

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

SIXTY-SIXTH DAY, TUESDAY, MAY 7, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty Goodness, those who know You testify that “The earth is full of the goodness of the Lord.” Assist this House to make that plain. May these women and men uncover and discover integrity and decency in statement and action today.

Unearth astuteness and wisdom in the labors of caucuses, committees, and considerations. Discern agreement even in the wrangling, dispute, and posturing innate to our democratic process. May the final thorny days of this session attest that You are at work in the heart of our world, in the core of our United States, and today, most especially, in the nucleus of this Chamber. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ella Jean Skaggs, A. J. Hagedorn, Nora Borgmeyer, Alyssa Combs, Kevin Hunolt, Brad Bozoarth, Lydia Diedrich, Becca Herman, Michael Knox, Michael Hughes, Anna Killion, Irvin Drake and Chelsea Fayne.

The Journal of the sixty-fifth day was approved as corrected.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jones	Kelley 47	Kelly 144	Kelly 27

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Kelly 36	King	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 002

Crowell Reynolds

ABSENT WITH LEAVE: 028

Baker	Brooks	Burcham	Byrd	Carnahan
Crawford	Curls	Hagan-Harrell	Harlan	Henderson
Holand	Jolly	Lawson	Lograsso	Long
Luetkenhaus	Naeger	O'Connor	Rector	Reid
Ridgeway	Roark	Secrest	Surface	Thompson
Van Zandt	Williams	Wright		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1780 - Representative Shields
House Resolution No. 1781 - Representative Moore
House Resolution No. 1782 - Representative Relford
House Resolution No. 1783 - Representative Phillips
House Resolution No. 1784 - Representative McKenna
House Resolution No. 1785 - Representative Behnen
House Resolution No. 1786 - Representative Rizzo
House Resolution No. 1787 - Representative Hunter
House Resolution No. 1788
through
House Resolution No. 1793 - Representative Crawford

Representative Farnen assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1635, relating to water corporations, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1635** was adopted by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Brooks	Burton	Byrd
Crump	Green 73	Harlan	Hickey	Hohulin
Lawson	Luetkenhaus	Naeger	O'Connor	Richardson
Ridgeway	Secrest	Van Zandt	Williams	Wright

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1635** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus

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Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Nordwald	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Brooks	Green 73	Harlan
Henderson	Hunter	Lawson	Luetkenhaus	Naeger
O'Connor	Ostmann	Richardson	Ridgeway	Secrest
Van Zandt	Williams	Willoughby		

VACANCIES: 001

Representative Farnen declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

SCS HB 1636, relating to election authority verification boards, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1636** was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill

George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brooks	Crowell	Crump	Dempsey	Franklin
Green 73	Harlan	Hosmer	Lawson	Luetkenhaus
O'Connor	Paone	Reid	Richardson	Scheve
Secrest	Shields	Van Zandt	Williams	Wright

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1636** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore

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Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brooks	Crowell	Foley	Franklin	Harlan
Haywood	Henderson	Hunter	Lawson	Luetkenhaus
O'Connor	Richardson	Scheve	Secrest	Van Zandt
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

SCS HB 1890, as amended, relating to sales/use tax, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **SCS HB 1890, as amended**, was adopted by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood

Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Brooks	Byrd	Carnahan
Crowell	Franklin	Harlan	Lawson	Luetkenhaus
O'Connor	Richardson	Scheve	Secrest	Van Zandt
Williams				

VACANCIES: 001

On motion of Representative Hilgemann, **SCS HB 1890, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 001

Roark

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Bray 84	Brooks	Byrd
Clayton	Crowell	Foley	Franklin	Harlan
Lawson	Luetkenhaus	O'Connor	Richardson	Scheve
Secrest	Van Zandt	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hohulin	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Ballard	Bland	Brooks	Clayton
Crowell	Hagan-Harrell	Lawson	Long	Luetkenhaus
O'Connor	O'Toole	Richardson	Scheve	Secrest
Van Zandt	Williams			

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEE

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

SCS HB 2120: Representatives Hosmer, Britt, Kelly (36), Ridgeway and Naeger

MOTION

Representative Green (73) moved that Rule 26 be suspended in order to grant leave to the members of the House Conference Committees on **SCS HCS HB 1101 through SCS HCS HB 1112** allowing them to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 134

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Robirds	Ross	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Lograsso	Moore	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 024

Baker	Ballard	Bland	Brooks	Clayton
Crowell	Daus	Franklin	Gambaro	Henderson
Hohulin	Lawson	Long	Luetkenhaus	O'Connor
O'Toole	Ostmann	Richardson	Ridgeway	Scheve
Secrest	Van Zandt	Wagner	Williams	

VACANCIES: 001

BILLS CARRYING REQUEST MESSAGES

HCS SB 758, relating to sex offender registration, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to recede from its position on **HCS SB 758** and grant the Senate a conference.

Which motion was adopted.

HCS SB 795, relating to boiler and pressure vessels safety fund, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to recede from its position on **HCS SB 795** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 980, relating to physical therapy, was taken up by Representative Hunter.

Representative Hunter moved that the House refuse to recede from its position on **HCS SCS SB 980** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SBs 1086 & 1126, relating to nuisance abatement, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HCS SCS SBs 1086 & 1126** and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, relating to transportation, was taken up by Representative Koller.

Representative Koller offered **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738**.

Speaker Kreider assumed the Chair.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 47, Section 227.100, Lines 5 to 10 of said page, by deleting all of said lines and inserting in lieu thereof the following: "construction of said project."; and

Further amend said bill, Page 54, Section 227.040, by deleting all of said section; and

Further amend said bill, Pages 54-55, Section 227.050, by deleting all of said section; and

Further amend said bill, Page 55, Section 227.060, by deleting all of said section; and

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

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

Representative Smith raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 75, Section 307.205, Line 9, by deleting the word "regulate" and inserting in lieu thereof the following: "**impose additional regulations on**".

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

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting the following section in the appropriate location:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which he **or she** is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him **or her** for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section. If any city, town, or village receives more than [forty-five] **thirty-five** percent of its [total] annual **general operating** revenue from fines **and court costs** for traffic violations occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-five** percent of the [total] annual **general operating** revenue of the city, town, or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number.

2. If any city, town, or village fails to send such excess revenues to the director of the department of revenue in a timely fashion which shall be set forth by the director by rule, such city, town, or village shall submit to an annual audit by the state auditor pursuant to the authority of Article IV, Section 13 of the Missouri Constitution. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

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

Representative Green (73) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 58, Section 234.032, Line 19 of said page, by inserting after all of said line the following:

"238.500. Sections 238.500 to 238.552 shall be known as the "Missouri Regional Transportation Development District Act".

