

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 29, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Holy Lord, Almighty God, send us the gifts of Your Holy Spirit, so that we may understand the issues of today's agenda in the light of Your Divine Plan. Keep us humble so that we do not become victims of self-righteousness, but rather act as instruments of service to the people we represent and to the entire State.

Drain our hearts of the will to misuse power while attempting to achieve desired results. May our respect for those who oppose what we believe in be visible to all.

May the work we begin at this hour advance the common good among all the people and advance Your Kingdom in our world.

To You be glory and honor forever. Amen.

(Adapted from Prayers For the Servants of God)

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: Bianca Drake, Taylor Snyder, Chloe Jiovenale, Shelby Wisdom, Nariah Hunt, Patrick Amen, Mitchell Stringer, Sarah Cradick and Madison Goswick.

The Journal of the sixtieth day was approved as printed.

SPECIAL RECOGNITION

L.B. Eckelkamp was introduced by Representative Nieves and recognized as an Outstanding Missourian.

The Bolivar High School Lady Liberators Basketball Team was introduced by Representative Parson and recognized for attaining the 2007-2008 Class 4 State Championship.

Representative Icet assumed the Chair.

SECOND READING OF SENATE BILLS

SS SCS SB 738, SCS SBs 1181, 1100, 1262 & 1263, SB 1245 and **SS SCS SB 1283** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2260** (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 SCS SB 711** (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 **SB 748** (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 SCS SB 931** (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 932** (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 1175** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SCS SB 939, relating to levee and drainage districts, was taken up by Representative Quinn (7).

Representative Jones (89) assumed the Chair.

On motion of Representative Quinn (7), **HCS SCS SB 939** was adopted.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt assumed the Chair.

On motion of Representative Quinn (7), **HCS SCS SB 939** was read the third time and passed by the following vote:

AYES: 083

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

NOES: 070

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Davis	Donnelly
El-Amin	Ervin	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Onder	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Stream	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Darrough	Harris 23	Marsh	Self
Spreng	Wright-Jones	Yates		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

SPECIAL RECOGNITION

The Maplewood-Richmond Heights Blue Devils Boys Basketball Team was introduced by Representative Donnelly and recognized for attaining the 2007-2008 Class 3 State Championship.

THIRD READING OF SENATE BILL

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

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 841, Page 6, Section 304.180, Line 100, by inserting after the second occurrence of the word "pounds" the following:

", except as provided in subsection 9 of this section"; and

Further amend said bill, Page 6, Section 304.180, Line 116, by inserting after all of said line the following:

"9. Notwithstanding subsections 3 and 6 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36."; and

Further amend said bill, Pages 6 through 8, Section 304.190, by removing said section from the bill; and

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

Representative Scharnhorst assumed the Chair.

Representative Schoeller assumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted by the following vote:

AYES: 098

Aull	Bivins	Brandom	Brown 30	Brown 50
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curly	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 052

Avery	Baker 123	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Davis
Dusenberg	Fallert	Frame	George	Grill
Harris 110	Haywood	Hodges	Holsman	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Roorda
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Darrough	Donnelly	Harris 23	Lowe 44
Marsh	Pratt	Robinson	Spreng	Sutherland
Wright-Jones				

VACANCIES: 002

Representative Cooper (120) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 841, Page 8, Section 304.190, Line 50, by inserting after said line the following:

"304.230. 1. It shall be the duty of the sheriff of each county or city to see that the provisions of sections 304.170 to 304.230 are enforced, and any peace officer or police officer of any county or city or any highway patrol officer shall have the power to arrest on sight or upon a warrant any person found violating or having violated the provisions of such sections.

