterans, was taken up by Representative Stream.

On motion of Representative Stream, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	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	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

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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: 010

Bland	Bruns	Cooper 120	Kratky	Marsh
Meadows	Salva	Schoemehl	Spreng	Viebrock

On motion of Representative Stream, **HCS HBs 654 & 938, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	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	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	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: 009

Bland	Bruns	Cooper 120	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

Representative Nieves declared the bill passed.

SCS HCS HBs 619 & 118, as amended, relating to civil air patrol, was taken up by Representative Aull.

On motion of Representative Aull, **SCS HCS HBs 619 & 188, as amended**, was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	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: 008

Cooper 120	Donnelly	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

On motion of Representative Aull, **SCS HCS HBs 619 & 118, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
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	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	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: 008

Dougherty	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

Representative Nieves declared the bill passed.

SS SCS HB 125, as amended, relating to tax collection, was taken up by Representative Franz.

Representative Franz moved that **SS SCS HB 125, as amended**, be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 006

Franz Mr Speaker	Muschany	Parson	Pollock	Stevenson
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NOES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	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	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Haywood	Hodges	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

BILL IN CONFERENCE

CCR#2 HCS SCS SB 308, as amended, relating to licensed professionals, was taken up by Representative Wasson.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 064

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Mr Speaker	

On motion of Representative Wasson, **CCR#2 HCS SCS SB 308, as amended**, was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly

Dougherty	Dusenberg	El-Amin	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Cooper 155	Emery	Harris 110	Whorton
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 010

Bowman	Burnett	Cooper 120	Haywood	Marsh
Meadows	Salva	Schoemehl	Spreng	Viebrock

On motion of Representative Wasson, **CCS#2 HCS SCS SB 308** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	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	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke

LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Emery Whorton

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

Representative Nieves declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 315, with House Amendment No. 1, pending, relating to liability for agricultural damage, was again taken up by Representative Munzlinger.

House Amendment No. 1 was withdrawn.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 315, Page 3, Section 260.546, Line 51, by inserting after all of said line the following:

"537.340. **1.** If any person shall cut down, injure or destroy or carry away any tree placed or growing for use, shade or ornament, or any timber, rails or wood standing, being or growing on the land of any other person, including any governmental entity, or shall dig up, quarry or carry away any stones, ore or mineral, gravel, clay or mold, or any ice or other substance or material being a part of the realty, or any roots, fruits or plants, or cut down or carry away grass, grain, corn, flax or hemp in which such person has no interest or right, standing, lying or being on land not such person's own, or shall knowingly break the glass or any part of it in any building not such person's own, the person so offending shall pay to the party injured treble the value of the things so injured, broken, destroyed or carried away, with costs. Any person filing a claim for damages pursuant to this section need not prove negligence or intent.

2. Notwithstanding the provisions of subsection 1 of this section, the following rules shall apply to the trimming, removing, and controlling of trees and other vegetation by any electric supplier:

(1) Every electric supplier that operates electric transmission or distribution lines shall have the authority to maintain the same by trimming, removing, and controlling trees and other vegetation posing a hazard to the continued safe and reliable operation thereof;

(2) An electric supplier may exercise its authority under subdivision (1) of this subsection if the trees and other vegetation are within the legal description of any recorded easement or, in the absence of a recorded easement, the following:

(a) Within ten feet, plus one-half the length of any attached crossarm, of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located within the limits of any city; or

(b) Within thirty feet of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located outside the limits of any city; or

(c) Within fifty feet of either side of the centerline of electricity lines potentially energized between 34.5 and one hundred kilovolts measured line to line; or

(d) Within the greater of the following for any electricity lines potentially energized at one hundred kilovolts or more measured line to line:

a. Seventy-five feet to either side of the centerline; or

b. Any required clearance distance adopted by either the Federal Energy Regulatory Commission or an Electric Reliability Organization authorized by the Energy Policy Act of 2005, 16 U.S.C. Section 824o. Such exercise shall be considered reasonable and necessary for the proper and reliable operation of electric service and shall create a presumption that the electric supplier acted with reasonable care, operated within its rights regarding the operation and maintenance of its electricity lines, and has not committed a trespass;

(3) An electric supplier may trim, remove, and control trees and other vegetation outside the provisions in subdivision (2) of this subsection if such actions are necessary to maintain the continued safe and reliable operation of its electric lines;

(4) An electric supplier may secure from the owner or occupier of land greater authority to trim, remove, and control trees and other vegetation than the provisions set forth in subdivision (2) of this subsection and may exercise any and all rights regarding the trimming, removing, and controlling of trees and other vegetation granted in any easement held by the electric supplier;

(5) An electric utility may trim or remove any tree of sufficient height outside the provisions of subdivision (2) of this subsection when such tree, if it were to fall, would threaten the integrity and safety of any electric transmission or distribution line and would pose a hazard to the continued safe and reliable operation thereof;

(6) Prior to the removal of any tree under the provisions of subdivision (5) of this subsection, an electric utility shall notify the owner or occupier of land, if available, at least fourteen days prior to such removal unless either the electric supplier deems the removal to be immediately necessary to continue the safe and reliable operation of its electricity lines, or the electric supplier is trimming or removing trees and other vegetation following a major weather event or other emergency situation;

(7) If any tree which is partially trimmed by an electric supplier dies within three months as a result of said trimming, the owner or occupier of land upon which the tree was trimmed may request in writing that the electric supplier remove said tree at the electric supplier's expense. The electric supplier shall respond to such request within ninety days;

(8) Nothing in this subsection shall be interpreted as requiring any electric utility to fully exercise the authorities granted in this subsection.

3. For purposes of this section, the term "electric supplier" means any rural electric cooperative that is subject to the provisions of chapter 394, RSMo, and any electrical corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation, and which holds a certificate of public convenience and necessity to serve a majority of its customer-owners in counties of the third classification as of August 28, 2003."; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Haywood	Marsh	Meadows	Page	Salva
Schneider	Schoemehl	Spreng	Viebrock	Wright-Jones

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158

Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 064

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Haywood	Marsh	Meadows	Salva	Schneider
Schoemehl	Spreng	Viebrock	Wright-Jones	

On motion of Representative Munzlinger, **HCS SB 315, as amended**, was adopted.

On motion of Representative Munzlinger, **HCS SB 315, as amended**, was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman

Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 017

Baker 25	Burnett	Curls	George	Grill
Harris 23	Hughes	LeVota	Low 39	Lowe 44
Nasheed	Norr	Oxford	Skaggs	Storch
Talboy	Zimmerman			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 008

Haywood	Marsh	Meadows	Salva	Schoemehl
Sprenge	Viebrock	Wright-Jones		

Representative Nieves declared the bill passed.

HCS SS#2 SCS SB 161, as amended, with Part II of House Amendment No. 2, pending, relating to elementary and secondary education, was again taken up by Representative Muschany.

House Amendment No. 2

PART II

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 26, Section 210.205, Line 11, by inserting after the word "**system.**" the following:

"Adoption of any quality rating system shall be accomplished through the rule-making process under chapter 536, RSMo.;" and

Further amend said bill, Page 26, Section 210.205, Line 18, by deleting the word "**outcomes.**" and inserting in lieu thereof the following:

"outcomes; and

(4) Permit the appeal of any rating to the department of social services through an appeals process established by rule.