238.502. 1. As used in sections 238.500 to 238.552, the following terms mean:

(1) "Board", the board of directors of a district;
(2) "Commission", the Missouri state highways and transportation commission;
(3) "District", a regional transportation development district organized pursuant to sections 238.500 to 238.552;

(4) "Local transportation authority", a county, city, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake, or river port, airport, railroad, light rail, or other transit improvement or service;

(5) "Project" includes construction, renovation, preservation, operation, or maintenance of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bike, or pedestrian improvement, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake, or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of article X, sections 11(c), 16, and 22 of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.500 to 238.552, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
(2) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.

238.504. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain, and operate one or more projects or to assist in such activity.

2. A district is a political subdivision of the state.

238.506. 1. Whenever the creation of a district is desired, not less than fifty registered voters from a county or city not within a county may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

2. Alternatively, the governing body of any county or city not within a county may pass a petition allowing voters to decide upon creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

3. The proposed district area shall be contiguous and may contain one or more counties and a city not within a county. Property separated only by public streets shall be considered contiguous.

4. The petition shall set forth:

(1) The name, voting residence, and county of residence of each individual petitioner, or shall recite that the petitioner is the governing body of that city or county acting in its official capacity;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the transportation projects proposed to be undertaken by that district;

(4) The name of the proposed district;

(5) The number of members of the board of directors of the proposed district, which shall be three from each county or city not within a county within the proposed district;

(6) A statement that the terms of office of initial board members shall be staggered to expire in two, four, and six years;

(7) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters residing within the limits of the proposed district whether they will establish a regional transportation development district for funding transportation projects;

(8) A proposal for funding the district initially, pursuant to the authority granted in sections 238.500 to 238.552, together with a request that the funding proposal be submitted to the qualified voters residing within the limits of the proposed district.

238.508. 1. If the petition was filed by registered voters or by a governing body, the circuit clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

NOTICE OF PETITION TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING OF A REGIONAL TRANSPORTATION DEVELOPMENT DISTRICT

Notice is hereby given to all persons residing in (here specifically describe the proposed district boundaries),

within the state of Missouri, that a petition has been filed asking that upon voter approval, a regional transportation development district by the name of "..... Regional Transportation Development District" be formed for the purpose of funding the transportation projects. A copy of this petition is on file and available at the office of the clerk of the circuit court of County, located at, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the regional transportation development district and requesting a declaratory judgment, as required by law, no later than the day of, 20... You may show cause, if any there be, why such petition is defective or proposed regional transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary, or special election as directed by this court.

..... Clerk of the Circuit Court of County.

2. The circuit clerk shall also submit the same notice to the commission.

3. The circuit court may also order a public hearing on the question of the creation of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in this section

238.510. 1. If the circuit court certifies the petition for voter approval, it shall call an election pursuant to section 238.512.

2. At such election for voter approval of the qualified voters, the questions shall be submitted in substantially the following form:

Shall there be organized in (here specifically describe the proposed district boundaries), within the state of Missouri, a regional transportation development district, to be known as the "..... Regional Transportation Development District" for the purpose of funding transportation projects and to have the power to fund the proposed projects upon voter approval by any or all of the following methods: sales tax, tolls, and bonds?

3. The results of the election shall be entered upon the records of the circuit court of the county or city not within a county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county or city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission or the city not within a county. If the results show that a majority of the votes cast by the qualified voters were in favor of organizing the regional transportation development district, the circuit court having jurisdiction of the matter shall declare the district organized. If the results show that less than a majority of the votes cast by the qualified voters were in favor of the organization of the district, the circuit court shall declare that the question has failed to pass, and the same question shall not be again submitted for voter approval for two years.

238.512. 1. Except as otherwise provided in section 238.516 with respect to the election of directors, in order to call any election required or allowed in sections 238.500 to 238.552, the circuit court shall order the clerk to cause the questions to appear on the ballot on the next regularly scheduled municipal, or state general, primary, or special election day, which date shall be the same in each county or city not within a county included within and voting upon the proposed district.

2. The results of the election shall be entered upon the records of the circuit court of the county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county and city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission and the city not within a county.

238.514. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 238.500 to 238.552, the petitioners may be reimbursed for such costs out of the revenues received by the district.

238.516. 1. At the time of the organizing election, three directors from each county or city not within a county shall be elected.

2. Candidates shall pay the sum of fifty dollars as a filing fee to the clerk of the county or city not within a county and shall file with the election authority of such county or city not within a county a statement under oath that the candidate possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

3. The director or directors to be elected shall be elected at large within the county or city not within a

county. The candidate receiving the most votes from qualified voters shall be elected to the position having the six-year term, the second highest total votes elected to the position having the four-year term, and the third highest total votes elected to the position having a two-year term. Each initial director shall serve the term to which the director was elected, and until a successor is duly elected and qualified. Each successor director shall serve a six-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

238.518. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. The board shall meet within thirty days after the election of the initial directors. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members the board shall elect a chair from its members.

3. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for actual and necessary expenditures in the performance of duties on behalf of the district.

238.520. 1. Before construction of any project to be merged into the state highways and transportation system, the district shall submit the proposed project, together with the proposed plans and specifications, to the commission for its prior approval of the project. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may approve the project subject to the district making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. Before construction of any project that is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall submit the proposed project, together with proposed plans and specifications, to the local transportation authority for its prior approval. The local transportation authority may approve the project subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

238.522. 1. A district may use sales taxes, tolls, or bonds specifically authorized by sections 238.500 to 238.552 to fund a project.

2. At any time during the existence of the district the board may submit or resubmit a proposed funding method authorized by sections 238.500 to 238.552 for transportation projects to the qualified voters for approval.

3. The district may by contract with the commission agree to send to the commission any revenue received by the district from any funding method authorized by sections 238.500 to 238.552. Such revenue and interest therefrom shall be deposited by the commission pursuant to section 227.180, RSMo, and applied by the commission to project costs, including debt service, on revenue bonds, or refunding bonds issued by the commission.

4. Revenue raised by the regional transportation development district shall provide additional funding for transportation projects and purposes. The commission shall not reduce funding from any source provided to the area covered by the regional transportation development district below the amount received in the fiscal year of the district's organization except when state or federal taxes or fees are reduced, in which case the reduction must not exceed the proportion of the tax or fee reduction. The commission shall increase funding

in each fiscal year to the area covered by the regional transportation development district by at least the percent growth in all funding sources. Any and all federal funds designated by federal law, regulation, or appropriation to the area covered by the regional transportation development district must be passed through to the district in full.

5. The district may by contract with a local transportation authority agree to send the local transportation authority any revenue received by the district. The local transportation authority shall deposit such revenue in a special local trust account. Such revenue and interest therefrom shall be applied by the local transportation authority to project costs.