2. The sheriff or any peace officer or any highway patrol officer is hereby given the power to stop any such conveyance or vehicle as above described upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof he or she shall have a right at that time and place to cause the excess load to be removed from such vehicle; and provided further, that any regularly employed maintenance man of the department of transportation shall have the right and authority in any part of this state to stop any such conveyance or vehicle upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof, he or she shall have the right at that time and place to cause the excess load to be removed from such vehicle. When only an axle or a tandem axle group of a vehicle is overloaded, the operator shall be permitted to shift the load, if this will not overload some other axle or axles, without being charged with a violation; provided, however, the privilege of shifting the weight without being charged with a violation shall not extend to or include vehicles while traveling on the federal interstate system of highways. When only an axle or tandem axle group of the vehicle traveling on the federal interstate system of highways is overloaded and a court authorized to enforce the provisions of sections 304.170 to 304.230 finds that the overloading was due to the inadvertent shifting of the load changing axle weights in transit through no fault of the operator of the vehicle and that the load thereafter had been shifted so that no axle had been overloaded, then the court may find that no violation has been committed. The operator of any vehicle shall be permitted to back up and reweigh, or to turn around and weigh from the opposite direction. Any operator whose vehicle is weighed and found to be within five

percent of any legal limit may request and receive a weight ticket, memorandum or statement showing the weight or weights on each axle or any combinations of axles. Once a vehicle is found to be within the limits of section 304.180 after having been weighed on any state scale and there is no evidence that any cargo or fuel has been added, no violation shall occur, but a presumption shall exist that cargo or fuel has been added if upon reweighing on another state scale the total gross weight exceeds the applicable limits of section 304.180 or 304.190. The highways and transportation commission of this state may deputize and appoint any number of their regularly employed maintenance men to enforce the provisions of such sections, and the maintenance men delegated and appointed in this section shall report to the proper officers any violations of sections 304.170 to 304.230 for prosecution by such proper officers.

3. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to supervise or operate permanent or portable weigh stations used in the enforcement of commercial vehicle laws. These persons shall be designated as commercial vehicle inspectors and have limited police powers:

(1) To issue uniform traffic tickets at a permanent or portable weigh station for violations of rules and regulations of the division of motor carrier and railroad safety of the department of economic development and department of public safety, and laws, rules, and regulations pertaining to commercial motor vehicles and trailers and related to size, weight, fuel tax, registration, equipment, driver requirements, transportation of hazardous materials and operators' or chauffeurs' licenses, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests for violation of subdivisions (1) and (2) of this subsection. Commercial vehicle inspectors shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol; nor shall they have the right as peace officers to bear arms.

4. The superintendent of the Missouri state highway patrol may appoint qualified persons, who are not members of the highway patrol, designated as commercial vehicle enforcement officers, with the powers:

(1) To issue uniform traffic tickets for violations of laws, rules and regulations pertaining to commercial vehicles, trailers, special mobile equipment and drivers of such vehicles, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests upon warrants and for violations of subdivisions (1) and (2) of this subsection. Commercial vehicle enforcement officers shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol. Commercial vehicle enforcement officers shall have the right as peace officers to bear arms.

5. Any additional employees needed for the implementation of this section shall be hired in conformity with the provisions of the federal fair employment and antidiscrimination acts.

6. Any part of this section which shall be construed to be in conflict with the axle or tandem axle load limits permitted by the Federal-Aid Highway Act, Section 127 of Title 23 of the United States Code (Public Law 85-767, 85th Congress) shall be null, void and of no effect.

7. Beginning January 1, 2009, no local law enforcement officer may conduct a random commercial motor vehicle roadside inspection to determine compliance with the provisions of sections 304.170 to 304.230 unless the law enforcement officer has satisfactorily completed, as a part of his or her training, the basic course of instruction developed by the Commercial Vehicle Safety Alliance and has been approved by the Missouri state highway patrol under this section. Law enforcement officers authorized to enforce the provisions of sections 304.170 to 304.230 shall annually receive in-service training related to commercial motor vehicle operations, including but not limited to training in current federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. The annual training requirements shall be approved by the superintendent of the state highway patrol."; and

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

HCS SB 841, as amended, with House Amendment No. 2, pending, was laid over.