3. The quality rating system shall be:

- (1) Voluntary for facilities that are licensed under sections 210.201 to 210.259, and do not receive the child care subsidy under chapter 208, RSMo, or any other state funds;**
- (2) Mandatory for facilities that are licensed under sections 210.201 to 210.259, and receive a child care subsidy under chapter 208, RSMo, or any other state funds;**
- (3) Voluntary for facilities that are license-exempt under the exceptions described in section 210.211 to 210.259. A license-exempt facility under the exceptions described in section 210.211 may be rated with an explanation that it is rated but license-exempt.";** and

Further amend said bill by renumbering the remaining subsections accordingly; and

Further amend said section, Page 27, Lines 56 and 57, by deleting all of said lines and inserting in lieu thereof the following:

"7. For purposes of this section, "early childhood program" shall mean programs that are both centered and home-based and providing services for children from birth to kindergarten."; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hubbard	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
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger

Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper 120	Dethrow	Haywood	Marsh	Meadows
Salva	Schoemehl	Speng	Viebrock	Wright-Jones

On motion of Representative Muschany, **Part II of House Amendment No. 2, as amended**, was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 10, Section 162.1110, Line 25, by inserting after all of said line the following:

"163.043. 1. For fiscal year 2007 and each subsequent fiscal year, the "Classroom Trust Fund", which is hereby created in the state treasury, shall be distributed by the state board of education to each school district in this state qualified to receive state aid pursuant to section 163.021 on an average daily attendance basis. **For fiscal year 2009 and each fiscal year thereafter, one million five hundred thousand dollars of the fund otherwise transferred under the provisions of this subsection shall be transferred to the Missouri exceptional teachers fund created in section 168.745, RSMo. One million dollars of such appropriation shall be directed to the teacher's choice compensation package in certain districts pursuant to section 168.745 to 168.750, RSMo, and five hundred thousand dollars shall be directed towards incentive pay in certain districts as described in sections 168.110, 168.126, and 168.221, RSMo.**

2. The moneys distributed pursuant to this section shall be spent at the discretion of the local school district. The moneys may be used by the district for:

- (1) Teacher recruitment, retention, salaries, or professional development;
- (2) School construction, renovation, or leasing;
- (3) Technology enhancements or textbooks or instructional materials;
- (4) School safety; or
- (5) Supplying additional funding for required programs, both state and federal.

3. The classroom trust fund shall consist of all moneys transferred to it under section 160.534, RSMo, all moneys otherwise appropriated or donated to it, and, notwithstanding any other provision of law to the contrary, all unclaimed lottery prize money.

4. The provisions of this section shall not apply to any option district as defined in section 163.042."; and

Further amend said bill, Page 22, Section 168.104, Line 37, by inserting after all of said line the following:

"168.106. The contract between a school district and a permanent teacher shall be known as an indefinite contract and shall continue in effect for an indefinite period, subject only to:

- (1) Compulsory or optional retirement when the teacher reaches the age of retirement provided by law, or regulation established by the local board of education;
- (2) Modification by a succeeding indefinite contract or contracts in the manner hereinafter provided;
- (3) The death of the teacher;
- (4) Resignation of the teacher with the written consent of the school board;
- (5) Termination by the board of education after a hearing as hereinafter provided; [and]
- (6) The revocation of the teacher's certificate; **and**

(7) A decision by the teacher to follow the teacher choice compensation package under sections 168.745 to 168.750 in a district and give up the right to an indefinite contract.

168.110. The board of education of a school district may modify an indefinite contract annually on or before the fifteenth day of May in the following particulars:

- (1) Determination of the date of beginning and length of the next school year;
- (2) Fixing the amount of annual compensation for the following school year as provided by the salary schedule adopted by the board of education applicable to all teachers. **A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043 RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, or English as a second language. In exchange for such incentives, teachers may be required to teach in the district offering the incentive for a period of up to three school years. Districts shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.** The modifications shall be effective at the beginning of the next school year. All teachers affected by the modification shall be furnished written copies of the modifications within thirty days after their adoption by the board of education."; and

Further amend said bill, Page 22, Section 168.114, Line 15, by inserting after all of said line the following:

"168.126. 1. A board of education at a regular or special meeting may contract with and employ by a majority vote legally qualified probationary teachers for the school district. The contract shall be made by order of the board; shall specify the number of months school is to be taught and the wages per month to be paid; shall be signed by the probationary teacher and the president of the board, or a facsimile signature of the president may be affixed at his discretion; and the contract shall be attested by the secretary of the board by signature or facsimile. **A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043, RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, and English as a second language. In exchange for such incentives, teachers may be required to teach in the district offering the incentive for a period of up to three school years. Districts shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.** The board shall not employ one of its members as a teacher; nor shall any person be employed as a teacher who is related within the fourth degree to any board member, either by consanguinity or affinity, where the vote of the board member is necessary to the selection of the person.

2. If in the opinion of the board of education any probationary teacher has been doing unsatisfactory work, the board of education, through its authorized administrative representative, shall provide the teacher with a written statement definitely setting forth his alleged incompetency and specifying the nature thereof, in order to furnish the teacher an opportunity to correct his fault and overcome his incompetency. If improvement satisfactory to the board of education has not been made within ninety days of the receipt of the notification, the board of education may terminate the employment of the probationary teacher immediately or at the end of the school year. Any motion to terminate the employment of a probationary teacher shall include only one person and must be approved by a majority of the members of the board of education. A tie vote thereon constitutes termination. On or before the fifteenth day of April in each school year, the board of education shall notify in writing a probationary teacher who will not be retained by the school district of the termination of his employment. Upon request, the notice shall contain a concise statement of the reason or reasons the employment of the probationary teacher is being terminated. If the reason for the termination is due to a decrease in pupil enrollment, school district reorganization, or the financial condition of the school district, then the district shall in all cases issue notice to the teacher expressly declaring such as the reason for such termination. Nothing contained in this section shall give rise to a cause of action not currently cognizant at law by a probationary teacher for

any reason given in said writing so long as the board issues the letter in good faith without malice, but an action for actual damages may be maintained by any person for the deprivation of a right conferred by this act.

3. Any probationary teacher who is not notified of the termination of his employment shall be deemed to have been appointed for the next school year, under the terms of the contract for the preceding year. A probationary teacher who is informed of reemployment by written notice shall be tendered a contract on or before the fifteenth day of May, and shall within fifteen days thereafter present to the employing board of education a written acceptance or rejection of the employment tendered, and failure of such teachers to present the acceptance within such time constitutes a rejection of the board's offer. A contract between a probationary teacher and a board of education may be terminated or modified at any time by the mutual consent of the parties thereto."; and

Further amend said bill, Page 25, Section 168.221, Lines 29 and 30, by deleting all of said lines and inserting in lieu thereof the following:

"public schools of the state, or physical or mental condition which incapacitates him for instructing"; and

Further amend said bill, section, and page, Line 58, by inserting immediately after the word "instruction." the following:

"A permanent teacher may choose to give up the right to an indefinite contract to follow the teacher choice compensation package under sections 168.745 to 168.750."; and

Further amend said bill and section, Page 26, Line 78, by adding after all of said line the following:

"7. A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043, RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, or English as a second language. In exchange for such incentives, teachers may be required to teach in the district for a period of up to three school years. The district shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.