238.524. 1. Any transportation development district which consists of one or more counties or city not within a county, may by resolution impose a regional transportation development district sales tax on all retail sales made in such regional transportation development district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, for any transportation development purpose designated by the regional transportation development district in its ballot of submission to its qualified voters. No resolution enacted pursuant to the authority granted by this section shall be effective unless the board of directors of the regional transportation development district submits to the qualified voters of the regional transportation development district, at a municipal or state general, primary, or special election, a proposal to authorize the board of directors of the transportation development district to impose a sales tax or tolls pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional transportation development district of (regional transportation development district's name) impose a regional transportation development district-wide sales tax at the rate of (insert amount) for a period of(insert number) years from the date on which such tax is first imposed for the purpose funding transportation projects?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the regional transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the regional transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. Within ten days after the adoption of any resolution in favor of the adoption of a regional transportation development district sales tax by the qualified voters of such regional transportation development district, the regional transportation development district shall forward to the director of revenue, by United States registered mail or certified mail, a certified copy of the resolution of its board of directors. The resolution shall reflect the effective date thereof. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of such tax.

4. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together, and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

5. All revenue received by a regional transportation development district from the tax authorized by this section which has been designated for certain transportation purpose, less one percent to pay for the costs of collection deposited by the department of revenue in the state's general revenue fund, shall be deposited by the district in a special local trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to this section or if the tax authorized by this section is repealed pursuant to this section, all funds remaining in the special local trust fund shall continue to be used solely for such designated transportation purposes. Any funds in such special local trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable

laws relating to the investment of other regional transportation development district funds.

6. The sales tax may be imposed at a rate of up to one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the regional transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to sections 144.010 to 144.525, RSMo, except such regional transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats, or outboard motors nor to public utilities. Any regional transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525, RSMo, and the tax imposed by the resolutions as authorized by this section, plus any amounts imposed pursuant to other provisions of law.

8. (1) All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing the state sales tax, sections 32.085 and 32.087, RSMo, governing local sales taxes, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax imposed in this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax imposed in this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the regional transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to this section.

(5) The penalties provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

9. If any regional transportation development district repeals the tax authorized by this section, the regional transportation development district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by this section in such regional transportation development district, the director of revenue shall remit the balance in the account to the regional transportation development district and close the account of that transportation development district. The director of revenue shall notify each regional transportation development district of each instance of any amount refunded or any check redeemed from receipts due the regional transportation development district.

10. (1) No regional transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay

any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects.

(2) Whenever the board of directors of any regional transportation development district in which a regional transportation development sales tax has been imposed pursuant to this section receives a petition, signed by ten percent of the qualified voters of such regional transportation development district calling for an election to repeal such sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects, submit to the voters of such regional transportation development district a proposal to repeal the sales tax imposed pursuant to this section at the next municipal, state general, primary, or special election. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the sales tax, then the resolution imposing the sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the sales tax, then the ordinance or resolution imposing the sales tax, along with any amendments thereto, shall remain in effect.

238.526. 1. If approved by a majority of the qualified voters voting on the question in the district, the district may charge and collect tolls or fees for the use of a transportation project. The board may charge a lower toll rate or fee than that amount approved by the district voters, and may increase that lower toll rate or fee to a level not exceeding the toll or fee rate ceiling without voter approval. Toll rates or fees for the use of the same project may vary at the election of the board, depending upon the type or nature of the user, or the type or nature of the use.

2. The ballot of submission shall be substantially in the following form:

Shall the Regional Transportation Development District be authorized to charge tolls or fees in amounts not to exceed those given below:

Maximum Toll or Fee Toll or Fee Description

(Insert amount) (Insert a brief description of the toll or fee, distinguishing it from other tolls or fees to be charged on the same project)

(Insert amount) (Describe the next toll or fee charged)

(Etc.) (Etc.) for the purpose of providing revenue to fund a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. To construct a toll facility, a district may relocate an existing state highway or bridge, subject to approval by the commission, or an existing local public bridge, street, or road, subject to approval by the local transportation authority having control and jurisdiction over such street or road. A district shall not incorporate an existing free public bridge, street, road, or highway into a district project that will be subject to tolls.

238.528. A district may:

(1) Contract and incur liabilities appropriate to accomplish its purposes;

(2) Lease or lease-purchase any real or personal property necessary or convenient for its purposes;

(3) Borrow money for its purposes at such rates of interest as the district may determine; and

(4) Issue bonds, notes, and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 238.500 to 238.552. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it obtained by eminent domain. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it acquired from the state of Missouri or any agency or political subdivision thereof without the written consent of the state, agency, or political subdivision from which it obtained the property.

238.530. 1. A district may at any time authorize or issue revenue bonds for the purpose of paying all or any part of the cost of any project. Every issue of such bonds shall be payable out of the revenues of the district and may be further secured by other property of the district which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of twenty-five years, as the resolution shall specify. Such bonds shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding section 108.170, RSMo. The bonds may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

2. Any issue of district bonds outstanding may be refunded at any time by the district by issuing its refunding bonds in such amount as the district may deem necessary. Such bonds may not exceed the amount sufficient to refund the principal of the bonds so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds being refunded or by the exchange of the refunding bonds for the bonds being refunded with the consent of the holder or holders of the bonds being refunded. Refunding bonds may be issued regardless of whether the bonds being refunded were issued in connection with the same project or a separate project and regardless of whether the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. If the proposed project is intended to be merged into the state highways and transportation system for future maintenance under the commission's jurisdiction, the district may contract with the commission to assist it in issuing district revenue bonds and refunding bonds. The district may also contract with the commission to issue commission revenue bonds and refunding bonds and to loan the proceeds thereof to the district. Such bonds shall be authorized by commission minute and shall be issued subject to conditions applicable to bonds issued by the district but as determined by the commission rather than the district.

4. Bonds issued pursuant to this section shall exclusively be the responsibility of the district payable solely out of district funds and property provided in sections 238.500 to 238.552 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Neither the district nor the commission shall be obligated to pay such bonds with any funds other than those specifically pledged to repayment of the bonds. Any bonds issued by a district or the commission shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

5. Bonds issued pursuant to this section, the interest thereon, or any proceeds from such bonds shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

238.532. The district may:

- (1) Purchase land or receive contributions of land and cash for project right-of-way;
- (2) Limit and control access from adjacent property to a district project; and
- (3) Sell and convey excess right-of-way for fair market value to any person or entity.

238.534. 1. The district may condemn lands for a project in the name of the state of Missouri as to the necessity for the taking of the description of the parcel and the interest taken in that parcel.

2. If condemnation becomes necessary the district shall act pursuant to chapter 523, RSMo, and may condemn a fee simple or other interest in land.

3. The district may, after prior notice to the owner to enter upon private property, survey and determine the most advantageous route and design. The district shall be liable for all damages done to the property by such inspection.

4. Any person who involuntarily transfers any interest in land to a district which becomes insolvent and comes under the jurisdiction of a court may reacquire that property by paying to the district the total amount of the condemnation award for that parcel, plus statutory interest at the statutory rate from the date of taking on the amount of that award, if the project will not be completed strict, the commission, or a local transportation authority.