Speaker Jetton resumed the Chair.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 1066** and **SCS SB 967** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Schoeller resumed the Chair.

THIRD READING OF SENATE BILL

HCS SB 841, as amended, with House Amendment No. 2, pending, relating to vehicle weight regulations, was again taken up by Representative St. Onge.

Speaker Pro Tem Pratt resumed the Chair.

HCS SB 841, as amended, with House Amendment No. 2, pending, was laid over.

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

AFTERNOON SESSION

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

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joe Green, Will Speidel and Tremaine Banks.

SPECIAL RECOGNITION

Bill and Nedra Baird of Excelsior Springs were introduced by Representative Nance and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2357 through House Resolution No. 2415

THIRD READING OF SENATE BILLS

HCS SCS SB 901, relating to workers' compensation, was taken up by Representative Hunter.

HCS SCS SB 901 was laid over.

HCS SS SCS SB 931, relating to agricultural incentives and programs, was taken up by Representative Munzlinger.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, Section 281.260, Page 19, Line 74, by deleting all of said line and inserting in lieu thereof the following:

"12. Notwithstanding any other provision of law to the contrary the director may allow a reasonable period of time for the retailer to dispose"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, Section 267.168, Page 17, Line 13, by inserting immediately after all of said line the following:

"278.070. As used in sections 278.060 to 278.300, the following words and terms mean:

(1) "Board of soil and water district supervisors" or "soil and water supervisors", the local governing body of a soil and water district, elected or appointed in accordance with the provisions of this law;

(2) "Landowner", any person, firm or corporation who holds title to any lands lying within a district organized or to be organized under the provisions of this chapter. Any landowner may be represented by notarized proxy not more than one year old;

(3) "Land representative", the owner or representative authorized by power of attorney of any farm lying within any area proposed to be established, and subsequently established, as a soil and water district under the provisions of this law, and for the purposes of this law each such farm shall be entitled to representation by a land representative; provided, however, that any land representative must be a taxpayer of the county within which the soil and water district is located;

(4) "Soil and water conservation cost-share program", a state-funded incentive program designed for the purpose of saving the soil of the state through erosion control and abatement;

(5) "Soil and water conservation district" or "soil and water district", a county or one or more of its townships wherein a project for saving the soil and water has been established with the authority and duty and subject to the restrictions herein set forth; and in establishing a soil and water district, if the proposed area is less than the area of the county which contains it, but greater than the area of one township, the additional township or townships to be included in such soil and water district need not be contiguous with the first township or with one another, but there shall be only one soil and water district within the boundaries of the same county; and any farm intersected by a soil and water district boundary shall be considered as lying within that district for purposes of soil and water conservation by that district, except that the soil and water conservation of a farm which lies partly within one soil and water district and partly within another shall be considered the duty of the soil and water district in which the home buildings of such farm are located;

(6) "State soil and water districts commission" or "soil and water commission", the agency created by section 278.080 for the administration of the soil and water conservation districts provided for by this law;

(7) **"Subdistrict", "watershed subdistrict", or "watershed district", as used in sections 278.160 to 278.300, a watershed district, with the exception of section 278.160 whereby subdistrict is specifically used to describe the relationship to an established soil water conservation district or districts that may be established as a watershed district;**

(8) "Township", municipal township and not congressional or survey township."; and

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

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

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

Representative Cox raised a point of order that the distribution of **House Amendment No. 3** was not timely.

The Chair ruled the point of order well taken.

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

Representative Cox raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Icet resumed the Chair.

On motion of Representative Munzlinger, **HCS SS SCS SB 931, as amended**, was adopted.