168.375. 1. Every certificated teacher who is an employee of a district that has been designated as unaccredited or provisionally accredited through its full accreditation review as part of the school improvement program review cycle shall, in the fifth year following the teacher's initial certification and every fifth year thereafter, submit documentation to the department of elementary and secondary education that the teacher has:

(1) Retaken the appropriate exit assessment under section 168.021 and achieved a score equal to or higher than the required score; or

(2) Successfully completed any course or examination determined by rule of the state board of education for this purpose.

2. A certificated teacher who has failed to achieve the required score on the chosen assessment under subsection 1 of this section may retake the assessment at the next available date. If a teacher fails a second time, or wishes to appeal after an initial failure, the teacher shall present documentation of effectiveness such as student test scores on a value-added instrument advancing, on average, by one grade level. The appeal shall be made through the administrative hearing commission under Chapter 621, RSMo.

3. Notwithstanding the provisions of sections 168.114 or 168.221, a teacher who fails to demonstrate a minimum level of competency shall not be considered a permanent employee of the school district.

168.745. 1. There is hereby created the "Teacher Choice Compensation Package" to permit performance-based salary stipends upon the decision of the teacher as described in section 168.747, to reward teachers for objectively demonstrated superior performance in any district that has been provisionally accredited,

unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002.

2. The "Missouri Exceptional Teachers Fund" is hereby created as a special trust fund in the state treasury. Moneys in the fund shall consist of any grant, gift, or contribution from any and all public and private sources whatsoever that is designated for such purpose, including funds appropriated from the classroom trust fund created in section 163.043, RSMo. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. The department of elementary and secondary education shall administer the fund and shall ensure that money in the fund is used only for the salaries of teachers subject to the provisions of sections 168.745 to 168.750, and for the purposes of incentive pay set forth in sections 168.110, 168.126, and 168.221 in districts meeting qualifications. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

168.747. 1. To be eligible for the teacher choice compensation package, any classroom personnel reported as a code forty, fifty, or sixty through the core data system of the Missouri department of elementary and secondary education shall opt out of his or her indefinite contract under section 168.106 or section 168.221 for the duration of employment with the district. A teacher may decide to end his or her eligibility for the teacher choice stipend but may not resume permanent teacher status with that district. A probationary teacher may opt out of consideration for a permanent contract in the second or subsequent years of employment by the district to participate in the teacher choice compensation package but may not return to permanent status in that district or resume the process for qualification for an indefinite contract in that district. A teacher who has chosen the teacher choice compensation package and changes employment to another district may choose to resume the process for qualification for an indefinite contract in that district or may choose to remain in the teacher choice compensation package of the new district.

2. Teachers shall qualify annually in October for the stipends described in section 168.749. Stipends shall be offered in five thousand dollar increments, up to fifteen thousand dollars, but shall not exceed fifty percent of a teacher's salary, before deductions for retirement but including designated pay for additional duties such as coaching, sponsoring, or mentoring. Any stipend received under section 168.749 shall be in addition to the salary to which the teacher would otherwise be entitled. Teachers receiving the stipend shall receive any pay and benefits received by teachers of similar training, experience, and duties. Such stipends shall not be considered compensation for retirement purposes.

3. Subject to appropriation, the department of elementary and secondary education shall make a payment to the district in the amount of the stipend, to be delivered as a lump sum in January following the October of qualification. If the amount appropriated is not enough to fund the total of five thousand dollar increment payments, the department may prorate the payments.

4. Teachers who receive the stipend shall have their achievement acknowledged at an annual districtwide ceremony. Invitations to the ceremony shall be extended to the district's superintendent, the principal of each school in which such a teacher works, the commissioner of education, the chairperson of the state board of education and all local and statewide elected officials who represent the school district, as well as other interested parties.

5. Every person employed by the district in a teaching position, regardless of the certification status of the person, who qualifies under any of the indicators listed in section 168.749 is eligible for the teacher choice compensation package. Teachers who are employed less than full-time are eligible for teacher choice stipends on a pro-rated basis. Any teacher who is dismissed for cause who has otherwise qualified for a teacher choice stipend shall forfeit the stipend for that year.

168.749. 1. Beginning with school year 2008-2009, teachers who elect to participate in the teacher choice compensation package in qualifying districts shall be eligible for stipends based on the following criteria:

(1) Score on a value-added test instrument or instruments. Such instruments shall be defined as those which give a reliable measurement of the skills and knowledge transferred to students during the time they are in a teacher's classroom and shall be selected by the school district from one or more of the following assessments:

(a) A list of recognized value-added instruments developed by the department of elementary and secondary education;

(b) Scores on the statewide assessments established under section 160.518, RSMo, may be used for this purpose, and the department of elementary and secondary education shall develop a procedure for identifying the value added by teachers that addresses the fact that not all subjects are tested at all grade levels each year under the state assessment program;

(c) Scores on annual tests required by the federal Elementary and Secondary Education Act reauthorization of 2002 for third through eighth grade may be used as value-added instruments if found appropriate after consideration and approval by the state board of education; and

(2) Evaluations by a peer review group. For purposes of this subdivision, the term "peer review group" shall include the principal of the school where the teacher is employed, one or more teachers employed in the school where the teacher is employed, one or more parents of students attending the school where the teacher is employed, and, for grades six to twelve, one or more students of the teacher. The principal shall appoint such teacher, parent and student members of the peer review group.

Model instruments for these evaluations shall be developed or identified by the department of elementary and secondary education. Districts may use such models or may develop their own instruments, subject to the provisions of subsection 2 of this section. A district that develops its own instrument shall not use that instrument as its sole method of evaluation.

2. The department of elementary and secondary education shall develop criteria for determining eligibility for stipend increments, including a range of target scores on assessments for use by the districts. The test-score options listed in subdivision (1) of subsection 1 of this section shall be given higher weight than the evaluation options listed in subdivision (2) of subsection 1 of this section. The decision of individual districts about the qualifications for each increment based on the evaluations listed in subdivision (2) of subsection 1 of this section and for value-added instruments for which target scores have not been developed by the department of elementary and secondary education may address the district's unique characteristics but shall require demonstrably superior performance on the part of the teacher, based primarily on improved student achievement while taking into account classroom demographics including but not limited to students' abilities, special needs, and class size. Districts shall submit any instruments they have developed on their own to the department for approval.