5. Whenever a district undertakes any project which results in the acquisition of real property or in any

person or persons being displaced from their homes, businesses, or farms, the district shall provide relocation assistance and make relocation payments to such displaced person and do such other acts and follow such procedures as would be necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

238.536. The district may contract with:

(1) A federal agency, a state or its agencies and political subdivisions, the commission, a local transportation authority, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity; and

(2) The commission to transfer the project to the commission free of cost or encumbrance on such terms set forth by contract. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts under chapter 536, RSMo;

(3) The local transportation authority to transfer the project to the local transportation authority free of cost or encumbrance on such terms set forth by contract.

238.538. In addition to all other powers granted by sections 238.500 to 238.552, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors. All contracts in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(3) To purchase any personal property necessary or convenient for its activities. All outright purchases of personal property in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(4) To collect and disburse funds for its activities; and

(5) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

238.540. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers, and its employees from any potential liability, and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project to obtain liability insurance having the district, its directors, and its employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

238.542. The district may contract with the commission and local transportation authorities to obtain assistance in project funding, promotion, planning, design, right-of-way acquisition, relocation assistance services, construction, preservation, maintenance, and operation. The commission or any local transportation authority may charge the district a reasonable fee, not exceeding the actual cost of providing the service. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts pursuant to chapter 536, RSMo. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

238.544. The state of Missouri, upon approval by an appropriate act of the general assembly, the commission, or a local transportation authority holding title to real estate, may give, grant, and convey to or for the use of a district such right-of-way or other easement in such real estate as may be necessary for the development of a project.

238.546. 1. For the purpose of law enforcement, all district projects to be transferred to the commission shall be treated as commission highways under chapter 43, RSMo, and all projects to be transferred to a local transportation authority shall be treated as streets or roads of that entity.

2. All laws of this state relating to maintaining, signing, damaging, and obstructing roads shall apply to district projects. The duties and powers imposed by such laws on certain officials shall devolve upon the district's engineer or other employee designated by the board. Nothing in this subsection shall be deemed to

interfere with, restrict, or limit the authority of the commission to govern and control highway marking, signalization, and signing to the extent the commission is authorized by law.

3. For outdoor advertising and junkyard control purposes, a district project may be designated by the commission as a part of the state primary highway system and by a local transportation authority as a part of its street or road system.

238.548. Unless otherwise approved by contract of the district, project improvements shall not be under the control and jurisdiction of a local transportation authority while the district retains control and jurisdiction over the project. The provisions of chapter 228, RSMo, are inapplicable to transportation development districts.

238.550. The state auditor shall audit each district not less than once every three years, and may audit more frequently if the state auditor deems appropriate. The state auditor shall also audit each district before it is abolished. The costs of these audits shall be paid by the district.

238.552. 1. At such time as a district has completed its projects and has transferred ownership of the projects to the commission or other local transportation authority for maintenance, or at such time as the board determines that it is unable to complete its projects due to lack of funding or for any other reason, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the Regional Transportation Development District be abolished?

2. The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Before submitting the question to abolish the district to a vote, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law.

3. While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

4. Upon receipt of certification by the appropriate election authorities that the majority of those voting within the district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board shall:

(1) Sell any remaining district real or personal property, and then transfer the proceeds and any other real or personal property owned by the district, including revenues due and owing the district, to the commission or any appropriate local transportation authority assuming maintenance and control of the project, for its further use and disposition;

(2) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(3) At a public meeting of the district, declare by a majority vote that the district has been abolished effective that date; and

(4) Cause copies of that resolution under seal to be filed with the secretary of state, the director of revenue, the commission, and with each local transportation authority affected by the district. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease."; and

Further amend said bill, Page 78, Section C, Line 8 of said page, by inserting after all of said line the following:

"Section D. Sections 238.500, 238.502, 238.504, 238.506, 238.508, 238.510, 238.512, 238.514, 238.516, 238.518, 238.520, 238.522, 238.524, 238.526, 238.528, 238.530, 238.532, 238.534, 238.536, 238.538, 238.540, 238.542, 238.544, 238.546, 238.548, 238.550, and 238.552 of section A of this act shall become effective January 1, 2003."; and

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

Representative Shoemyer (9) assumed the Chair.

Speaker Kreider resumed the Chair.

Representative Green (73) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

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AYES: 069

Abel	Baker	Barry 100	Bartle	Bearden
Bland	Bonner	Boucher	Bowman	Boykins
Byrd	Campbell	Carnahan	Cierpiot	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Harding	Haywood	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Liese
Linton	Lograsso	Lowe	Luetkenhaus	McKenna
Murphy	Myers	Ostmann	Overschmidt	Paone
Portwood	Reynolds	Ridgeway	Scheve	Selby
Shelton	St. Onge	Thompson	Treadway	Troupe
Villa	Wagner	Walton	Wilson 42	

NOES: 072

Barnett	Barnitz	Bartelsmeyer	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bray 84	Burcham
Burton	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Davis	Franklin
Graham	Gratz	Hampton	Hegeman	Henderson
Hoppe	Hunter	Jetton	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Moore	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Townley	Vogel	Whorton	Willoughby
Wilson 25	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Britt	Brooks	Gaskill	Harlan
Hartzler	Hohulin	Holand	Jones	Lawson
Monaco	Naeger	Nordwald	O'Connor	O'Toole
Secrest	Van Zandt	Walker	Ward	Williams
Wright				

VACANCIES: 001

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 65, Section 304.001, Lines 11 to 15, by deleting all of said lines and inserting in lieu thereof the following:

"sections 304.155 and 304.157, whether or not operational. **For any vehicle towed from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's owner within five working days of the accident, the agency requesting the tow shall be required to write an abandoned property report.**"; and

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

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

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 18, Section 226.137, Lines 11 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 19, Section 226.137, Lines 1 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"highway and transportation commission shall annually present a proposed plan and an analysis demonstrating the feasibility and appropriateness of such bond issuance to the "Missouri Independent Citizens' Commission" which is hereby established. The commission shall be composed of ten members appointed by the governor with the advice and consent of the senate, with one member from each of the ten state highway districts. The members shall be appointed for terms of six years, except for those members first appointed three members shall serve for two years, three members shall serve for four years, and four members shall serve for six years. Each member shall serve until his or her successor shall qualify. The commission shall elect from its membership a chairperson. No more than five members of the commission shall be from the same political party. Each member shall be reimbursed for actual and necessary expenses incurred in the performance of his or her official duties. The proposed bond plan and analysis shall be submitted by the highways and transportation commission to the independent citizens' commission by February first of each year. The plan to issue bonds shall become effective unless disapproved by a majority vote of the independent citizens' commission within forty-five calendar days of its submission. If no majority vote to disapprove the bond plan is made within forty-five days of its submission, the plan shall become effective immediately. The plan submitted by the highways and transportation commission shall not be subject to amendment by the independent citizens' commission and may only be rejected in its entirety."; and

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

Representative Griesheimer moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1568**, entitled:

An act to repeal sections 375.246, 375.330, 375.1202, 376.311, 376.671, 376.951, 376.952, 376.955, 376.957 and 379.080, RSMo, and to enact in lieu thereof fourteen new sections relating to insurance.