On motion of Representative Munzlinger, **HCS SS SCS SB 931, as amended**, was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Guest	Harris 110
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kuessner
Lembke	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

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Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Zweifel	Mr Speaker	

NOES: 024

Baker 123	Burnett	Chappelle-Nadal	Daus	Dusenberg
Ervin	Flook	Grill	Grisamore	Holsman
Kasten	Kraus	Lampe	LeVota	Lowe 44
Nasheed	Norr	Oxford	Schad	Skaggs
Talboy	Yaeger	Yates	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Corcoran	Darrough	Donnelly	Harris 23
Hughes	Marsh	Robinson	Schaaf	Schneider
Spreng	Wright-Jones	Young		

VACANCIES: 002

Representative Icet declared the bill passed.

HCS SB 841, as amended, with House Amendment No. 2, pending, relating to vehicle weight regulations, was again taken up by Representative St. Onge.

Representative Burnett offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

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

AMEND House Committee Substitute for Senate Bill No. 841, Section 304.190, Page 8, Line 50, by inserting immediately after all of said line the following:

"304.230. 1. It shall be the duty of the sheriff of each county or city to see that the provisions of sections 304.170 to 304.230 are enforced, and any peace officer or police officer of any county or city or any highway patrol officer shall have the power to arrest on sight or upon a warrant any person found violating or having violated the provisions of such sections.

2. The sheriff or any peace officer or any highway patrol officer is hereby given the power to stop any such conveyance or vehicle as above described upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof he or she shall have a right at that time and place to cause the excess load to be removed from such vehicle; and provided further, that any regularly employed maintenance man of the department of transportation shall have the right and authority in any part of this state to stop any such conveyance or vehicle upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof, he or she shall have the right at that time and place to cause the excess load to be removed from such vehicle. When only an axle or a tandem axle group of a vehicle is overloaded, the operator shall be permitted to shift the load, if this will not overload some other axle or axles, without being charged with a violation; provided, however, the privilege of shifting the weight without being charged with a violation shall not extend to or include vehicles while traveling on the federal interstate system of highways. When only an axle or tandem axle group of the vehicle traveling on the federal interstate system of highways is overloaded and a court authorized to enforce the provisions of sections 304.170 to 304.230 finds that the overloading

was due to the inadvertent shifting of the load changing axle weights in transit through no fault of the operator of the vehicle and that the load thereafter had been shifted so that no axle had been overloaded, then the court may find that no violation has been committed. The operator of any vehicle shall be permitted to back up and reweigh, or to turn around and weigh from the opposite direction. Any operator whose vehicle is weighed and found to be within five percent of any legal limit may request and receive a weight ticket, memorandum or statement showing the weight or weights on each axle or any combinations of axles. Once a vehicle is found to be within the limits of section 304.180 after having been weighed on any state scale and there is no evidence that any cargo or fuel has been added, no violation shall occur, but a presumption shall exist that cargo or fuel has been added if upon reweighing on another state scale the total gross weight exceeds the applicable limits of section 304.180 or 304.190. The highways and transportation commission of this state may deputize and appoint any number of their regularly employed maintenance men to enforce the provisions of such sections, and the maintenance men delegated and appointed in this section shall report to the proper officers any violations of sections 304.170 to 304.230 for prosecution by such proper officers.

3. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to supervise or operate permanent or portable weigh stations used in the enforcement of commercial vehicle laws. These persons shall be designated as commercial vehicle inspectors and have limited police powers:

(1) To issue uniform traffic tickets at a permanent or portable weigh station for violations of rules and regulations of the division of motor carrier and railroad safety of the department of economic development and department of public safety, and laws, rules, and regulations pertaining to commercial motor vehicles and trailers and related to size, weight, fuel tax, registration, equipment, driver requirements, transportation of hazardous materials and operators' or chauffeurs' licenses, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests for violation of subdivisions (1) and (2) of this subsection. Commercial vehicle inspectors shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol; nor shall they have the right as peace officers to bear arms.

4. The superintendent of the Missouri state highway patrol may appoint qualified persons, who are not members of the highway patrol, designated as commercial vehicle enforcement officers, with the powers:

(1) To issue uniform traffic tickets for violations of laws, rules and regulations pertaining to commercial vehicles, trailers, special mobile equipment and drivers of such vehicles, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests upon warrants and for violations of subdivisions (1) and (2) of this subsection. Commercial vehicle enforcement officers shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol. Commercial vehicle enforcement officers shall have the right as peace officers to bear arms.