168.750. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 168.745 to 168.749 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	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	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Wright-Jones	

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

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Dempsey	Denison	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lembke	Lipke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Villa	Wasson	Weter
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Davis	Day
Deeken	Dethrow	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Nance
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Ruzicka	Scavuzzo
Schieffer	Schlottach	Shively	Skaggs	Smith 150
Storch	Swinger	Talboy	Thomson	Todd
Vogt	Wallace	Walsh	Walton	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Haywood	Johnson	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 28, Section 210.205, Line 66, by inserting after all of said line the following:

"Section 1. Whenever any school district in this state attains a score or displays criteria for classification of the district on its annual performance review consistent with the classification of "unaccredited", the state board of education shall, within ninety days, study all of the pertinent, current data from the district and shall either classify the district as "unaccredited" or issue a report to the general assembly and the governor delineating the factors considered and the reasons for not classifying the district as "unaccredited". Should the state board vote to classify a district as "unaccredited", the board may vote to apply such classification prospectively to a date no later than ten days after the last scheduled day of classes for the district in the current academic year."; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	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
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Bruns	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 6, Section 161.720, Line 22, by inserting after all of said line the following:

"162.961. 1. A parent, guardian or the responsible educational agency may request a due process hearing by the state board of education with respect to any matter relating to identification, evaluation, educational placement, or the provision of a free appropriate public education of the child. Such request shall include the child's name, address, school, issue, and suggested resolution of dispute if known. Except as provided in subsection 4 of this section, the board or its delegated representative shall within fifteen days after receiving notice empower a hearing panel of three persons who are not directly connected with the original decision and who are not employees of the board to which the appeal has been made. All of the panel members shall have some knowledge or training involving children with disabilities, none shall have a personal or professional interest which would conflict with his or her objectivity in the hearing, and all shall meet the department of elementary and secondary education's training and assessment requirements pursuant to state regulations and federal law and regulation requirements of the Individuals With Disabilities Education Act. One person shall be chosen by the local school district board or its delegated representative or the responsible educational agency, and one person shall be chosen at the recommendation of the parent or guardian. If either party has not chosen a panel member ten days after the receipt by the department of elementary and secondary education of the request for

a due process hearing, such panel member shall be chosen instead by the department of elementary and secondary education. Each of these two panel members shall be compensated pursuant to a rate set by the department of elementary and secondary education. The third person shall be appointed by the state board of education and shall serve as the chairperson of the panel. The chairperson shall be an attorney licensed to practice law in this state. During the pendency of any three-member panel hearing, or prior to the empowerment of the panel, the parties may, by mutual agreement, submit their dispute to a mediator pursuant to section 162.959.

2. The parent or guardian, school official, and other persons affected by the action in question shall present to the hearing panel all pertinent evidence relative to the matter under appeal. All rights and privileges as described in section 162.963 shall be permitted.

3. After review of all evidence presented and a proper deliberation, the hearing panel, within the time lines required by the Individuals With Disabilities Education Act, 20 U.S.C. Section 1415 and any amendments thereto, shall by majority vote determine its findings, conclusions, and decision in the matter in question and forward the written decision to the parents or guardian of the child and to the president of the appropriate local board of education or responsible educational agency and to the department of elementary and secondary education. A specific extension of the time line may be made by the chairman at the request of either party, except in the case of an expedited hearing as provided in subsection 4 of this section.

4. An expedited due process hearing by the state board of education may be requested by a parent to challenge a disciplinary change of placement or to challenge a manifestation determination in connection with a disciplinary change of placement or by a responsible educational agency to seek a forty-five school day alternative educational placement for a dangerous or violent student. The board or its delegated representative shall appoint a hearing officer to hear the case and render a decision within the time line required by federal law and state regulations implementing federal law. The hearing officer shall be an attorney licensed to practice law in this state. The hearing officer shall have some knowledge or training involving children with disabilities, shall not have a personal or professional interest which would conflict with his or her objectivity in the hearing, and shall meet the department of elementary and secondary education's training and assessment requirements pursuant to state regulations and federal law and regulation requirements of the Individuals With Disabilities Education Act. A specific extension of the time line is only permissible to the extent consistent with federal law and pursuant to state regulations.

5. If the responsible public agency requests a due process hearing to seek a forty-five school day alternative educational placement for a dangerous or violent student, the agency shall show by substantial evidence that there is a substantial likelihood the student will injure himself or others and that the agency made reasonable efforts to minimize that risk, and shall show that the forty-five school day alternative educational placement will provide a free appropriate public education which includes services and modifications to address the behavior so that it does not reoccur, and continue to allow progress in the general education curriculum.

6. Any due process hearing request and responses to the request shall conform to the requirements of the Individuals With Disabilities Education Act (IDEA). Determination of the sufficiency shall be made by the chairperson of the three-member hearing panel, or in the case of an expedited due process hearing, by the hearing officer. The chairperson or hearing officer shall implement the process and procedures, including time lines, required by the IDEA, related to sufficiency of notice, response to notice, determination of sufficiency dispute, and amendments of the notice.

7. A preliminary meeting, known as a resolution session, shall be convened by the responsible public agency, under the requirements of the IDEA. The process and procedures required by the IDEA in connection to the resolution session and any resulting written settlement agreement shall be implemented. **The responsible public agency or its designee shall sign the agreement. The designee identified by the responsible public agency shall have the authority to bind the agency. A local board of education, as a responsible public agency, shall identify a designee with authority to bind the school district.**

162.963. 1. At any hearing held pursuant to the provisions of section 162.961, except as otherwise provided in this section, either party or a representative shall be entitled to:

- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- (3) Prohibit the introduction of any evidence, including all evaluations and recommendations based on the offering party's evaluation, at the hearing that has not been disclosed to that party at least five business days before the hearing[, except this shall not be applicable in the case of an expedited hearing where no discovery shall take place];
- (4) Obtain a written or, at the option of the parents, electronic verbatim record of the hearing; and

- (5) Obtain written or, at the option of the parents, electronic findings of fact and decision.
2. Parents involved in hearings have the right to have the child who is the subject of the hearing present and the right to open the hearing to the public.
3. Prior to the resolution conference or hearing, the parent or guardian or a representative of the parent or guardian shall have access to any reports, records, clinical evaluations or other materials upon which the action to be reviewed was wholly or partially based which could reasonably have a bearing on the correctness of the determination.
4. A complete record shall be made of all proceedings unless otherwise specified by statute, which records shall include verbatim transcription of all testimony and shall include all documents, writings, or other evidence presented by any party. Costs incurred during these proceedings, except those of the parties for purchasing diagnostic services or legal counsel or other services of a personal nature, shall be the responsibility of the state board of education."; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 066

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

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PRESENT: 000

ABSENT WITH LEAVE: 011

Bruns	Haywood	Hunter	Marsh	Meadows
Salva	Sater	Schaaf	Schoemehl	Sprenge
Viebrock				

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenber
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 065

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

PRESENT: 000

ABSENT WITH LEAVE: 012

Bruns	Haywood	Hunter	Marsh	Meadows
Salva	Sater	Schaaf	Schoemehl	Sprenge
Viebrock	Whorton			

On motion of Representative Muschany, **HCS SS#2 SCS SB 161, as amended**, was adopted.

Speaker Jetton resumed the Chair.

