

JOURNAL OF THE HOUSE

First Regular Session, 100th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 13, 2019

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Representative Kenneth Wilson.

Heavenly Father, as we gather together to begin this final week of our session together, we humbly reach out to You in prayer. Your servant David, the mighty King David, once prayed, "Search me, O God, and know my heart; try me and know my anxious thoughts; and see if there be any hurtful way in me, and lead me in the everlasting way." We all know the demands of this week, the meetings, the schedules, the confusion, and the debates and arguments. May we have the same courage and faith as David to be honest with ourselves and to be honest with You, the one who knows our hearts, to be kind and compassionate to one another, to be patient and forgiving of one another, and to be humble in our positions as we serve the people of this great state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Parker Zeller.

The Journal of the sixty-sixth day was approved as printed by the following vote:

AYES: 127

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bondon
Bromley	Brown 27	Brown 70	Burns	Busick
Butz	Carter	Chipman	Christofanelli	Clemens
Coleman 32	Coleman 97	Deaton	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Evans	Falkner III
Green	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurst	Ingle	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lavender
Lovasco	Mackey	Mayhew	McCreery	McDaniel
McGaugh	McGill	Miller	Mitten	Morgan
Morris 140	Morse 151	Muntzel	Murphy	O'Donnell
Patterson	Pfautsch	Pierson Jr.	Pike	Plocher
Pogue	Pollitt 52	Pollock 123	Porter	Proudie
Quade	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rogers	Rone	Ross	Runions	Ruth

2326 *Journal of the House*

Sain	Sauls	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walsh	Wiemann	Wilson	Wood
Wright	Mr. Speaker			

NOES: 002

Moon Rowland

PRESENT: 002

Washington Windham

ABSENT WITH LEAVE: 029

Bland Manlove	Bosley	Burnett	Carpenter	Chappelle-Nadal
DeGroot	Ellington	Eslinger	Fishel	Fitzwater
Francis	Franks Jr.	Gannon	Gray	Gregory
Love	Lynch	Merideth	Messenger	Mosley
Neely	Pietzman	Price	Razer	Roeber
Shull 16	Spencer	Stevens 46	Walker	

VACANCIES: 003

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

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 192, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh and Wood

Noes (0)

Absent (2): Deaton and Wiemann

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 11**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh and Wood

Noes (0)

Absent (2): Deaton and Wiemann

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 70 & 128**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh and Wood

Noes (0)

Absent (2): Deaton and Wiemann

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 87, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh, Wiemann and Wood

Noes (0)

Absent (1): Deaton

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 204**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh, Wiemann and Wood

Noes (0)

Absent (1): Deaton

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 363**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh, Wiemann and Wood

Noes (0)

Absent (1): Deaton

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR SB 368, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Gregory, Houx, Morgan, Walsh, Wiemann and Wood

Noes (0)

Absent (1): Deaton

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 468**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Gregory, Houx, Walsh, Wiemann and Wood

Noes (3): Baringer, Burnett and Morgan

Absent (1): Deaton

THIRD READING OF SENATE BILLS - INFORMAL

SCS SB 184, relating to job training, was taken up by Representative Wiemann.

Representative Wiemann moved that the title of **SCS SB 184** be agreed to.

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

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 184, Page 1, In the Title, Line 3, by deleting the words "job training" and inserting in lieu thereof the words "workforce development"; and

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

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

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

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 184, Page 18, Section 620.2475, Line 44, by inserting after all of said section and line the following:

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

- (1) "Certificate of approval", a document issued by the department that indicates a qualified company qualifies for a benefit under this section;**
 - (2) "Department", the department of economic development;**
 - (3) "Manufacturing capital investment", expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;**
 - (4) "NAICS", the same meaning as in section 620.2005;**
 - (5) "New product", a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;**
 - (6) "Project facility", the same meaning as in section 620.2005;**
 - (7) "Notice of intent", the same meaning as in section 620.2005;**
 - (8) "Qualified manufacturing company", a company that:**
 - (a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);**
 - (b) Manufactures goods at a facility in Missouri;**
 - (c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and**
 - (d) Continues to satisfy the requirements of paragraphs (a) to (c) of this subdivision for the project period;**
- 2. The department may award tax credits against the company's state tax liability to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars. The department shall issue the credits no later than three years after the execution of an agreement that satisfies the requirements of subsection 9 of this section. However, the tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the certificate of approval.**

3. The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

4. The company shall immediately cease receiving any benefit awarded under this section for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this section for the remainder of such period if, at the project facility at any time during the project period, the qualified manufacturing company:

- (1) Discontinues the manufacturing of the new product and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product;
- (2) Discontinues the modification or expansion of an existing product and does not replace it with a new product or a modification or expansion of another existing product; or
- (3) Fails to retain ninety percent of the amount of employees employed on the date of the execution of the agreement that meets the requirements of subsection 9 of this section.

5. Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemption under chapter 100, 135, or 620 for the jobs created or retained or capital improvement that qualified for benefits under this section. Subsection 5 of section 285.530 shall not apply to qualified manufacturing companies which are awarded credits under this section.

6. In determining the amount of tax credits to award to a qualified manufacturing company this section, the department shall consider the following factors:

- (1) The extent of the qualified company's need for program benefits;
- (2) The projected net fiscal benefit to the state if the benefit is awarded and the period in which the net fiscal benefit would occur;
- (3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, potential multiplier effect of the project, and other similar factors;
- (4) The financial stability and creditworthiness of the qualified company;
- (5) The level of economic distress in the area;
- (6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and
- (7) The percent of local incentives committed.

7. A company may request an opinion from the department on whether it would qualify for a benefit under this section by submitting a written request to the department. The department shall respond to a written request within five business days of such request. The department's response shall contain either a proposal of benefits for the qualified manufacturing company, or a written response refusing to provide such a proposal and stating the reasons for such refusal.

8. A company that intends to seek benefits under the program shall submit to the department a notice of intent. The department may approve the notice of intent by issuing a certificate of approval or reject the notice of intent and inform the company of its action within thirty days. However, that the department may withhold approval or provide a contingent approval if it does not have sufficient documentation to determine eligibility. Failure to respond shall result in the notice of intent being deemed approved.