In which the concurrence of the House is respectfully requested.

On motion of Representative Foley, the House recessed until 1:40 p.m.

AFTERNOON SESSION

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1794

and

House Resolution No. 1795 - Representative Dolan

House Resolution No. 1796

and

House Resolution No. 1797 - Representative Relford

House Resolution No. 1798

and

House Resolution No. 1799 - Representative Vogel

House Resolution No. 1800 - Representative Ostmann

House Resolution No. 1801 - Representative Johnson (61)

House Resolution No. 1802

through

House Resolution No. 1829 - Representative Murphy

House Resolution No. 1830

through

House Resolution No. 1844 - Representative Cunningham

House Resolution No. 1845

and

House Resolution No. 1846 - Representative Fares

House Resolution No. 1847 - Representative Gratz

House Resolution No. 1848 - Representative Dolan

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 2080, relating to retirement benefits for prosecutors, was taken up by Representative Britt.

On motion of Representative Britt, **SCS HB 2080** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Reid
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Bland	Cierpiot	Dolan	Froelker
Harlan	Holand	Hunter	Kelly 144	Liese
Lograsso	Long	Monaco	Ostmann	Rector
Reinhart	Richardson	Secrest	Townley	Van Zandt
Williams				

VACANCIES: 001

On motion of Representative Britt, **SCS HB 2080** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Farnen	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Liese	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Reid	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Barry 100	Byrd	Cierpiot	Copenhaver	Dolan
Fares	Foley	Froelker	Harlan	Hendrickson
Jolly	Kelly 144	Legan	Linton	Lograsso
Lowe	Miller	Monaco	Rector	Reinhart
Richardson	Secrest	Shields	St. Onge	Townley
Van Zandt	Williams			

VACANCIES: 001

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending, relating to transportation, was again taken up by Representative Koller.

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

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 6, Section 142.803, Line 15 of said page, by inserting immediately after all of said line the following:

"3. In addition to the tax levied and imposed pursuant to subdivision (1) of subsection 1 of this section, an additional tax of three cents per gallon is hereby levied and imposed on motor fuel used or consumed in this state. The revenue derived from the additional tax of three cents per gallon imposed pursuant to this subsection shall be distributed and used as provided in article IV, section 30(a) of the Missouri Constitution. The additional tax imposed pursuant to this subsection is imposed upon the ultimate consumer, but is to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax. The additional revenue derived from the tax imposed by this subsection shall not be part of the total state revenue within the meaning of article X, sections 17 and 18 of the Missouri Constitution. The expenditure of this revenue shall not be an expense of state government pursuant to article X, section 20 of the Missouri Constitution. The additional tax imposed by this section shall expire on December 31, 2022."; and

Further amend said bill, Page 9, Section 144.020, Line 21 of said page, by inserting immediately after the word **"tax"** the following: **"of three-fourths"**; and

Further amend said bill, Page 10, Section 144.020, Line 3 of said page, by inserting immediately after the words **"equivalent to"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 9 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 11 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 16 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 11, Section 144.021, Line 24 of said page, by deleting the words "[four] **five**" and inserting in lieu thereof the following: **"four and three-fourths"**; and

Further amend said bill, Page 77, Section C, Line 18 of said page, by inserting immediately after the word **"sections"** the following: **"142.803,"**; and

Further amend said bill, Page 78, Section C, Line 2 of said page, by inserting immediately after the word **"sections"** the following: **"142.803,"**; and

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

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by removing section 144.020 from the bill; and

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

Representative Reid moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Ballard	Bartle	Berkstresser	Boatright	Boykins
Byrd	Cierpiot	Cooper	Crowell	Daus
Dempsey	Gambara	Gaskill	Green 15	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Mayer	Miller	Moore
Murphy	Paone	Phillips	Purgason	Rector
Reid	Richardson	Roark	Ross	Schwab
Scott	Selby	Surface	Townley	Villa
Wilson 42	Wright			

NOES: 098

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hilgemann	Hollingsworth	Hoppe	Hosmer
Johnson 90	Jolly	Jones	King	Koller
Liese	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Merideth	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Quinn	Ransdall	Relford	Reynolds
Rizzo	Robirds	Scheve	Seigfreid	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Mr. Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Baker	Enz	Hickey	Kelly 27	Lawson
Lowe	Reinhart	Ridgeway	Secrest	Van Zandt
Williams				

VACANCIES: 001

Representative Gambaro offered **House Substitute Amendment No. 2 for House Amendment No. 7.**

*House Substitute Amendment No. 2
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 11, Section 144.021, Line 24, by deleting said line and inserting in its place the following: “**retail, and remit tax at four and three eighths percent of their gross**”.

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

On motion of Representative Gambaro, **House Substitute Amendment No. 2 for House Amendment No. 7** was adopted by the following vote:

AYES: 074

Barnett	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Bonner	Boykins
Bray 84	Burcham	Burton	Campbell	Champion
Cierpiot	Cooper	Crawford	Crump	Cunningham
Daus	Dempsey	Enz	Froelker	Gambaro
Griesheimer	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Holt	Hoppe	Hunter
Johnson 61	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 149	Mays 50	Miller	Moore	Myers
Naeger	Nordwald	O'Toole	Paone	Phillips
Purgason	Quinn	Reid	Reinhart	Ridgeway
Ross	Schwab	Scott	Shields	Surface
Thompson	Townley	Troupe	Villa	Vogel
Walton	Ward	Willoughby	Wright	

NOES: 073

Barry 100	Berkowitz	Black	Bland	Boucher
Bowman	Britt	Byrd	Carnahan	Clayton
Copenhaver	Crowell	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hilgemann	Hollingsworth

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Jetton	Johnson 90	Jolly	Jones	Kelly 36
Koller	Liese	Marsh	Mayer	McKenna
Merideth	O'Connor	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Relford	Reynolds	Rizzo
Roark	Robirds	Scheve	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Treadway	Walker	Whorton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 002

Brooks Wagner

ABSENT WITH LEAVE: 013

Abel	Baker	Ballard	Hosmer	Kelly 27
Lawson	Long	Lowe	Monaco	Murphy
Richardson	Secrest	Van Zandt		

VACANCIES: 001

HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending, was laid over.

Representative Scheve assumed the Chair.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 966, relating to a special license plate, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SCS SB 966** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt

Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 005

Franklin	Purgason	Roark	Townley	Wilson 25
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PRESENT: 003

Harding	Seigfreid	Ward
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ABSENT WITH LEAVE: 014

Baker	Ballard	Harlan	Haywood	Hickey
Hosmer	Kelly 27	Lawson	Lograsso	Long
O'Toole	Paone	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

SB 798, relating to a special license plate, was taken up by Representative Ross.