On motion of Representative Muschany, **HCS SS#2 SCS SB 161, as amended**, was read the third time and passed by the following vote:

AYES: 082

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Wasson	Wilson 119	Wright 159
Zweifel	Mr Speaker			

NOES: 071

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Day
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Nance	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Ruzicka	Scavuzzo	Schieffer	Schneider	Shively
Skaggs	Storch	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Yates	Young
Zimmerman				

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 009

Haywood
Spreng

Marsh
Viebrock

Meadows
Whorton

Salva
Wildberger

Schoemehl

Speaker Jetton 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 receded from its position on **SCS HB 801** and has taken up and passed **HB 801**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SS SCS SB 22, as amended**, and has taken up and passed **CCS HCS SS SCS SB 22, as amended**, by Conference Committee Amendment No. 1 and Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 279, Section 226.527, Line 20 of said page, by inserting after all of said line the following:

"228.110. 1. Any twelve residents of the township or townships through which a road runs may make application for the vacation of any such road or part of the same as useless, and the repairing of the same an unreasonable burden upon the district or districts. The petition shall be publicly read on the first day of the term at which it is presented, and the matter continued without further proceedings until the next term.

2. Notice of the filing of such petition and of the road sought to be vacated shall be posted up in not less than three public places in such township or townships, at least twenty days before the first day of the next term of the commission, and a copy of the same shall be personally served on all the persons residing in the district whose lands are crossed or touched by the road proposed to be vacated in the same manner as other notices are required to be served by law; and at the next regular term the same shall again be publicly read on the first day thereof.

3. If no remonstrance is made thereto in writing, signed by at least twelve residents of the township, the commission may proceed to vacate such road, or any part thereof, at the cost of the petitioners; but if a remonstrance thereto in writing, signed by at least twelve residents of such township or townships, is filed, and the commission after considering the same shall decide that it is just to vacate such road, or any part thereof, against the vacation of which the remonstrance was filed, the costs shall be paid by the parties remonstrating, and the original costs, and damages for opening such vacated road shall be paid by the petitioners to those who paid the same, except that if five years have elapsed since the original opening of the same no such reimbursement shall be made.

4. Notwithstanding any other provision of this section to the contrary, in any county with a charter form of government, any twenty-five residents of the county through which a road subject to this section runs and who reside on any portion of such road or on another road that intersects such road and within one mile of the right-of-way to be vacated, may apply for the vacation of such road or part of such road as no longer serving the public health, safety, and welfare. The county may, by order or ordinance, provide for notice and hearing of such petitions and for filing and hearing remonstrances against them."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 86, as amended**: Senators Champion, Lager, Griesheimer, Bray and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SB 582, as amended**, and requests the House to grant further conference.

BILL CARRYING REQUEST MESSAGE

HCS SB 582, as amended, relating to taxation, was taken up by Representative Sutherland.

Representative Sutherland moved that the House grant the Senate a further conference on **HCS SB 582, as amended**.

Which motion was adopted by the following vote:

AYES: 098

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Zweifel	Mr Speaker		

NOES: 053

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Shively	Skaggs	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 012

Chappelle-Nadal	Haywood	Marsh	Meadows	Salva
Sater	Schaaf	Schoemehl	Spreng	Viebrock
Whorton	Wildberger			

THIRD READING OF SENATE BILL

HCS SCS SBs 45 & 39, relating to transportation, was taken up by Representative Stevenson.

Representative St. Onge offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Page 1, Section A, Line 4, by inserting after all of said line the following:

"144.062. 1. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for:

(1) A county, other political subdivision or instrumentality thereof exempt from taxation under subdivision (10) of section 39 of article III of the Constitution of Missouri; or

(2) An organization sales to which are exempt from taxation under the provisions of subdivision (19) of subsection 2 of section 144.030; or

(3) Any institution of higher education supported by public funds or any private not-for-profit institution of higher education, exempt from taxation under subdivision (20) of subsection 2 of section 144.030; or

(4) Any private not-for-profit elementary or secondary school exempt from taxation under subdivision (22) of subsection 2 of section 144.030; or

(5) After June 30, 2008, the department of transportation or the state highways and transportation commission, hereinafter collectively referred to as exempt entities, such exemptions shall be allowed for such purchases if the purchases are related to the entities' exempt functions and activities. In addition, the sales shall not be rendered nonexempt nor shall any material supplier or contractor be obligated to pay, collect or remit sales tax with respect to such purchases made by or on behalf of an exempt entity due to such purchases being billed to or paid for by a contractor or the exempt entity contracting with any entity to render any services in relation to such purchases, including but not limited to selection of materials, ordering, pickup, delivery, approval on delivery, taking of delivery, transportation, storage, assumption of risk of loss to materials or providing warranties on materials as specified by contract, use of materials or other purchases for construction of the building or other facility, providing labor, management services, administrative services, design or technical services or advice to the exempt entity, whether or not the contractor or other entity exercises dominion or control in any other manner over the materials in conjunction with services or labor provided to the exempt entity.

2. When any exempt entity contracts for the purpose of constructing, repairing or remodeling facilities, and purchases of tangible personal property and materials to be incorporated into or consumed in the construction of the project are to be made on a tax-exempt basis, such entity shall furnish to the contractor an exemption certificate authorizing such purchases for the construction, repair or remodeling project. The form and content of such project exemption certificate shall be approved by the director of revenue. The project exemption certificate shall include but not be limited to:

(1) The exempt entity's name, address, Missouri tax identification number and signature of authorized representative;

(2) The project location, description, and unique identification number;

(3) The date the contract is entered into, which is the earliest date materials may be purchased for the project on a tax-exempt basis;

(4) The estimated project completion date; and

(5) The certificate expiration date.

Such certificate is renewable for a given project at the option of the exempt entity, only for the purpose of revising the certificate expiration date as necessary to complete the project.

3. The contractor shall furnish the certificate prescribed in subsection 2 of this section to all subcontractors, and any contractor purchasing materials shall present such certificate to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated into or consumed

in the construction of that project and no other on a tax-exempt basis. Such suppliers shall execute to the purchasing contractor invoices bearing the name of the exempt entity and the project identification number. Nothing in this section shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in constructing, repairing or remodeling facilities for the exempt entity. All invoices for all personal property and materials purchased under a project exemption certificate shall be retained by the purchasing contractor for a period of five years and shall be subject to audit by the director of revenue.

4. Any excess resalable tangible personal property or materials which were purchased for the project by a contractor under a project exemption certificate but which were not incorporated into or consumed in the construction of the project shall either be returned to the supplier for credit or the appropriate sales or use tax on such excess property or materials shall be reported on a return and paid by such contractor not later than the due date of the contractor's Missouri sales or use tax return following the month in which it was determined that the materials were not to be used in the project.

5. No contractor or material supplier shall, upon audit, be required to pay tax on tangible personal property and materials incorporated into or consumed in the construction of the project, due to the failure of the exempt entity to revise the certificate expiration date as necessary to complete any work required by the contract. If it is determined that tax is owed on such property and materials due to the failure of the exempt entity to revise such certificate expiration date, the exempt entity shall be liable for the tax owed.