9. Upon issuing a certificate of approval, the department and the qualified manufacturing company shall enter into a written agreement that covers the applicable project period that memorializes the notice of intent, the requirements of this section, and the consequences for failing to satisfy such requirements. The agreement shall specify, at a minimum:

- (1) The manufacturing capital investment and committed percentage of retained jobs for each year during the project period;
- (2) The date or time period during which the tax credits shall be issued, consistent with subsection 2 of this section;
- (3) Clawback provisions, as may be required by the department;
- (4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under this section;

(5) If the amount of capital investment made by the qualified manufacturing company is not made within the two-year period provided for such investment, the qualified manufacturing company shall immediately forfeit all rights to retain or receive any benefit awarded under this section; and

(6) Any other provisions the department may require.

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 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 the effective date of this section shall be invalid and void.

11. Prior to March first each year, the department shall provide a report to the general assembly including the names of participating qualified manufacturing companies the annual amount of benefits provided, the estimated net state fiscal impact including direct and indirect new state taxes derived, and the number of new jobs created or jobs retained.

12. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under this section shall be authorized as of August 28, 2019, and shall expire on December 31, 2031; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(4) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits."; and

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Gregory
Grier	Griesheimer	Griffith	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurst
Justus	Kelley 127	Kelly 141	Kidd	Knight
Lovasco	Love	Lynch	Mayhew	McGaugh
McGill	Miller	Moon	Morris 140	Morse 151
Muntzel	Murphy	O'Donnell	Patterson	Pfausch
Pietzman	Pike	Plocher	Pogue	Pollitt 52
Pollock 123	Porter	Reedy	Rehder	Toalson Reisch
Remole	Richey	Riggs	Roberts 161	Rone
Ross	Ruth	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Veit
Vescovo	Walsh	Wiemann	Wood	Wright
Mr. Speaker				

NOES: 043

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Brown 27	Brown 70	Burnett	Burns
Butz	Carpenter	Carter	Clemens	Ellebracht
Ellington	Gray	Green	Ingle	Kendrick
Lavender	Mackey	McCreery	McDaniel	Merideth
Mitten	Morgan	Mosley	Pierson Jr.	Price
Proudie	Quade	Razer	Roberts 77	Rogers
Rowland	Runions	Sain	Sauls	Stevens 46
Unsicker	Washington	Windham		

PRESENT: 001

Roden

ABSENT WITH LEAVE: 010

Bosley	Chappelle-Nadal	Franks Jr.	Kolkmeier	Messenger
Neely	Roeber	Shull 16	Walker	Wilson

VACANCIES: 003

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

Representative Coleman (32) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 184, Page 1, Section A, Line 3, by inserting after said section and line the following:

"135.100. As used in sections 135.100 to 135.150 the following terms shall mean:

- (1) "Commencement of commercial operations" shall be deemed to occur during the first ~~taxable~~ tax year for which the new business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue-producing enterprise in which the taxpayer intends to use the new business facility;
- (2) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of a revenue-producing enterprise immediately prior to an expansion, acquisition, addition, or replacement;
- (3) "Facility", any building used as a revenue-producing enterprise located within the state, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;
- (4) "NAICS", the North American Industrial Classification System as such classifications are defined in the 2007 edition of the North American Industrial Classification System;
- (5) "New business facility", a facility which satisfies the following requirements:
 - (a) Such facility is employed by the taxpayer in the operation of a revenue-producing enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue-producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue-producing enterprise, the portion employed by the taxpayer in the operation of a revenue-producing enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), (d) and (e) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 1983. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 1983, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 1983, or, if the facility is constructed, erected or installed by or on behalf of the taxpayer, such construction, erection or installation is commenced after December 31, 1983;

(c) If such facility was acquired by the taxpayer from another person or persons and such facility was employed immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue-producing enterprise, the operation of the same or a substantially similar revenue-producing enterprise is not continued by the taxpayer at such facility;

(d) Such facility is not a replacement business facility, as defined in subdivision (11) of this section; and

(e) The new business facility investment exceeds one hundred thousand dollars during the tax period in which the credits are claimed;

(6) "New business facility employee", a person employed by the taxpayer in the operation of a new business facility during the ~~taxable~~ tax year for which the credit allowed by section 135.110 is claimed, except that truck drivers and rail and barge vehicle operators shall not constitute new business facility employees. A person shall be deemed to be so employed if such person performs duties in connection with the operation of the new business facility on:

(a) A regular, full-time basis; or

(b) A part-time basis, provided such person is customarily performing such duties an average of at least twenty hours per week; or

(c) A seasonal basis, provided such person performs such duties for at least eighty percent of the season customary for the position in which such person is employed;

(7) "New business facility income", the Missouri taxable income, as defined in chapter 143, derived by the taxpayer from the operation of the new business facility. For the purpose of apportionment as prescribed in this subdivision, the term "Missouri taxable income" means, in the case of insurance companies, direct premiums as defined in chapter 148. If a taxpayer has income derived from the operation of a new business facility as well as from other activities conducted within this state, the Missouri taxable income derived by the taxpayer from the operation of the new business facility shall be determined by multiplying the taxpayer's Missouri taxable income, computed in accordance with chapter 143, or in the case of an insurance company, computed in accordance with chapter 148, by a fraction, the numerator of which is the property factor, as defined in paragraph (a) of this subdivision, plus the payroll factor, as defined in paragraph (b) of this subdivision, and the denominator of which is two:

(a) The property factor is a fraction, the numerator of which is the new business facility investment certified for the tax period, and the denominator of which is the average value of all the taxpayer's real and depreciable tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in chapter 32;

(b) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as new business facility employees, as determined by subsection 4 of section 135.110, at the new business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in chapter 32. For the purpose of this subdivision, "other activities conducted within this state" shall include activities previously conducted at the expanded, acquired or replaced facility at any time during the tax period immediately prior to the tax period in which commencement of commercial operations occurred;

(8) "New business facility investment", the value of ~~real and depreciable tangible personal~~ property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the ~~taxable~~ tax year for which the credit allowed by section 135.110 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft, and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. **For the purposes of sections 135.100 to 135.150, property may be acquired by the taxpayer by purchase, lease, or license, including the right to use software and hardware via on-demand network access to a shared pool of configurable computing resources as long as the rights are used at the new business facility.** The total value of such property during such ~~taxable~~ tax year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate **or license**, if leased **or licensed** by the taxpayer. The net annual rental **or license** rate shall be the annual rental **or license** rate paid by the taxpayer less any annual rental **or license** rate received by the taxpayer from subrentals **or sublicenses**. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the **[taxable] tax** year. If the new business facility is in operation for less than an entire **[taxable] tax** year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such **[taxable] tax** year during which the new business facility was in operation by the number of full calendar months during such period;

(9) "Office", a regional, national, or international headquarters, a telemarketing operation, a computer operation, an insurance company, a passenger transportation ticket/reservation system, or a credit card billing and processing center. For the purposes of this subdivision, "headquarters" means the administrative management of at least four integrated facilities operated by the taxpayer or related taxpayer. An office, as defined in this subdivision, when established must create and maintain positions for a minimum number of twenty-five new business facility employees as defined in subdivision (6) of this section;

(10) "Related taxpayer" shall mean:

(a) A corporation, partnership, trust, or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

(c) A corporation, partnership, trust, or association controlled by an individual, corporation, partnership, trust, or association in control of the taxpayer. For the purposes of sections 135.100 to 135.150, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the U.S. Internal Revenue Code;

(11) "Replacement business facility", a facility otherwise described in subdivision (3) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first **[taxable] tax** year in which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's **[taxable] tax** period immediately preceding the **[taxable] tax** year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of a revenue-producing enterprise and the taxpayer continues the operation of the same or substantially similar revenue-producing enterprise at the new facility.

Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subsection 5 of section 135.110, in the new facility during the tax period in which the credits allowed in sections 135.110, 135.225, and 135.235 and the exemption allowed in section 135.220 are claimed exceed one million dollars or, if less, two hundred percent of the investment in the old facility by the taxpayer or related taxpayer, and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two except that the total number of employees at the new facility exceeds the total number of employees at the old facility by at least twenty-five if an office as defined in subdivision (9) of this section is established by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (12) of this section;

(12) "Revenue-producing enterprise" means:

(a) Manufacturing activities classified as NAICS 31-33;

(b) Agricultural activities classified as NAICS 11;

(c) Rail transportation terminal activities classified as NAICS 482;

(d) Motor freight transportation terminal activities classified as NAICS 484 and NAICS 4884;

(e) Public warehousing and storage activities classified as NAICS 493, miniwarehouse warehousing and warehousing self-storage;

(f) Water transportation terminal activities classified as NAICS 4832;

(g) Airports, flying fields, and airport terminal services classified as NAICS 481;

- (h) Wholesale trade activities classified as NAICS 42;
- (i) Insurance carriers activities classified as NAICS 524;
- (j) Research and development activities classified as NAICS 5417;
- (k) Farm implement dealer activities classified as NAICS 42382;
- (l) Interexchange telecommunications services as defined in subdivision (20) of section 386.020 or training activities conducted by an interexchange telecommunications company as defined in subdivision (19) of section 386.020;
- (m) Recycling activities classified as NAICS 42393;
- (n) Office activities as defined in subdivision (9) of this section, notwithstanding NAICS classification;
- (o) Mining activities classified as NAICS 21;
- (p) Computer programming, data processing, and other computer-related activities classified as NAICS 5415;
- (q) The administrative management of any of the foregoing activities; or
- (r) Any combination of any of the foregoing activities;
- (13) "Same or substantially similar revenue-producing enterprise", a revenue-producing enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another revenue-producing enterprise;
- (14) "Taxpayer", an individual proprietorship, corporation described in section 143.441 or 143.471, and partnership or an insurance company subject to the tax imposed by chapter 148, or in the case of an insurance company exempt from the thirty-percent employee requirement of section 135.230, to any obligation imposed [pursuant to] **under** section 375.916."; and

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

On motion of Representative Coleman (32), **House Amendment No. 3** was adopted.

Representative Roberts (77) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 184, Page 7, Section 620.803, Line 28, by inserting after the word "**created**," the following:

"the potential number of new minority jobs created,"; and

Further amend said bill, Page 17, Section 620.809, Line 253, by inserting after said section and line the following:

"620.2005. As used in sections 620.2000 to 620.2020, the following terms mean:

(1) "Average wage", the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) "Commencement of operations", the starting date for the qualified company's first new employee, which shall be no later than twelve months from the date of the approval;

(3) **"Contractor", a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;**

~~(3)~~ (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

~~[(4)]~~ (5) "Department", the Missouri department of economic development;

~~[(5)]~~ (6) "Director", the director of the department of economic development;

~~[(6)]~~ (7) "Employee", a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

~~[(7)]~~ (8) "Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely perform job duties within Missouri;

~~[(8)]~~ (9) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee's work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

~~[(9)]~~ (10) **"Infrastructure projects", highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;**

(11) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

~~[(10)]~~ (12) "NAICS" or "NAICS industry classification", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

~~[(11)]~~ (13) "New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

~~[(12)]~~ (14) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

~~[(13)]~~ (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

~~[(14)]~~ (16) "New payroll", the amount of wages paid for all new jobs, located at the project facility during the qualified company's tax year that exceeds the project facility base payroll;

~~[(15)]~~ (17) "Notice of intent", a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company's intent to request benefits under this program. **The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;**

~~[(16)]~~ (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

~~[(17)]~~ **(19)** "Program", the Missouri works program established in sections 620.2000 to 620.2020;

~~[(18)]~~ **(20)** "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

~~[(19)]~~ **(21)** "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

~~[(20)]~~ **(22)** "Project facility base payroll", the annualized payroll for the project facility base employment or the total amount of wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

~~[(21)]~~ **(23)** "Project period", the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

~~[(22)]~~ **(24)** "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

~~[(23)]~~ **(25)** "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:
 - a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;
- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production;
- (k) Biodiesel production; or
- (l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

~~[(24)]~~ (26) "Related company", shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;
(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, "control of a qualified company" shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profits interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

~~[(25)]~~ (27) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

~~[(26)]~~ (28) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

~~[(27)]~~ (29) "Related facility base payroll", the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

~~[(28)]~~ (30) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

~~[(29)]~~ (31) "Tax credits", tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

~~[(30)]~~ (32) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages; and

~~[(31)]~~ (33) This section is subject to the provisions of section 196.1127.