On motion of Representative Ross, **SB 798** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid

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Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 012

Boatright	Burcham	Clayton	Crowell	Franklin
Hunter	Jolly	Monaco	Purgason	Smith
Townley	Wilson 25			

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 016

Ballard	Carnahan	Harlan	Hickey	Hohulin
Hosmer	Kelly 27	Lawson	Long	Marble
O'Toole	Ostmann	Paone	Secrest	Van Zandt
Williams				

VACANCIES: 001

Representative Scheve declared the bill passed.

SCS SB 745, relating to a special license plate, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **SCS SB 745** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 023

Baker	Ballard	Burcham	Foley	Franklin
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Marble	Mays 50	Murphy
O'Toole	Ostmann	Paone	Richardson	Secrest
Seigfreid	Van Zandt	Williams		

VACANCIES: 001

Representative Scheve declared the bill passed.

SCS SB 656, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS SB 656** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid

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Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Bland	Fares	Foley
Franklin	Harlan	Hickey	Hohulin	Hosmer
Kelly 27	Lawson	Long	Marble	Mays 50
O'Toole	Paone	Richardson	Secrest	Treadway
Van Zandt	Williams			

VACANCIES: 001

Representative Scheve declared the bill passed.

SB 726, relating to Emergency Services Day, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **SB 726** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge

Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Crump	Franklin	Harlan
Hickey	Hohulin	Hosmer	Kelly 27	Lawson
Lograsso	Long	O'Toole	Ostmann	Paone
Relford	Richardson	Secrest	Van Zandt	Williams

VACANCIES: 001

Representative Scheve declared the bill passed.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 46, relating to Temporary Assistance for Needy Families Program reauthorization, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **SCR 46** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

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Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Boatright	Hendrickson	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Barry 100	Crump	Franklin
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Murphy	O'Toole	Paone
Richardson	Secrest	Van Zandt	Williams	

VACANCIES: 001

Representative Scheve declared the bill passed.

SCR 37, relating to Medicare, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **SCR 37** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Crump	Franklin	Harlan	Henderson
Hickey	Hohulin	Hosmer	Kelly 144	Kelly 27
Lawson	Long	Myers	O'Toole	Paone
Richardson	Secrest	Van Zandt		

VACANCIES: 001

Representative Scheve declared the bill passed.

SCR 36, relating to the Joint Interim Committee on Education Funding, was taken up by Representative Davis.

On motion of Representative Davis, **SCR 36** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Carnahan	Crump	Franklin	Hampton
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Luetkenhaus	O'Toole	Ostmann
Paone	Richardson	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

SCS SCR 47, relating to the Poultry Industry Commission, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **SCS SCR 47** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Barry 100	Byrd	Carnahan	Franklin
Harlan	Hickey	Hohulin	Hosmer	Lawson
Monaco	Paone	Rector	Richardson	Secrest
Van Zandt	Vogel			

VACANCIES: 001

Representative Scheve declared the bill passed.

SCR 54, relating to Women's History Month, was taken up by Representative Fares.

On motion of Representative Fares, **SCR 54** was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 015

Baker	Byrd	Crump	Franklin	Harlan
Hickey	Hohulin	Hosmer	Lawson	O'Toole
Paone	Richardson	Robirds	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1381**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to interpretation of insurance materials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1701**, entitled:

An act to repeal sections 376.671, 376.951, 376.952, 376.955 and 376.957, RSMo, and to enact in lieu thereof nine new sections relating to long-term care insurance.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1381, relating to the English language, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS HB 1381** was adopted by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe

Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Carnahan	Crump	Dempsey
Franklin	Graham	Harlan	Hartzler	Hickey
Hosmer	Kelly 144	Lawson	Marble	O'Toole
Richardson	Secrest	Van Zandt		

VACANCIES: 001

On motion of Representative Luetkenhaus, **SCS HB 1381** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Legan	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby

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Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Carnahan	Cierpiot	Dempsey	Graham
Harding	Harlan	Hickey	Hosmer	Kelly 144
Koller	Lawson	Liese	Richardson	Secrest
Shields	Van Zandt			

VACANCIES: 001

Representative Scheve declared the bill passed.

SCS HB 1568, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS HB 1568** was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	King	Legan
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith

St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Carnahan	Crump	Franklin	Graham
Harlan	Hilgemann	Holand	Hosmer	Kelley 47
Kelly 144	Koller	Lawson	Liese	O'Toole
Richardson	Secrest	Townley	Van Zandt	

VACANCIES: 001

On motion of Representative Luetkenhaus, **SCS HB 1568** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Legan	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Byrd	Carnahan	Crowell	Foley
Franklin	Graham	Harlan	Hickey	Hilgemann
Holand	Hosmer	Kelly 144	Koller	Lawson
Liese	O'Toole	Richardson	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1231, relating to service animals, was taken up by Representative Harding.

Representative Harding offered **HS HCS HB 1231**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1231, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To amend chapter 566, RSMo, by adding thereto twelve new sections relating to animals, with penalty provisions."; and

Further amend said bill by inserting in the appropriate location the following section:

"Section 12. 1. For purposes of this section, the following terms mean:

(1) "Animal", every creature, either alive or dead, other than a human being;

(2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.

2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.

3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or attempting to violate this section shall be guilty of a class C felony.

4. In addition to the penalty imposed, the court may:

(1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;

(2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and

(3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.

5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.

6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and

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

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

On motion of Representative Harding, **HS HCS HB 1231, as amended**, was adopted.

On motion of Representative Harding, **HS HCS HB 1231, as amended**, was ordered perfected and printed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 713 - Miscellaneous Bills & Resolutions

SCS SB 878 - Children, Families and Health

SB 1014 - Judiciary

SCS SB 1026 - Children, Families and Health

SS#2 SCS SB 1152 - Judiciary

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 2086**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 680**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 30

Whereas, universal design is the design of products and environments to be usable by all persons, to the greatest extent possible, without the need for adaption or specialized design; and

Whereas, the intent of universal design is to simplify life for everyone by making products, communications, and homes more usable by as many persons as possible at little or no extra cost; and

Whereas, the average lifespan has increased to age 76, with nearly 80 percent of the population living past the age of 65. Projections based on the United States Census Bureau estimates indicate that the number of persons ages 65 and over will grow to almost 40 million by the year 2010 and by the year 2020 the number of persons over the age of 85 will be between 7 and 8 million; and

Whereas, more people are living with disability, with an estimated 8.6 million persons having difficulty with one or more activities of daily living and 4.1 million persons needing personal assistance of some kind; and

Whereas, universal design strives to integrate persons with disabilities into the mainstream and recognizes the significant limitations imposed by products and environments designed and built without regard to the needs and rights of all citizens of this nation and state; and

Whereas, with the potential consumers utilizing universal design homes who may be functionally limited by age or disability increasing at a dramatic rate, these populations are no longer an insignificant or silent minority; and

Whereas, the current generation of children, baby boomers entering middle age, older adults, persons with disabilities, and individuals inconvenienced by circumstance constitute a market majority, and these constituencies and all consumers deserve to be recognized and respected; and

Whereas, the use of no-step entries, and wider entryways, hallways, interior doorways, and bathroom and kitchen spaces will benefit all consumers as well as those persons with disabilities; and

Whereas, the State of Missouri should endorse the concept of universal design in new home construction and encourage builders to utilize universal design features that make homes safer, more convenient, and comfortable for all persons regardless of age, size, or ability:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the concept of universal design in the construction of new homes, products, and environments, and encourage builders to utilize universal design features in the construction of new homes.