6. If an entity issues exemption certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of its project and such entity is found not to have had the authority granted by this section to issue such exemption certificates, then such entity shall be liable for the tax owed on such personal property and materials. In addition, if an entity which does have the authority granted by this section to issue exemption certificates issues such certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of a project, or part of a project, which is found not to be related to such entity's exempt functions and activities, then such entity shall be liable for the tax owed on such personal property and materials."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Section 302.720, Pages 7 through 9, by removing said section from the bill; and

Further amend said bill, Page 12, Section 390.021, Line 83, by inserting after said line the following:

"390.025. Notwithstanding any other provision of law to the contrary, any entity created pursuant to sections 388.700 through 388.745, RSMo, shall not have the authority of taxation, eminent domain, condemnation or sovereign immunity."; and

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

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

Representative St. Onge offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Pages 1 and 2, Section 226.527, Lines 1 to 31, by deleting all of said lines; and

Further amend said bill, Page 5, Section 226.580, Line 84, by inserting after all of said line the following:

"227.103. 1. Notwithstanding any other provision of law to the contrary, the commission is authorized to accept an annual bid bond for its construction and maintenance projects. The commission shall prescribe the form and content of an annual bid bond pursuant to the procedures set forth in the Missouri standard specifications for highway construction, or its successor.

2. The commission is authorized to promulgate administrative rules to administer the provision in this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to [227.100] **227.105**, the state highways and transportation commission is authorized to enter into highway design-build project contracts. The authority granted to the state highways and transportation commission by this section shall be limited to a total of three design-build project contracts. Two design-build projects authorized by this section shall be selected by the highways and transportation commission from 1992 fifteen year plan projects. Authority to enter into design-build projects granted by this section shall expire on July 1, 2012, unless extended by statute or upon completion of three projects, whichever is first.

2. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

3. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

4. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

5. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

6. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

7. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 5 of this section.

8. The commission may require approval of any person performing subcontract work on the design-build highway project.

9. The bid bond and performance bond requirements of section 227.100 and the payment bond requirements of section 107.170, RSMo, shall apply to the design-build highway project.

10. The requirements of subsection 9 of this section may be modified by the commission for any design-build highway project contract which is designated by the commission as a "design-build-finance-maintain" project. For such projects, the commission shall require the design-builder to provide or cause to be provided such bonds in such terms, durations, and amounts as it may determine to be adequate for its protection and provided by a surety or sureties satisfactory to the commission, including but not limited to:

(1) A bid or proposal bond in an amount of not less than five million dollars;

(2) A performance bond or bonds for the construction period specified in the design-build highway project contract in an amount of not less than the maximum cost of construction work performed or caused to

be performed by the design-builder in any calendar year of such period and applicable for each year of such period; and

(3) A payment bond or bonds that shall be enforceable under section 522.300, RSMo, for the protection of all persons supplying labor and material in carrying out the work provided for in the design-build highway project contract. The amount of the payment bond or bonds shall equal the total amount payable under the terms of the design-build highway project contract unless the commission determines in writing supported by specific findings that a payment bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the payment bond or bonds; except that the amount of the payment bond or bonds shall not be less than the amount of the performance bond or bonds.

[10.] **11.** The commission is authorized to prescribe the form of the contracts for the work.

[11.] **12.** The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

[12.] **13.** The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

[13.] **14.** The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

[14.] **15.** The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

[15.] **16.** The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

[16.] **17.** The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795, RSMo. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

[17.] **18.** The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

[18.] **19.** The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

[19.] **20.** If the commission fails to receive **statements of qualifications from at least two design-builders in response to a request for qualifications under subsection 5 of this section or to receive** at least two responsive submissions from design-builders considered qualified[, submissions shall not be opened and it shall] **for a design-build highway project contract, the design build procurement process shall be suspended and the commission may** readvertise the project.

21. Notwithstanding the provisions of subsection 20 of this section to the contrary, the commission may use the following procurement process for a design-build highway project contract which is not designated by the commission as a "design-build-finance-maintain" project:

(1) In the event the commission issues a request for qualifications under subsection 5 of this section at least twice for such design-build highway project contract, and it receives a statement of qualifications from only one design builder for such contract, the commission may negotiate in good faith with the design-builder for such contract based upon the best value to the state;

(2) In the event the commission issues a request for proposals under subsection 7 of this section at least twice for such design-build highway project contract, and it receives only one responsive submission for such contract, the commission may negotiate in good faith with the design-builder for such contract based upon the best value to the state;

(3) At any time prior to the execution of the design-build highway project contract with the design-builder under this subsection, if the commission is not satisfied with the results of the negotiations with the design-builder, it may terminate the negotiations and reject any and all submissions and proposals by the design-builder."; and

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

Representative Darrough raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order not well taken.

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Page 7, Section 301.444, Line 57, by inserting after all of said line the following:

"302.177. 1. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

2. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license. A license issued under this section to an applicant who is over the age of sixty-nine and contains a school bus endorsement shall not be issued for a period that exceeds one year.

3. To all other applicants for a license or renewal of a license who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other

requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

4. To all other applicants for a license or renewal of a license who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

5. The fee for a license issued for a period which exceeds three years under subsection 1 of this section shall be thirty dollars.

6. The fee for a license issued for a period of three years or less under subsection 2 of this section shall be fifteen dollars, except that the fee for a license issued for one year or less which contains a school bus endorsement shall be five dollars, **except renewal fees shall be waived for applicants seventy years of age or older seeking school bus endorsements.**

7. The fee for a license issued for a period which exceeds three years under subsection 3 of this section shall be fifteen dollars.

8. The fee for a license issued for a period of three years or less under subsection 4 of this section shall be seven dollars and fifty cents.

9. Beginning July 1, 2005, the director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section.

10. The director of revenue may adopt any rules and regulations necessary to carry out the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said bill, Page 8, Section 302.720, Line 31, by deleting all of said line and inserting in lieu thereof the following:

"applicant upon completion of any written or driving test, **except the renewal fee shall be waived for applicants seventy years of age or older seeking school bus endorsements.** The director shall delegate the power"; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	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
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self

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Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 063

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Whorton	Wildberger

On motion of Representative Stevenson, **HCS SCS SBs 45 & 39, as amended**, was adopted.

On motion of Representative Stevenson, **HCS SCS SBs 45 & 39, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	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	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson

St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 014

Bowman	Brown 50	Burnett	Curls	Harris 110
Hughes	LeVota	Low 39	McClanahan	Nasheed
Norr	Oxford	Skaggs	Wright-Jones	

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Whorton	Wildberger

Speaker Jetton 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 **SS HCS HB 364**, entitled:

An act to repeal sections 103.085, 143.121, 376.426, 376.776, 376.960, 376.961, 376.964, 376.966, 376.986, 376.989, 379.930, 379.936, 379.938, 379.940, 379.942, 379.943, 379.944, and 379.952, RSMo, and to enact in lieu thereof twenty-eight new sections relating to health insurance, with an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 741**, entitled:

An act to repeal sections 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 142.031, RSMo, and to enact in lieu thereof thirty-five new sections relating to programs administered by the department of economic development, with penalty provisions.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Pages 19-51, Sections 99.1100, 99.1102, 99.1104, 99.1106, 99.1108, 99.1110, 99.1112, 99.1114, 99.1116, 99.1118, 99.1120, 99.1122, 99.1124, 99.1126, 99.1128 and 99.1130, by striking all of said sections from the bill and inserting in lieu thereof the following:

"99.1100. 1. The joint committee on tax policy shall conduct a study of the feasibility of creating a program to allow municipalities within the state to engage in tax increment finance-like projects with optional tax abatement in any area of such municipality regardless of the existence of blight. The committee shall report its findings to the general assembly no later than December 31, 2007.