620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified company, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. **The department shall certify or reject the qualifying company's plan outlined in their notice of intent as satisfying good faith efforts made to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census.** Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable

minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (19) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company receiving benefits under this program shall provide an annual report of the number of jobs, **along with minority jobs created or retained**, and such other information as may be required by the department to document the basis for program benefits available no later than ninety days prior to the end of the qualified company's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company has not maintained the employee insurance as required, **if the department after a review determines the qualifying company fails to satisfy other aspects of their notice of intent, including failure to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census**, or if the number of jobs is below the number required, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the project period. Failure to timely file the annual report required under this section shall result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs; **provided that, tax credits awarded under subsection 6 of section 620.2010 may be issued following the qualified company's acceptance of the department's proposal and pursuant to the requirements set forth in the written agreement between the department and the qualified company under subsection 3 of section 620.2010.**

5. Any qualified company approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company approved for benefits under this program shall be subject to the provisions of sections 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. **(1)** The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection ~~[13]~~ **14** of this section:

~~[(1)]~~ (a) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred six million dollars in tax credits may be authorized;

~~[(2)]~~ (b) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred eleven million dollars in tax credits may be authorized; ~~and~~

~~[(3)]~~ (c) For ~~any~~ the fiscal year beginning on or after July 1, 2015, **but ending on or before June 30, 2020**, no more than one hundred sixteen million dollars in tax credits may be authorized for each fiscal year; **and**

(d) **For all fiscal years beginning on or after July 1, 2020, no more than one hundred six million dollars in tax credits may be authorized for each fiscal year. The provisions of this paragraph shall not apply to tax credits issued to qualified companies under a notice of intent filed prior to July 1, 2020.**

(2) **For all fiscal years beginning on or after July 1, 2020, in addition to the amount of tax credits that may be authorized under paragraph (d) of subdivision (1) of this subsection, an additional ten million dollars in tax credits may be authorized for each fiscal year, provided that such tax credits shall only be authorized for the purpose of the completion of infrastructure projects directly connected with the creation or retention of jobs under the provisions of sections 620.2000 to 620.2020.**

8. **For all fiscal years beginning on or after July 1, 2020, the maximum total amount of withholding tax that may be authorized for retention under the provisions of sections 620.2000 to 620.2020 by qualified companies with a project facility base employment of at least fifty shall not exceed seventy-five million dollars for each fiscal year. The provisions of this subsection shall not apply to withholding tax authorized for retention by qualified companies with a project facility base employment of less than fifty.**

9. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program; **provided that, the department may reserve up to twenty-one and one-half percent of the maximum annual amount of tax credits that may be authorized under subsection 7 of this section for award under subsection 6 of section 620.2010.** However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements **or, for benefits awarded under subsection 6 of section 620.2010, until the qualified company has satisfied the requirements set forth in the written agreement between the department and the qualified company under subsection 3 of section 620.2010.** In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

~~[9-]~~ 10. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

~~[10-]~~ 11. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the

taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

~~[11-]~~ **12.** The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

~~[12-]~~ **13.** An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

~~[13-]~~ **14.** Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

~~[14-]~~ **15.** If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

~~[15-]~~ **16.** By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

~~[16-]~~ **17.** The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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, 2013, shall be invalid and void.

~~[17-]~~ **18.** Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under sections 620.2000 to 620.2020 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of this reauthorization of sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset."; and

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

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

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to Senate Committee Substitute for Senate Bill No. 184, Page 2, Lines 9-12, by deleting all of said lines and renumbering subsequent subdivisions accordingly; and

Further amend said amendment, Page 6, Lines 17-27, by deleting all of said lines and inserting in lieu thereof the following:

"4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs."; and

Further amend said amendment, Page 6, Lines 38-49; Page 7, Lines 1-49; Page 8, Lines 1-49; and Page 9, Lines 1-14, by deleting all of said lines and inserting in lieu thereof the following:

"7. The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 13 of this section:

- (1) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred six million dollars in tax credits may be authorized;
- (2) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred eleven million dollars in tax credits may be authorized; and
- (3) For any fiscal year beginning on or after July 1, 2015, no more than one hundred sixteen million dollars in tax credits may be authorized for each fiscal year.

8. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements. In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

9. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a

qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

10. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

12. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

14. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

15. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

16. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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, 2013, shall be invalid and void.

17. Under section 23.253 of the Missouri sunset act:"; and

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

Representative Eggleston assumed the Chair.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Eggleston	Eslinger	Evans	Falkner III	Fishel
Fitzwater	Francis	Gannon	Gregory	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurst	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeyer
Lovasco	Love	Lynch	Mayhew	McGaugh
McGill	Moon	Morris 140	Morse 151	Muntzel
Murphy	O'Donnell	Patterson	Pfautsch	Pike
Plocher	Pogue	Pollitt 52	Pollock 123	Porter
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Rone	Ross	Ruth
Schnelting	Sharpe	Shaul 113	Shawan	Shields
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Veit	Vescovo	Walsh	Wiemann
Wilson	Wood	Wright		

NOES: 041

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Brown 70	Burnett
Burns	Butz	Carpenter	Carter	Clemens
Ellebracht	Ellington	Gray	Green	Ingle
Kendrick	Lavender	Mackey	McCreery	Merideth
Mitten	Morgan	Mosley	Pierson Jr.	Proudie
Quade	Razer	Roberts 77	Rogers	Runions
Sain	Sauls	Stevens 46	Unsicker	Washington
Windham				

PRESENT: 001

Roden

ABSENT WITH LEAVE: 015

Chappelle-Nadal	Dohrman	Franks Jr.	McDaniel	Messenger
Miller	Neely	Pietzman	Price	Roeber
Rowland	Schroer	Shull 16	Walker	Mr. Speaker

VACANCIES: 003

On motion of Representative Dogan, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Roberts (77), **House Amendment No. 4, as amended**, was adopted.

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

House Amendment No. 5

AMEND Senate Committee Substitute for Senate Bill No. 184, Page 2, Section 620.800, Line 35, by inserting after the words "employees at" the following:

"the project facility and at"; and

Further amend said bill, Page 17, Section 620.809, Line 253, by inserting after said section and line the following:

"620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified company, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (18) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level

applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company receiving benefits under this program shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for program benefits available no later than ninety days prior to the end of the qualified company's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, **the qualified company shall provide monthly, wage, insurance, and number of jobs data for the project period year covered in such report, and** if the average wage is below the applicable percentage of the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of jobs is below the number required **in any given month during the project period year covered in such report**, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the project period. Failure to timely file the annual report required under this section shall result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs.

5. Any qualified company approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company approved for benefits under this program shall be subject to the provisions of sections 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 13 of this section:

- (1) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred six million dollars in tax credits may be authorized;
- (2) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred eleven million dollars in tax credits may be authorized; and
- (3) For any fiscal year beginning on or after July 1, 2015, no more than one hundred sixteen million dollars in tax credits may be authorized for each fiscal year.

8. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements. In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

9. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

10. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

12. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

14. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

15. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

16. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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, 2013, shall be invalid and void.

17. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under sections 620.2000 to 620.2020 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of this reauthorization of sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset."; and

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

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

Representative Merideth moved that, pursuant to Rule 24(16)(b), **SCS SB 184, as amended**, be committed to the Committee on Fiscal Review.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Gannon	Gregory	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Houx
Hovis	Hudson	Hurst	Justus	Kelley 127
Kelly 141	Kidd	Knight	Kolkmeyer	Lovasco
Love	Lynch	Mayhew	McGaugh	McGill
Miller	Moon	Morris 140	Morse 151	Muntzel
Murphy	O'Donnell	Patterson	Pfautsch	Pietzman
Pike	Plocher	Pogue	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Rone	Ross
Ruth	Schnelting	Schroer	Sharpe	Shaul 113
Shawan	Shields	Simmons	Solon	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Veit	Vescovo	Walsh
Wiemann	Wilson	Wood	Wright	Mr. Speaker

2348 *Journal of the House*

NOES: 043

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Brown 70	Burnett
Burns	Butz	Carpenter	Carter	Clemens
Ellebracht	Ellington	Gray	Green	Ingle
Kendrick	Lavender	Mackey	McCreery	Merideth
Mitten	Morgan	Mosley	Pierson Jr.	Price
Proudie	Quade	Razer	Roberts 77	Rogers
Rowland	Runions	Sain	Sauls	Stevens 46
Unsicker	Washington	Windham		

PRESENT: 001

Roden

ABSENT WITH LEAVE: 011

Chappelle-Nadal	Francis	Franks Jr.	Hill	McDaniel
Messenger	Neely	Roeber	Shull 16	Smith
Walker				

VACANCIES: 003

Representative Merideth again moved that, pursuant to Rule 24(16)(b), **SCS SB 184, as amended**, be committed to the Committee on Fiscal Review.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Merideth:

AYES: 047

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Brown 70	Burnett
Burns	Butz	Carpenter	Carter	Clemens
Dogan	Ellington	Gray	Green	Hurst
Ingle	Kendrick	Lavender	Lovasco	Mackey
McCreery	Merideth	Mitten	Moon	Morgan
Mosley	Pierson Jr.	Pogue	Price	Proudie
Quade	Razer	Roberts 77	Rogers	Rowland
Sain	Sauls	Stacy	Stevens 46	Taylor
Unsicker	Windham			

NOES: 101

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dohrman
Eggleston	Eslinger	Evans	Falkner III	Fishel
Fitzwater	Gannon	Gregory	Grier	Griesheimer
Griffith	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Houx	Hovis
Hudson	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeyer	Love	Lynch	Mayhew
McGaugh	McGirl	Miller	Morris 140	Morse 151
Muntzel	Murphy	O'Donnell	Patterson	Pfautsch

Pietzman	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roden	Rone
Ross	Ruth	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stephens 128	Swan
Tate	Trent	Veit	Vescovo	Walsh
Washington	Wiemann	Wilson	Wood	Wright

PRESENT: 002

Ellebracht Runions

ABSENT WITH LEAVE: 010

Chappelle-Nadal	Francis	Franks Jr.	Hill	McDaniel
Messenger	Neely	Roeber	Shull 16	Walker

VACANCIES: 003

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Gannon	Gregory	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurst	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeyer
Lovasco	Love	Lynch	Mayhew	McGaugh
McGill	Miller	Moon	Morris 140	Morse 151
Muntzel	Murphy	O'Donnell	Patterson	Pfautsch
Pietzman	Pike	Plocher	Pogue	Pollitt 52
Pollock 123	Porter	Reedy	Rehder	Toalson Reisch
Remole	Richey	Riggs	Roberts 161	Rone
Ross	Ruth	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Veit
Vescovo	Walsh	Wiemann	Wilson	Wood
Wright	Mr. Speaker			

NOES: 041

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Brown 70	Burnett
Burns	Butz	Carpenter	Carter	Clemens
Ellebracht	Ellington	Gray	Green	Ingle

2350 *Journal of the House*

Kendrick	Lavender	Mackey	McCreery	Merideth
Mitten	Morgan	Pierson Jr.	Price	Proudie
Quade	Razer	Roberts 77	Rogers	Rowland
Runions	Sain	Sauls	Stevens 46	Washington
Windham				

PRESENT: 001

Roden

ABSENT WITH LEAVE: 011

Chappelle-Nadal	Francis	Franks Jr.	McDaniel	Messenger
Mosley	Neely	Roeber	Shull 16	Unsicker
Walker				

VACANCIES: 003

On motion of Representative Wiemann, **SCS SB 184, as amended**, was read the third time and passed by the following vote:

AYES: 114

Allred	Anderson	Andrews	Appelbaum	Bailey
Bangert	Baringer	Basye	Beck	Black 137
Black 7	Bondon	Bromley	Brown 27	Brown 70
Burns	Butz	Carpenter	Carter	Chipman
Christofanelli	Clemens	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Ellebracht
Eslinger	Evans	Falkner III	Fishel	Francis
Gannon	Gray	Green	Gregory	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Henderson	Hicks	Houx	Hovis
Hudson	Ingle	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Love
Lynch	Mayhew	McGaugh	McGill	Miller
Mitten	Morris 140	Morse 151	Muntzel	Murphy
O'Donnell	Patterson	Pfautsch	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Razer	Reedy
Remole	Richey	Riggs	Roberts 161	Roberts 77
Roden	Rogers	Rone	Rowland	Runions
Ruth	Sain	Sauls	Schnelting	Schroer
Sharpe	Shaul 113	Shawan	Shields	Simmons
Smith	Solon	Sommer	Spencer	Stephens 128
Swan	Tate	Trent	Veit	Vescovo
Wiemann	Wood	Wright	Mr. Speaker	

NOES: 031

Baker	Billington	Bosley	Busick	Eggleston
Ellington	Fitzwater	Helms	Hill	Hurst
Lavender	Lovasco	Mackey	McCreery	McDaniel
Merideth	Moon	Morgan	Mosley	Pietzman
Pogue	Price	Quade	Rehder	Toalson Reisch
Ross	Stacy	Stevens 46	Taylor	Wilson
Windham				

PRESENT: 008

Barnes	Bland Manlove	Burnett	Pierson Jr.	Proudie
Unsicker	Walsh	Washington		

ABSENT WITH LEAVE: 007

Chappelle-Nadal	Franks Jr.	Messenger	Neely	Roeber
Shull 16	Walker			

VACANCIES: 003

Representative Eggleston declared the bill passed.