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred HCR 35, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 35

Whereas, the adult pregnancy rate associated with rape is estimated to be 4.7 percent, with more than 32,000 American women becoming pregnant as a result of rape each year; and

Whereas, 1,351 rapes were reported in the State of Missouri in 2000 and it is estimated that up to 84 percent of rapes are not reported, making the actual number of rapes in Missouri closer to 8,444; and

Whereas, a component of domestic violence is forced unwanted sexual activities, thereby denying women the opportunity to use contraception; and

Whereas, surveys of battered women revealed that 37 to 45 percent of those women reported being raped by their partners; and

Whereas, standards of emergency care established by the American Medical Association (AMA) require that rape survivors be counseled about their risk of pregnancy and given emergency contraception; and

Whereas, many sexual assault survivors are denied the option of deciding whether to risk becoming pregnant as a result of the rape because hospitals fail to counsel about or offer emergency contraception to them, even when they arrive within the 72-hour window of opportunity; and

Whereas, according to a national survey of women, 78 percent believe that hospitals should be required to offer emergency contraception to rape survivors; and

Whereas, a 2001 study of hospital emergency rooms in Missouri reveals that 39 percent do not offer emergency contraception to rape survivors and less than one quarter (24 percent) provide referrals for emergency contraception; and

Whereas, emergency contraception is a safe and 75 percent effective method for women to use to prevent pregnancy up to 72 hours after unprotected intercourse or contraceptive failure, and is 95 percent effective if used within 24 hours; and

Whereas, emergency contraception pills, like other hormonal forms of contraception, prevent pregnancy by delaying ovulation by preventing fertilization or by preventing implantation, and do not affect established pregnancies; and

Whereas, surveys have shown that 41 percent of the general public is unaware of emergency contraception, 72 percent of those who have heard of it do not realize that it is available in the United States, and only 11 percent understand the need for treatment to be initiated within 72 hours of sexual activity; and

Whereas, nearly half of women age 18 to 44, once informed about emergency contraception, said they would be likely to use it; and

Whereas, while virtually all obstetricians and gynecologists consider oral contraceptives to be safe and effective for use after unprotected sex to prevent pregnancy, only 24 percent discuss the option as part of routine contraceptive counseling, and many raise the issue only when confronted with a patient's emergency situation; and

Whereas, a 1999 American Medical Association study expressed concerns with the large number of women having limited access to health care services, being uninsured, or having no relationship with a physician, making the process of obtaining an emergency contraception prescription extremely difficult; and

Whereas, many pharmacists remain unaware of the pertinent facts regarding emergency contraception, undermining their ability to effectively counsel women on this option; and

Whereas, a 2001 study of pharmacies in Missouri reveals that fewer than one-half (48 percent) of Missouri pharmacies surveyed would fill prescriptions for emergency contraception and only 35 percent provide referrals; and

Whereas, experts estimate that widespread use of emergency contraception as back-up for birth control could reduce unintended pregnancies and abortions by one-half; and

Whereas, in February 1997, the United States Food and Drug Administration declared that certain brands of oral contraceptives were safe and effective for use as emergency contraceptive pills; and

Whereas, the American College of Obstetricians and Gynecologists, the American Medical Association, and the World Health Organization all state that there are no contraindications to emergency contraceptive pills:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the Division of Maternal, Child and Family Health within the Department of Health and Senior Services to initiate activities to raise awareness of emergency contraception among health care providers, pharmacists, hospitals, and the community at large. Information on emergency contraception should include its availability, its use and safety, appropriate counseling about and referrals for, and its effectiveness in preventing pregnancies if taken as soon as possible within the first 72 hours; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Health and Senior Services and the Director of the Division of Maternal, Child and Family Health.

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **SCS SBs 1061 & 1062**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 40

Whereas, current studies indicate that children left at home alone and unsupervised have lower academic test scores, have higher absentee rates at school, exhibit higher levels of fear, stress, nightmares, loneliness, and boredom, are 1.7 times more likely to use alcohol, and are 1.6 times more likely to smoke cigarettes; and

Whereas, recent data shows that violent juvenile crime rates soar and children are most likely to be victims of a violent crime committed by a nonfamily member between the hours of 3 p.m. and 8 p.m., the hours immediately after school; and

Whereas, according to the National Center for Juvenile Justice, children are at greater risk of being involved in crime, substance abuse, and teenage pregnancy in the hours after school, especially between the hours of 3 p.m. and 4 p.m.; and

Whereas, the most common activity for children after school is watching television, resulting in an average 23 hours of television watching per week; and

Whereas, the parents of more than 800,000 Missouri school-age children work outside the home; and

Whereas, according to the estimates of the Urban Institute of the United States Census Bureau, at least 7 million and as many as 15 million "latchkey children" return to an empty house on any given afternoon; and

Whereas, in the United States, families worry about their children being unsafe and having too much idle, unsupervised time; and

Whereas, the United States Departments of Education and Justice report that children in quality after-school programs have better academic performance, school attendance, behavior, and greater expectations for the future; and

Whereas, children who attend high quality after-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs; and

Whereas, children who attend after-school programs spend more time in learning opportunities, academic activities, and enrichment activities, and spend less time watching television than their peers; and

Whereas, children who attend after-school programs miss fewer days of school, have better homework completion, better school behavior, and higher test scores; and

Whereas, the United States Congress has recognized the beneficial impact of after-school programs to our youth, and has increased the funding of after-school programs administered by the Missouri Department of Elementary and Secondary Education; and

Whereas, 92% of all Americans believe there should be organized activities for all youth during after-school hours; and

Whereas, it is estimated that less than 25% of all school-age children attend any after-school program, leaving 75% of our youth without a safe, supportive, and enriching environment during the unsupervised hours after the formal school day ends:

Now, therefore, be it resolved by the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, that a Joint Interim Committee on After-school Programs be created, to be comprised of three members of the House of Representatives, appointed by the Speaker of the House of Representatives and the House Minority Floor Leader, and three members of the Senate, appointed by the President Pro Tem of the Senate and the Senate Minority Floor Leader, and

Be it further resolved that the committee make a comprehensive analysis of the quantity and quality of Missouri after-school programs, including the solicitation of information from appropriate state agencies, public schools, youth development organizations, law enforcement agencies and juvenile officers, youth development and education experts, and the public (including youth) regarding the status of after-school programs; and

Be it further resolved that the committee, in consultation with the Departments of Elementary and Secondary Education and Social Services, make recommendations for an efficient and effective development plan to provide the opportunity for every Missouri school-age child to access quality after-school programs and design a system to train, mentor, and support after-school programs, and thereby guarantee their sustainability; and