2. The provisions of this section shall expire on January 1, 2008."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 1, Title, Line 3, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend Line 4, by inserting immediately after "30.765," the following:

"99.820, 99.825,"; and

Further amend said bill, Page 19, Section 30.765, Line 9 of said page, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

- (9) Acquire and construct public facilities within a redevelopment area;
 - (10) Incur redevelopment costs and issue obligations;
 - (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;
 - (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:
 - (a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;
 - (b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;
 - (c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;
 - (13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;
 - (14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.
2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:
- (1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;
 - (2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;
 - (3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;
 - (4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;
 - (5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given

written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 92, Section 265.525, Line 21, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the

municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.]

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 51, Section 99.1130, Line 25, by inserting after all of said line the following:

"135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than seventy-five percent of its employees at the facility in the distressed community, and which has fewer than one hundred employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, including Internet, web hosting, and other information technology, wireless or wired or other telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall assign appropriate North American Industry Classification System numbers to the companies which are eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of seventy-five thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community.

4. A corporation, partnership or sole partnership, which has no more than one hundred employees for whom payroll taxes are paid, which is already located in a distressed community and which expends funds for such equipment pursuant to subsection 3 of this section in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to the lesser of seventy-five thousand dollars or twenty-five percent of the funds expended for such additional equipment per such entity. Tax credits allowed pursuant to this subsection or subsection 1 of this section may be carried back to any of the three prior tax years and carried forward to any of the five tax years.

5. An existing corporation, partnership or sole proprietorship that is located within a distressed community and that relocates employees from another facility outside of the distressed community to its facility within the distressed community, and an existing business located within a distressed community that hires new employees for that facility may both be eligible for the tax credits allowed by subsections 1 and 3 of this section. To be eligible for such tax credits, such a business, during one of its tax years, shall employ within a distressed community at least twice as many employees as were employed at the beginning of that tax year. A business hiring employees shall have no more than one hundred employees before the addition of the new employees. This subsection shall only apply to a business which

is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming or telecommunications business, or a professional firm.

6. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee.

7. The tax credits allowed pursuant to subsections 1, 2, 3, 4 and 5 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. **To the extent there are available tax credits remaining under the ten million dollar cap provided in this section, up to one hundred thousand dollars in the remaining credits shall first be used for tax credits authorized under section 135.562.** The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 4 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 6 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

8. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1, 3, 4 or 5 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

9. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period.

135.562. 1. If any taxpayer with a federal adjusted gross income of thirty thousand dollars or less incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of one hundred percent of such costs or two thousand five hundred dollars per taxpayer, per tax year.

2. Any taxpayer with a federal adjusted gross income greater than thirty thousand dollars but less than sixty thousand dollars who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of fifty percent of such costs or two thousand five hundred dollars per taxpayer, per tax year. No taxpayer shall be eligible to receive tax credits under this section in any tax year immediately following a tax year in which such taxpayer received tax credits under the provisions of this section.

3. Tax credits issued pursuant to this section may be refundable in an amount not to exceed two thousand five hundred dollars per tax year.

4. Eligible costs for which the credit may be claimed include:

- (1) Constructing entrance or exit ramps;**
- (2) Widening exterior or interior doorways;**
- (3) Widening hallways;**
- (4) Installing handrails or grab bars;**
- (5) Moving electrical outlets and switches;**
- (6) Installing stairway lifts;**
- (7) Installing or modifying fire alarms, smoke detectors, and other alerting systems;**
- (8) Modifying hardware of doors; or**
- (9) Modifying bathrooms.**

5. The tax credits allowed, including the maximum amount that may be claimed, pursuant to this section shall be reduced by an amount sufficient to offset any amount of such costs a taxpayer has already deducted from such taxpayer's federal adjusted gross income or to the extent such taxpayer has applied any other state or federal income tax credit to such costs.

6. A taxpayer shall claim a credit allowed by this section in the same taxable year as the credit is issued, and at the time such taxpayer files his or her Missouri income tax return; provided that, such return is timely filed.

7. The department may, in consultation with the department of social services, promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The provisions of this section shall apply to all tax years beginning on or after January 1, 2008.

9. The provisions of this section shall expire December 31, 2013.

10. In no event shall the aggregate amount of all tax credits allowed pursuant to this section exceed one hundred thousand dollars in any given fiscal year. The tax credits issued pursuant to this section shall be on a first-come, first-served filing basis."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Pages 51-55, Section 135.1200, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 62, Section 251.603, Lines 23-28, by striking all of said lines; and

Further amend said bill and section, Page 63, Lines 1-3, by striking all of said lines; and

Further renumber the remaining subdivisions accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 86, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 86**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 299 & SS SCS SB 616, as amended**, and has taken up and passed **CCS HCS SCS SB 299 & SS SCS SB 616**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 665**

The Conference Committee appointed on Senate Substitute for House Bill No. 665, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 665, as amended;
2. That the House recede from its position on House Bill No. 665;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 665, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Doug Ervin
/s/ Tim Flook
/s/ Michael Sutherland
/s/ Rachel Bringer
/s/ Trent Skaggs

FOR THE SENATE:

/s/ Luann Ridgeway
/s/ John Griesheimer
/s/ Kevin Engler
/s/ Wes Shoemyer
/s/ Harry Kennedy

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, with House Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 3;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael Gibbons
/s/ Charles Shields
/s/ Chuck Purgason
/s/ Jolie Justus
/s/ Timothy Green

FOR THE HOUSE:

/s/ Bryan Stevenson
/s/ Charles Portwood
/s/ Allen Icet
/s/ Regina Walsh
/s/ Michael Corcoran

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 22**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, with HA 1 to HA 1, HA 1 as amended, HA 1 to HA 2, HA 2 as amended, HA 2 to HA 3, HA 3 as amended, HA 1 to HA 4, HA 4 as amended, HA 5, HSA 1 for HA 6, HA 1 to HSA 1 for HA 6, HSA 1 for HA 6 as amended, HA Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, HA 1 to HA 23, HA 23 as amended, HA Nos. 25, 26, 27, 28, HA 1 to HA 30, HA 30 as amended, HA 1 to HA 31, HA 31 as amended, HA Nos. 33 and 35, HA 1 to HA 36, HA 36 as amended, HA Nos. 37, 38, 40, 41, 42, HA 1 to HA 43, HA 43 as amended, HA Nos. 44 and 45, HA 1 to HA 46, HA 2 to HA 46, HA 46 as amended, HA Nos. 47, 48, 49 and 50, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 22;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, as amended by Conference Committee No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer
/s/ Kevin Engler
/s/ Victor Callahan
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Vicki Schneider
/s/ Charlie Denison
/s/ Bryan Pratt
/s/ Thomas Villa
/s/ Terry Young