Speaker Haahr 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 SCS SB 147: Representatives Taylor, Eggleston, Roden, Bangert and Rogers

HCS SB 202: Representatives Dinkins, Hansen, Shawan, Lavender and McCreery

THIRD READING OF HOUSE BILLS - INFORMAL

HB 1006, relating to prohibiting public entities from contracting with companies discriminating against Israel, was taken up by Representative Rehder.

Representative Ross assumed the Chair.

On motion of Representative Rehder, **HB 1006** was read the third time and passed by the following vote:

AYES: 092

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Chipman	Coleman 32	Coleman 97	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Eslinger
Evans	Falkner III	Fitzwater	Gannon	Gregory
Grier	Griesheimer	Griffith	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks
Hill	Houx	Hudson	Justus	Kelley 127
Kelly 141	Kidd	Knight	Kolkmeyer	Love
Lynch	Mayhew	McGaugh	McGill	Miller
Morris 140	Morse 151	Muntzel	O'Donnell	Patterson
Pfautsch	Pietzman	Pike	Plocher	Pollitt 52
Pollock 123	Porter	Reedy	Rehder	Toalson Reisch
Remole	Richey	Riggs	Rone	Ross
Ruth	Schnelting	Schroer	Sharpe	Shaul 113

2352 *Journal of the House*

Shawan	Shields	Solon	Sommer	Spencer
Stacy	Swan	Tate	Taylor	Veit
Vescovo	Walsh	Wiemann	Wilson	Wood
Wright	Mr. Speaker			

NOES: 055

Appelbaum	Baringer	Barnes	Beck	Bland Manlove
Bosley	Brown 27	Brown 70	Burnett	Burns
Busick	Butz	Carpenter	Carter	Christofanelli
Clemens	Deaton	Ellebracht	Ellington	Gray
Green	Hovis	Hurst	Ingle	Kendrick
Lavender	Lovasco	Mackey	McCreery	McDaniel
Merideth	Mitten	Moon	Morgan	Mosley
Murphy	Pierson Jr.	Pogue	Price	Proudie
Quade	Razer	Roberts 161	Roberts 77	Rogers
Runions	Sain	Sauls	Simmons	Smith
Stephens 128	Stevens 46	Trent	Unsicker	Washington

PRESENT: 003

Bangert	Fishel	Roden
---------	--------	-------

ABSENT WITH LEAVE: 010

Chappelle-Nadal	Francis	Franks Jr.	Messenger	Neely
Roeber	Rowland	Shull 16	Walker	Windham

VACANCIES: 003

Representative Ross declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 138, relating to life-sustaining treatment policies, was taken up by Representative Kidd.

On motion of Representative Kidd, **SS HB 138** was adopted by the following vote:

AYES: 146

Allred	Anderson	Andrews	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Gannon	Green	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Lavender	Lovasco	Love	Lynch
Mackey	Mayhew	McCreery	McDaniel	McGaugh
McGill	Merideth	Mitten	Moon	Morgan

Morris 140	Morse 151	Mosley	Muntzel	Murphy
O'Donnell	Patterson	Pfautsch	Pierson Jr.	Pietzman
Pike	Plocher	Pogue	Pollitt 52	Pollock 123
Porter	Price	Proudie	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roberts 77	Roden	Rogers
Rone	Ross	Rowland	Runions	Ruth
Sain	Sauls	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Veit	Vescovo	Walsh	Washington
Wiemann	Wilson	Windham	Wood	Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Appelbaum	Chappelle-Nadal	Ellington	Francis	Franks Jr.
Gray	Gregory	Hicks	Messenger	Miller
Neely	Roeber	Shull 16	Walker	

VACANCIES: 003

On motion of Representative Kidd, **SS HB 138** was truly agreed to and finally passed by the following vote:

AYES: 146

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Franks Jr.	Gannon	Green
Grier	Griesheimer	Griffith	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hill
Houx	Hovis	Hudson	Hurst	Ingle
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Lavender	Lovasco	Love
Lynch	Mackey	Mayhew	McCreery	McDaniel
McGaugh	McGirl	Merideth	Mitten	Moon
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Murphy	O'Donnell	Patterson	Pfautsch	Pierson Jr.
Pietzman	Pike	Plocher	Pogue	Pollitt 52
Pollock 123	Porter	Proudie	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roberts 77	Roden	Rogers
Rone	Ross	Rowland	Runions	Ruth
Sain	Sauls	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith

2354 *Journal of the House*

Solon	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Veit	Vescovo	Walsh	Washington
Wiemann	Wilson	Windham	Wood	Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bosley	Chappelle-Nadal	Ellington	Francis	Gray
Gregory	Hicks	Messenger	Miller	Neely
Price	Roeber	Shull 16	Walker	

VACANCIES: 003

Representative Ross declared the bill passed.

SS SCS HCS HB 192, as amended, relating to court procedures, was taken up by Representative DeGroot.

On motion of Representative DeGroot, **SS SCS HCS HB 192, as amended**, was adopted by the following vote:

AYES: 139

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bosley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carter	Chipman
Christofanelli	Clemens	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Franks Jr.	Gannon	Gray
Green	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hudson	Ingle
Justus	Kelly 141	Kendrick	Knight	Kolkmeyer
Lavender	Lovasco	Love	Lynch	Mackey
Mayhew	McCreery	McDaniel	McGaugh	McGirl
Merideth	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Murphy	O'Donnell	Patterson
Pfautsch	Pierson Jr.	Pietzman	Pike	Plocher
Porter	Price	Proudie	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 77	Rogers	Rone	Ross
Rowland	Runions	Ruth	Sain	Sauls
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Simmons	Smith	Solon	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 010

Bromley	Hovis	Hurst	Kelley 127	Moon
Pogue	Pollitt 52	Pollock 123	Roberts 161	Roden

PRESENT: 000

ABSENT WITH LEAVE: 011

Carpenter	Chappelle-Nadal	Francis	Gregory	Kidd
Messenger	Miller	Neely	Roeber	Shull 16
Walker				

VACANCIES: 003

On motion of Representative DeGroot, **SS SCS HCS HB 192, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bosley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Ellington	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Franks Jr.	Gannon
Green	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Ingle	Justus
Kelly 141	Kendrick	Knight	Kolkmeyer	Lavender
Lovasco	Love	Lynch	Mackey	Mayhew
McCreery	McDaniel	McGaugh	McGill	Merideth
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Murphy	O'Donnell	Patterson	Pfautsch
Pierson Jr.	Pietzman	Pike	Plocher	Porter
Price	Proudie	Quade	Razer	Reedy
Rehder	Toalson Reisch	Remole	Richey	Riggs
Roberts 77	Rogers	Rone	Ross	Rowland
Runions	Ruth	Sain	Sauls	Schnelting
Schroer	Sharpe	Shaul 113	Shawan	Shields
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walsh	Washington	Wiemann	Wilson	Windham
Wood	Wright	Mr. Speaker		

NOES: 011

Bromley	Hovis	Hudson	Hurst	Kelley 127
Moon	Pogue	Pollitt 52	Pollock 123	Roberts 161
Roden				

PRESENT: 000

ABSENT WITH LEAVE: 011

Chappelle-Nadal	Francis	Gray	Gregory	Kidd
Messenger	Miller	Neely	Roeber	Shull 16
Walker				

VACANCIES: 003

Representative Ross declared the bill passed.