5. Any additional employees needed for the implementation of this section shall be hired in conformity with the provisions of the federal fair employment and antidiscrimination acts.

6. Any part of this section which shall be construed to be in conflict with the axle or tandem axle load limits permitted by the Federal-Aid Highway Act, Section 127 of Title 23 of the United States Code (Public Law 85-767, 85th Congress) shall be null, void and of no effect.

7. The superintendent may also appoint members of the patrol who are certified under the commercial vehicle safety alliance with the power to conduct commercial motor vehicle and driver inspections and to require the operator of any commercial vehicle to stop and submit to said inspections to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations."; and

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

On motion of Representative Burnett, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

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

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

Representative Icet requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative St. Onge, **HCS SB 841, as amended**, was adopted.

On motion of Representative St. Onge, **HCS SB 841, as amended**, was read the third time and passed by the following vote:

AYES: 127

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 018

Baker 123	Chappelle-Nadal	Daus	Davis	Dusenberg
Frame	George	Harris 110	Holsman	LeVota
Lipke	Nasheed	Oxford	Skaggs	Talboy
Villa	Vogt	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper 155	Corcoran	Darrough	Donnelly	Harris 23
Hughes	Johnson	Low 39	Marsh	Page
Robinson	Schaaf	Spreng	Storch	Wright-Jones
Young				

VACANCIES: 002

Representative Icet declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

SB 748, relating to nonresident taxable incomes, was taken up by Representative LeVota.

On motion of Representative LeVota, **SB 748** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kasten	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	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	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	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Johnson	Marsh	Meadows	Richard	Robinson
Schaaf	Spreng	Storch	Wallace	Wasson
Wright-Jones				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 136

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Dethrow

PRESENT: 003

Chappelle-Nadal George Oxford

ABSENT WITH LEAVE: 021

Baker 25	Baker 123	Burnett	Cunningham 145	Darrough
Donnelly	Harris 23	Holsman	Hughes	Hunter
Johnson	Lowe 44	Marsh	Meadows	Nolte
Robinson	Sater	Schaaf	Spreng	Storch
Wright-Jones				

VACANCIES: 002

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

On motion of Representative Robb, **SS SCS SB 944** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	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
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 004

LeVota Lowe 44 Talboy Zimmerman

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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Hubbard	Marsh	Page	Richard	Robinson
Schaaf	Spreng	Storch	Wright-Jones	

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 106

Aull	Avery	Baker 123	Bivins	Brandon
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Kuessner
Lembke	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Zweifel
Mr Speaker				

NOES: 029

Bland	Bringer	Burnett	Curls	Daus
Fallert	George	Harris 110	Hodges	Hubbard
Hughes	Johnson	Komo	Kratky	LeVota
Low 39	Lowe 44	Oxford	Quinn 9	Schoemehl
Skaggs	Swinger	Talboy	Villa	Vogt
Walsh	Witte	Yaeger	Zimmerman	

PRESENT: 014

Chappelle-Nadal	Grill	Haywood	Holsman	Lampe
Liese	Meadows	Nasheed	Norr	Roorda
Shively	Todd	Whorton	Wildberger	

ABSENT WITH LEAVE: 012

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Marsh	Robinson	Schaaf	Spreng	Storch
Wright-Jones	Young			

VACANCIES: 002

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

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

House Amendment No. 1

AMEND Senate Bill No. 839, Section 177.088, Pages 1 through 4, by removing all of said section from the bill and inserting in lieu thereof the following:

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

(1) "Board", the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) "Educational institution", any school district, including all junior college districts, and any state college or university organized under chapter 174, RSMo.