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Pages 7-8, Section 50.327, by striking all of said section from the bill; and

Further amend said bill, Pages 8-9, Section 50.332, by striking all of said section from the bill; and

Further amend said bill, Pages 155-157, Section 105.452, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 86

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 86;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Norma Champion
/s/ Brad Lager
/s/ John Griesheimer
/s/ Joan Bray
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Michael Sutherland
/s/ Shannon Cooper
/s/ Bryan Stevenson
/s/ Maria Chappelle-Nadal
/s/ Charles Zweifel

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 255

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 255, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 255, as amended;
2. That the House recede from its position on House Bill No. 255;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 255, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mark Bruns
/s/ Nathan Cooper
/s/ Michael Corcoran
/s/ David Sater
/s/ Regina Walsh

FOR THE SENATE:

/s/ Carl Vogel
/s/ Delbert Scott
/s/ Luann Ridgeway
/s/ Timothy Green
/s/ Wes Shoemyer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 313**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 313;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Delbert Scott
/s/ Brad Lager
/s/ Kevin Engler
/s/ Harry Kennedy
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Mike Sutherland
/s/ Jay Wasson
/s/ Shannon Cooper

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 516**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 516, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9, House Amendment No. 11, and House Amendment No. 14, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 516, as amended;
2. That the Senate recede from its position on Senate Bill No. 516;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 516, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Matt Bartle
/s/ Jason Crowell
/s/ Frank Barnitz
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Bryan Pratt
/s/ Tim Flook
/s/ Jason Smith
/s/ John Burnett
/s/ Connie Johnson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 299
AND
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 616**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, with House Amendments Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Chuck Purgason
/s/ John Griesheimer
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Yvonne Wilson

FOR THE HOUSE:

/s/ Steven Tilley
/s/ Bryan Pratt
/s/ Shannon Cooper
/s/ Thomas A. Villa
/s/ Mike Talboy

RECESS

On motion of Representative Dempsey, the House recessed until the Conference Committee Reports on **HCS SS SCS SB 577**, **HCS SS SCS SB 429** and **HCS SB 582** have been distributed and stand adjourned until 11:00 a.m., Friday, May 18, 2007.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 429**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, with House Amendments Nos. 1 and 2 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, House Amendment No. 1 to House Amendment No. 16, House Amendment No. 16, as amended, House Amendments Nos. 19, 20, 21, 22, 23, 25, 27, 28, 29, 30, and 33, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 429;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael R. Gibbons
/s/ Jack A. L. Goodman
/s/ Matt Bartle
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Mark Bruns
/s/ Stanley Cox
/s/ Rick Stream
/s/ Jeff Roorda

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 577**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment No. 2, Part 1 to House

Amendment No. 3, Part 3 to House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Amendment No. 11, House Amendment No. 12, House Amendment No. 16, House Amendment No. 17, House Amendment No. 19, House Amendment No. 20, House Amendment No. 21, House Amendment No. 25, and House Amendment No. 26, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 577;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charlie Shields
/s/ Chuck Purgason
/s/ Michael Gibbons
/s/ Harry Kennedy
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Rob Schaaf
/s/ Steve Hunter
/s/ David Sater

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 582**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 582, with House Amendment Nos. 1, 2 and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 582, as amended;
2. The Senate recede from its position on Senate Bill No. 582;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 582, as amended, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wes Shoemyer
/s/ John Griesheimer
/s/ Gary Nodler
/s/ Carl Vogel
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Michael Sutherland
/s/ Bryan Stevenson
/s/ Shannon Cooper
/s/ Rachel Storch
/s/ Clint Zweifel

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 11:00 a.m., Friday, May 18, 2007.

COMMITTEE MEETING

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HOUSE CALENDAR

SEVENTY-EIGHTH DAY, FRIDAY, MAY 18, 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
- 5 HCS HJR 31 - Lembke

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

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- 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, HA 1, pending - 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
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes

- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt
- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

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

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

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
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SB 135 - Kingery
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 520 - Hunter
- 4 HCS SB 593 & SCS SB 594 - May
- 5 SB 648 - Kelly
- 6 HCS SB 218 - Deeken
- 7 SB 271 - Pearce
- 8 HCS SCS SB 52, (Fiscal Review reported Do Not Pass), E.C. - St. Onge
- 9 SB 171 - Wasson
- 10 HCS SCS SB 197 - Yates
- 11 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 12 SS SB 417 - Parson
- 13 HCS SB 419 - Hobbs
- 14 SCS SB 525 - Wasson
- 15 SCS SB 526 - Wasson
- 16 HCS SS SCS SB 5, E.C. - Cox

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- 17 HCS SS SCS SB 85 - Dixon
- 18 SS SCS SB 215, HCA 1 - Yates
- 19 HCS SB 323 - Baker (25)
- 20 HCS SB 325 - Yates
- 21 HCS SCS SB 328 - Robb
- 22 SB 481 - Pratt
- 23 SCS SB 482 - Bearden
- 24 SB 671 - Pratt
- 25 SS SCS SB 21, E.C. - Schlottach
- 26 HCS SS SB 40 - Ervin
- 27 HCS SCS SB 75 - Day
- 28 HCS#2 SCS SB 163 - Pratt
- 29 HCS SCS SB 368 - Pratt
- 30 HCS SS SCS SB 428, E.C. - Quinn (7)
- 31 SB 605 - St. Onge
- 32 SCS SB 611 - Pratt
- 33 HCS SS SB 654 - Kratky
- 34 SB 140 - Cunningham (86)
- 35 HCS SS#2 SCS SB 204 - Hobbs
- 36 HCS SS SB 358, E.C. - Jones (117)
- 37 SCS SB 420, E.C. - Richard
- 38 SCS SB 530 - Dempsey
- 39 HCS SB 543 - St. Onge
- 40 HCS SCS SB 664 - Wasson
- 41 SB 164, HCA 1 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 69, as amended, E.C. - Day
- 2 SS HB 744, as amended - St. Onge
- 3 SS HCS HB 741, as amended - Pearce
- 4 SS HCS HB 364 - Ervin

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 156, as amended, E.C. - Quinn (7)
(Senate refuse to adopt/request further conference)

BILLS IN CONFERENCE

- 1 CCR SS HB 665, as amended - Ervin
- 2 CCR#2 HCS#2 SB 406, as amended - Wallace
- 3 CCR#2 SS SCS HB 255, as amended, E.C. - Bruns
- 4 CCR HCS SS SCS SB 577, as amended, E.C. - Schaaf
- 5 SCS HCS HB 159 - Bivins
- 6 CCR HCS SS SCS SB 429, as amended - Stream
- 7 CCR#2 SCS SB 313, as amended - Sutherland
- 8 CCR#2 HCS SS SCS SB 22, as amended, E.C. - Schneider
- 9 CCR HCS SB 516, as amended - Pratt
- 10 CCR HCS SCS SB 299 & SS SCS SB 616, as amended - Cooper (120)
- 11 CCR HCS#2 SS SCS SB 3 - Stevenson
- 12 CCR#2 HCS SCS SB 86, as amended, E.C. - Sutherland
- 13 CCR#2 HCS SB 582, as amended - Sutherland