COMMITTEE REPORTS

Committee on Judiciary, Chairman Gregory reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (13): Christofanelli, Coleman (97), DeGroot, Evans, Gregory, Hicks, Kolkmeier, Mackey, Mitten, Schroer, Toalson Reisch, Trent and Veit

Noes (3): Ellebracht, Roberts (77) and Sauls

Absent (1): Hill

Committee on Local Government, Chairman Hannegan reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Barnes, Falkner III, Fishel, Hannegan, Hudson, McGaugh, McGirl, Reedy, Runions, Solon, Wilson and Windham

Noes (0)

Absent (1): Gray

Special Committee on Student Accountability, Chairman Spencer reporting:

Mr. Speaker: Your Special Committee on Student Accountability, to which was referred **HB 476**, begs leave to report it has examined the same and recommends that it **Do Not Pass** by the following vote:

Ayes (3): Allred, Moon and Spencer

Noes (7): Burnett, Kelley (127), Morse (151), Mosley, Pollitt (52), Sain and Shields

Absent (0)

Mr. Speaker: Your Special Committee on Student Accountability, to which was referred **HB 507**, begs leave to report it has examined the same and recommends that it **Do Not Pass** by the following vote:

Ayes (3): Allred, Morse (151) and Spencer

Noes (7): Burnett, Kelley (127), Moon, Mosley, Pollitt (52), Sain and Shields

Absent (0)

Committee on Rules - Administrative Oversight, Chairman Rehder reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Gregory, Kelly (141), Kolkmeier, Lavender, Mitten, Rehder, Schroer and Solon

Noes (0)

Absent (2): Carpenter and Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 616**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gregory, Kelly (141), Kolkmeier, Rehder, Schroer and Solon

Noes (3): Carpenter, Lavender and Mitten

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 729**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Carpenter, Gregory, Kelly (141), Kolkmeier, Lavender, Mitten, Rehder, Schroer and Solon

Noes (0)

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 865**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gregory, Kelly (141), Kolkmeier, Rehder, Schroer and Solon

Noes (3): Carpenter, Lavender and Mitten

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Gregory, Kelly (141), Kolkmeier, Mitten, Rehder, Schroer and Solon

Noes (2): Carpenter and Lavender

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gregory, Kelly (141), Kolkmeier, Rehder, Schroer and Solon

Noes (3): Carpenter, Lavender and Mitten

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCS SBs 12 & 123**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gregory, Kelly (141), Kolkmeier, Rehder, Schroer and Solon

Noes (3): Carpenter, Lavender and Mitten

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 88**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gregory, Kelly (141), Kolkmeier, Rehder, Schroer and Solon

Noes (2): Lavender and Mitten

Absent (2): Carpenter and Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS#4 SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Gregory, Kelly (141), Kolkmeier, Mitten, Rehder, Schroer and Solon

Noes (2): Carpenter and Lavender

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Carpenter, Gregory, Kelly (141), Kolkmeier, Lavender, Mitten, Rehder, Schroer and Solon

Noes (0)

Absent (1): Dogan

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 514**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Gregory, Kelly (141), Kolkmeier, Lavender, Mitten, Rehder, Schroer and Solon

Noes (0)

Absent (2): Carpenter and Dogan

Committee on Rules - Legislative Oversight, Chairman Miller reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 1115**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Chipman, Christofanelli, Fitzwater, Miller, Runions, Unsicker and Washington

Noes (0)

Absent (3): Bondon, Houx and Sommer

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 333**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Chipman, Christofanelli, Fitzwater, Miller and Runions

Noes (1): Unsicker

Absent (4): Bondon, Houx, Sommer and Washington

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 230**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 230, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5, and 6, 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 Senate Substitute for Senate Committee Substitute for Senate Bill No. 230, as amended.
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 230.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 230 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sandy Crawford
/s/ Ed Emery
/s/ Tony Luetkemeyer
/s/ John Rizzo
/s/ Brian Williams

FOR THE HOUSE:

/s/ Jeff Knight
/s/ Glen Kolkmeier
/s/ Jonathan Patterson
/s/ Gina Mitten
/s/ Ingrid Burnett

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#4 SB 224 - Fiscal Review
HCS SB 282 - Fiscal Review
HCS SB 333 - Fiscal Review
HCS SB 514 - Fiscal Review

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Report was referred to the Committee indicated:

CCR SS SCS SB 230, as amended - Fiscal Review

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Tuesday, May 14, 2019.

COMMITTEE HEARINGS

FISCAL REVIEW

Tuesday, May 14, 2019, 9:00 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 15, 2019, 9:00 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 16, 2019, 9:00 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, May 17, 2019, 9:00 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON CAPITOL SECURITY

Wednesday, May 15, 2019, 9:45 AM, Joint Committee Hearing Room (117A).
Executive session may be held on any matter referred to the committee.
Organizational meeting.

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Wednesday, May 15, 2019, 9:30 AM, Joint Committee Hearing Room (117A).
Executive session may be held on any matter referred to the committee.
Organizational meeting.

JUDICIARY

Tuesday, May 14, 2019, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 5.
Public hearing will be held: SS SCS SJR 2
Executive session will be held: SS SCS SJR 2
Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Tuesday, May 14, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 4.
Executive session will be held: HB 684
Executive session may be held on any matter referred to the committee.
Members should be prepared to exec on any bill referred to the committee. Members should be prepared to recess and reconvene upon recess and adjournment for consideration of additional referrals.

CORRECTED

RULES - LEGISLATIVE OVERSIGHT

Tuesday, May 14, 2019, 9:30 AM, House Hearing Room 4.
Executive session will be held: SS#2 SCR 14
Executive session may be held on any matter referred to the committee.