2. The board of any educational institution may enter into agreements as authorized in this section with a not-for-profit corporation formed under the general not for profit corporation law of Missouri, chapter 355, RSMo, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease from the corporation sites, buildings, facilities, furnishings and equipment which the corporation has acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, to the corporation any existing sites owned by the educational institution, together with any existing buildings and facilities thereon, in order for the corporation to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease back or purchase such sites, buildings and facilities from the corporation; provided that upon selling or leasing the sites, buildings or facilities, the corporation agrees to enter into a lease for not more than one year but with not more than twenty successive options by the educational institution to renew the lease under the same conditions; and provided further that the corporation agrees to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued by the corporation to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property to a not-for-profit corporation pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned to the corporation.

5. The board may make rental payments to the corporation under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued by a corporation to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued by a

corporation shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations of the corporation and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned by a corporation in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements with the corporation necessary or convenient in connection with any project pursuant to this section. The corporation shall comply with sections 290.210 to 290.340, RSMo.

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011, RSMo, for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11. Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031, RSMo, beginning in the year following the transfer of title to the district, as determined by the department of elementary and secondary education. **No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031, RSMo, as a result of the transfer of title.**

12. **Notwithstanding provisions of this section to the contrary, the board of education of any school district located within a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants may enter into agreements with such county, or a city, town, or village wholly or partially located within the boundaries of such school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed. Notwithstanding the provisions of subsection 11 of this section, the school district may expend funds from its general or incidental funds to satisfy its obligations for rent, lease payments, construction, improvements, maintenance, repairs, and operation of such facilities, and may acquire an ownership interest in such facilities, without being subject to the deductions from funds payable to the district under section 163.031, RSMo.";** and

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

Representative Day assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	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	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Dougherty	El-Amin	Fallert	Frame
George	Grill	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	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Donnelly	Harris 23	Hunter	Marsh
Robinson	Schneider	Spreng	Storch	Wright-Jones
Zweifel				

VACANCIES: 002

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

Which motion was defeated by the following vote:

AYES: 014

Cunningham 86	Davis	Day	May	Muschany
Nasheed	Nolte	Robb	Silvey	Skaggs
Stevenson	Tilley	Wallace	Mr Speaker	

NOES: 136

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Curls
Daus	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nieves	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Donnelly	Harris 23	Johnson	Marsh
Robinson	Spreng	Storch	Vogt	Wright-Jones
Zweifel				

VACANCIES: 002

SB 839 was laid over.

Speaker Jetton resumed the Chair.

HCS SB 1288, relating to ethics, was taken up by Representative Cooper (120).

Representative Day resumed the Chair.

HCS SB 1288 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 **HB 1970**.

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 2188**, entitled:

An act to repeal sections 339.100, 339.532, 443.809, 443.810, and 443.891, RSMo, and to enact in lieu thereof nine new sections relating to mortgage fraud, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2224**, entitled:

An act to repeal sections 57.280, 488.435, 590.050, and 650.350, RSMo, and to enact in lieu thereof five new sections relating to the training and compensation of law enforcement officers.

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 SS SCS SB 931, 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 SB 958** 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 SS SCS SB 931, as amended, relating to agricultural incentives and programs, was taken up by Representative Munzlinger.

Representative Munzlinger moved that the House refuse to recede from its position on **HCS SS SCS SB 931, as amended**, and grant the Senate a conference.

Which motion was adopted.

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 SS SCS SB 931: Representatives Munzlinger, Dethrow, Wells, Witte and Aull.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SCS SB 1261**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 994**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SCS SB 720**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 724**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 1034 & 802**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 30, 2008.

COMMITTEE MEETINGS

AGRICULTURE POLICY

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

Executive session may follow.

Public hearing to be held on: HB 1884

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 30, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 30, 2008, 8:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SCR 31

CRIME PREVENTION AND PUBLIC SAFETY

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

EXECUTIVE SESSION ONLY.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 30, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 2554

FISCAL REVIEW

Thursday, May 1, 2008, 8:30 a.m. Hearing Room 5.

Any bills presented to this committee.

JOINT COMMITTEE ON EDUCATION

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

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

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

LOCAL GOVERNMENT

Wednesday, April 30, 2008, Hearing Room 4 upon morning recess.
Executive session will be held.
Public hearings to be held on: HB 2480, SCS SB 1089

RULES

Wednesday, April 30, 2008, 9:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HR 185

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

Wednesday, April 30, 2008, 9:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HCS SCS SB 781, HCS SCS SBs 1225 & 1226,
HCS SB 762, HCS SCS SBs 930 & 947, HCS SB 976, HCS SS SCS SB 718,
HCS HB 1468, HCS HBs 1736 & 2320, HCS HBs 1582 & 1963, HCS HCR 27

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, April 30, 2008, Hearing Room 7 upon evening adjournment.
Executive session.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 2594, SCS SB 788

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 30, 2008, 9:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 2549, HB 2556

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 30, 2008

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HB 2144 - Whorton
- 6 HB 1535 - Deeken
- 7 HB 1517 - Cox
- 8 HCS HB 2112 - Emery
- 9 HB 1372 - McGhee
- 10 HCS HB 1590 - Munzlinger
- 11 HCS HB 1504 - Walton
- 12 HCS HB 2156 - Grill
- 13 HCS HB 2159 - Grill
- 14 HB 1562 - LeVota
- 15 HCS HB 2239 - Stevenson
- 16 HCS HB 1438 - Kelly
- 17 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 18 HCS HB 2110 - Dixon
- 19 HCS HB 1723 - Franz
- 20 HCS HB 1745 - Robb
- 21 HB 1764 - Parson
- 22 HB 1871 - Deeken
- 23 HB 1934 - May
- 24 HCS HB 1974 - Schlottach
- 25 HB 2207 - Hoskins
- 26 HB 2514 - Weter
- 27 HB 1425 - Munzlinger
- 28 HCS HB 1599 - Sater
- 29 HB 1673 - Parson
- 30 HCS HB 1839 - Franz
- 31 HCS HB 1857 - Schaaf
- 32 HB 1954 - Dixon
- 33 HB 2129 - Baker (123)
- 34 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 35 HCS HB 2282 - Ervin
- 36 HCS HB 2330 - Brandom
- 37 HB 2343 - Wilson (130)
- 38 HB 2365 - Pratt
- 39 HB 2429 - Hunter
- 40 HB 2458 - Jones (89)
- 41 HCS HB 2508 - Ruestman

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- 42 HCS HB 1794 - Deeken
- 43 HCS HB 2354 - Portwood
- 44 HB 2404 - Hubbard

HOUSE BILLS FOR PERFECTION - INFORMAL

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

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2260 - Storch
- 3 HB 1957 - Hughes

HOUSE BILLS FOR THIRD READING - CONSENT

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

HOUSE CONCURRENT RESOLUTION

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

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson

- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 HCS SB 1010 - Stevenson
- 4 HCS SCS SB 830 - Day
- 5 HCS SB 932 - Grisamore
- 6 SB 955 - Wildberger
- 7 SB 970 - May
- 8 SB 1068 - Sater
- 9 HCS SB 1074 - Smith (14)
- 10 HCS SB 1175 - Cox
- 11 HCS SS SCS SB 711 - Sutherland
- 12 HCS SB 863 - Muschany
- 13 HCS SCS SB 907 - Cooper (120)
- 14 HCS SB 1140, E.C. - Bruns
- 15 HCS SB 1288, E.C. - Cooper (120)
- 16 HCS SCS SB 901 - Hunter
- 17 SB 1038, E.C. - Cox
- 18 HCS SCS SB 724 - Jones (117)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 2224 - Jones (117)
- 2 SCS HCS HB 2188 - Pearce

BILL CARRYING REQUEST MESSAGE

HCS SB 958, (Request House recede/grant conference) - Schad

BILLS IN CONFERENCE

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