RULES - LEGISLATIVE OVERSIGHT

Wednesday, May 15, 2019, 8:00 AM, House Hearing Room 4.
Executive session will be held: HCS SS SB 3
Executive session may be held on any matter referred to the committee.
Members should be prepared to recess and reconvene upon recess and adjournment for consideration of additional referrals.

SPECIAL COMMITTEE ON HOMELAND SECURITY

Tuesday, May 14, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 6.

Executive session will be held: HB 1155

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, May 14, 2019, 9:15 AM or upon adjournment of Pensions Committee, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Mark Siettmann with Department of Revenue will be discussing the new driver's license design.

UTILITIES

Tuesday, May 14, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 6.

Public hearing will be held: HB 935

Executive session will be held: HB 909

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 14, 2019

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 37 - Bosley

HJR 30 - Anderson

HOUSE BILLS FOR PERFECTION

HCS HB 37 - Walsh

HB 115 - Remole

HB 541 - Murphy

HCS HB 1023 - Mackey

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 877 - Kelly (141)

HCS HB 254 - Morris (140)

HB 1143 - Shull (16)

HCS HBs 643 & 641 - Schnelting

HCS HB 183 - Trent

HCS HB 654 - Neely

HB 1160 - Chipman

HCS HB 957 - Pike

HB 925 - Neely

HB 867 - Gregory

HCS HB 836 - Rehder

HB 810 - Sommer
HCS HB 495 - Gregory
HB 754 - Kelley (127)
HB 271 - Shaul (113)
HCS#2 HB 105 - Justus
HB 1140 - Lynch
HCS#2 HB 189 - Toalson Reisch
HCS HBs 299 & 364 - Kelley (127)
HB 375 - Christofanelli
HB 791 - Griesheimer
HB 827 - Basye
HCS HB 900 - Roberts (161)
HB 907 - Roden
HCS HB 977 - Roberts (161)
HB 1004 - Fitzwater
HB 1010 - Ross
HCS HB 1058 - Busick
HB 1060 - Fitzwater
HCS HB 1065 - Evans
HB 1097 - Porter
HCS HB 1134 - McGirl
HCS HB 1211 - O'Donnell
HCS HB 1227 - Plocher
HB 1053 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 17 - Messenger
HCR 24 - Muntzel
HCR 4 - Love

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 19 - Christofanelli

HOUSE BILLS FOR THIRD READING

HCS HB 656 - Carpenter

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 1044 - Wood
HB 923 - Swan
HCS HBs 167 & 166 - Rehder
HCS HB 427 - Helms
HB 940 - Roberts (161)

SENATE JOINT RESOLUTIONS FOR THIRD READING

SS SCS SJRs 14 & 9 - Shaul (113)

SENATE BILLS FOR THIRD READING

SS#3 SCS SB 29 - Smith
HCS SS SCS SB 108 - Coleman (97)
SS SB 213 - Trent
HCS SB 275 - Coleman (97)
HCS SCS SB 6 - Hill
HCS SB 21, E.C. - Rone
SS SCS SB 34 - Houx
HCS SCS SB 60 - Neely
HCS SB 71 - Wiemann
SCS SB 330 - Sharpe
SS SB 414, E.C. - Hill
SB 373 - Dogan
HCS SB 72 - Andrews
HCS SB 297 - Kelley (127)
SB 397 - Roberts (161)
SS SB 391 - Haffner
HCS SCS SB 1 - Smith
HCS SCS SB 203 - Plocher
HCS SB 11 - Stephens (128)
HCS SB 204 - Ross
SB 138 - Fitzwater
HCS SCS SB 363, E.C. - Anderson
HCS SS SCS SBs 70 & 128 - Patterson
HCS SB 468 - Coleman (97)
HCS SB 282, (Fiscal Review 5/13/19) - Morris (140)
SCS SBs 12 & 123 - Wilson
SB 88 - Rehder
SB 185 - Wiemann
HCS SS#4 SB 224, (Fiscal Review 5/13/19) - Schroer
SB 228 - Andrews
HCS SB 333, (Fiscal Review 5/13/19) - Wilson
HCS SB 514, (Fiscal Review 5/13/19) - Wood

SENATE BILLS FOR THIRD READING - INFORMAL

SCS SB 180 - Lynch
SCS SB 89, as amended - Griesheimer
SB 264 - Coleman (97)
SCS SB 90 - Andrews
HCS SS SCS SB 291, E.C. - Swan
SB 84 - Anderson

SCS SB 101 - Kelley (127)
HCS SB 87, as amended, E.C. - Swan
HCS SB 206 - Richey
SB 246 - Black (137)
SB 405 - Morse (151)
SB 358 - Swan

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 6 - Morris (140)
SCR 11 - Trent
HCS SCR 12 - Justus
SCR 17 - Muntzel
SCR 5 - Miller
SCR 4 - Patterson
SCR 10 - Ross
SCR 2 - Andrews
SCR 3 - Wilson
SCR 13 - Spencer

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 220, as amended - Andrews
SS HCS HB 677 - Patterson
SS SCS HB 565, as amended - Morse (151)

BILLS IN CONFERENCE

HCS SB 53, as amended - Reedy
CCR HCS SB 133, E.C. - Shaul (113)
CCR SB 368, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 and HA 8 - Shawan
CCR HCS SB 182, as amended - Coleman (32)
CCR SS SCS HCS HB 397, as amended (Fiscal Review 5/9/19), E.C. - Coleman (97)
SB 17, with HA 1, HA 2, HA 3, HA 4 and HA 5, E.C. - Black (7)
CCR SS SCS SB 230, with HA 1, HA 2, HA 1 HA 3, HA 3, as amended, HA 4, HA 5 and HA 6
(Fiscal Review 5/13/19) - Knight
SCS SB 83, with HA 1, HA 1 HA 2, HA 2 HA 2, and HA 2, as amended - Ross
HCS SCS SB 147, as amended - Taylor
HCS SB 202, as amended - Dinkins

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 2001 - Smith
CCS SCS HCS HB 2002 - Smith
CCS SCS HCS HB 2003 - Smith
CCS SCS HCS HB 2004 - Smith

CCS SCS HCS HB 2005 - Smith
CCS SCS HCS HB 2006 - Smith
CCS SCS HCS HB 2007 - Smith
CCS SCS HCS HB 2008 - Smith
CCS SCS HCS HB 2009 - Smith
CCS SS SCS HCS HB 2010 - Smith
CCS SCS HCS HB 2011 - Smith
CCS SCS HCS HB 2012 - Smith
SCS HCS HB 2013 - Smith
HCS HB 2017 - Smith
HCS HB 2018 - Smith
HCS HB 2019 - Smith