Be it further resolved that the committee be authorized to hold hearings as it deems advisable, and that the staffs of House Research, Senate Research, and the Committee on Legislative Research provide such legal, research, clerical, technical, and bill drafting services requested by the committee; and

Be it further resolved that the General Assembly endorses all of state government to enthusiastically encourage our citizens to engage in innovative after-school programs and activities that ensure that all Missouri school-age children are not only safe, but also productive when the school day ends; and

Be it further resolved that the committee report its recommendations and findings to the General Assembly by January 1, 2003, and the authority of such committee shall terminate on December 31, 2002, unless reauthorized.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCS SB 722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 859**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Insurance, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCR 58**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Concurrent Resolution No. 58, Page 1, Line 4, by deleting the words “an emergency rule and”; and

Further amend said resolution, Page 2, Lines 10-11 of said page, by deleting said lines and by inserting in lieu thereof the following:

“directed the Department of Insurance to promulgate a proposed rule to go into effect on August 28, 2002, and to sunset on August 28, 2003,”; and

Further amend said resolution, Page 2, Line 19 of said page, by deleting the words “an emergency and” and by inserting in lieu thereof the word “a”; and

Further amend said resolution, Page 2, Line 23 of said page, by deleting the words “an emergency and” and by inserting in lieu thereof the word “a”; and

Further amend said resolution, Page 3, Lines 3-4 of said page, by deleting said lines and by inserting in lieu thereof the following:

“directs the Department of Insurance to promulgate a proposed rule and to go into effect on August 28, 2002, and to sunset on August 28, 2003,”.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 1143**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SS SCS SBs 670 & 684**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SB 1039**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 1279, 1162 & 1164**, entitled:

An act to repeal sections 70.853, 99.845, 143.183, 172.273 and 253.559, RSMo, and to enact in lieu thereof twenty-nine new sections relating to community development, with a termination date for a certain section and an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1281**, entitled:

An act to appropriate money pursuant to Article IV, Section 27(a), Subsection 5 of the Missouri Constitution and for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds designated for the fiscal period ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 1220, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Monaco is no longer a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

Representative Johnson (61) has been appointed a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

SUPPLEMENTAL CALENDAR

May 7, 2002

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 670 & 684 - Harlan
- 2 HCS SB 1039 - Curls
- 3 HCS SCS SB 1061 & 1062 - Harlan
- 4 HCS SCS SB 722 - Relford
- 5 SB 1143 - Monaco
- 6 SB 859 - Ransdall
- 7 HCS SCS SB 680, E.C. - Barry
- 8 HCS SB 718 - Berkowitz
- 9 SCS SB 1266 - Hoppe

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

SCR 58, HCA 1, (4-9-02, Pages 1026-1027) - Luetkenhaus

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m., Wednesday, May 8, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fifth Day, Monday, May 6, 2002, pages 1604 and 1605, roll call, by showing Representative Behnen voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Myers voting "no" rather than "absent with leave".

Pages 1607 and 1608, roll call, by showing Representatives Jones, Kelly (27) and Liese voting "aye" rather than "absent with leave".

Pages 1608 and 1609, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1609 and 1610, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1610 and 1611, roll call, by showing Representative Willoughby voting "aye" rather than "absent with leave".

Page 1612, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 1612 and 1613, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Pages 1614 and 1615, roll call, by showing Representatives Carnahan, Copenhaver, Hunter and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1615 and 1616, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1616 and 1617, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1617 and 1618, roll call, by showing Representatives Cooper and Hunter voting "aye" rather than "absent with leave".

Pages 1618 and 1619, roll call, by showing Representatives Reynolds and Robirds voting "aye" rather than "absent with leave".

Pages 1620 and 1621, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1621 and 1622, roll call, by showing Representative Graham voting "aye" rather than "absent with leave".

Pages 1622 and 1623, roll call, by showing Representatives Bartelsmeyer and Hosmer voting "aye" rather than "absent with leave".

Pages 1623 and 1624, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1624 and 1625, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1625 and 1626, roll call, by showing Representatives Bartelsmeyer, Crowell, Paone and Phillips voting "aye" rather than "absent with leave".

Page 1627, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Pages 1627 and 1628, roll call, by showing Representatives Copenhaver, Liese, Paone and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1628 and 1629, roll call, by showing Representatives Cunningham, Froelker, King, Liese and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1629 and 1630, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 1630 and 1631, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 1631 and 1632, roll call, by showing Representatives Liese and Willoughby voting "aye" rather than "absent with leave".

Pages 1631 and 1632, roll call, by showing Representative Myers voting "no" rather than "absent with leave".

Pages 1632 and 1633, roll call, by showing Representatives Barry, Liese and Willoughby voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representatives Boykins, Harding, Liese and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 1637 and 1638, roll call, by showing Representative Willoughby voting "aye" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representative Wagner voting "no" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representative Copenhaver voting "no" rather than "present".

Page 1647, roll call, by showing Representatives Boykins and Hunter voting "aye" rather than "absent with leave".

Page 1650, roll call, by showing Representatives Dolan and Paone voting "aye" rather than "absent with leave".

Pages 1651 and 1652, roll call, by showing Representatives Carnahan and Dolan voting "aye" rather than "absent with leave".

Pages 1652 and 1653, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1652 and 1653, roll call, by showing Representative Shoemaker (8) voting "aye" rather than "no".

Pages 1653 and 1654, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1658 and 1659, roll call, by showing Representatives Carnahan and Dempsey voting "aye" rather than "absent with leave".

Pages 1659 and 1660, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representatives Graham and Shoemyer (9) voting "aye" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, May 8, 2002. Hearing Room 7 upon morning recess.

Executive Session.

Public Hearing to be held on: SB 837

CHILDREN, FAMILIES, AND HEALTH

Wednesday, May 8, 2002. Hearing Room 4 upon noon adjournment. AMENDED NOTICE.

Executive Session will follow.

Public Hearing to be held on: SB 878, SB 1026

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 8, 2002, 8:00 a.m. Hearing Room 3.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 9, 2002, 8:00 a.m. Hearing Room 3.

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, May 8, 2002, 8:30 a.m. Hearing Room 5. AMENDED NOTICE.

Executive Session to reconsider SCS SB 756 #2

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, May 8, 2002, 8:45 a.m. Side gallery.

Executive Session.

Public Hearing to be held on: SB 810

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 9, 2002, 8:00 a.m. AMENDED NOTICE - DATE CHANGE.

Senator Rohrbach's Office, Room 221.

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, May 8, 2002. Hearing Room 1 upon morning recess.

Continuation of May 7th hearing.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 8, 2002, 8:00 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 713

UTILITIES REGULATION

Wednesday, May 8, 2002, 8:30 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SB 900

HOUSE CALENDAR

SIXTY-SEVENTH DAY, WEDNESDAY, MAY 8, 2002

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)

- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCS HCR 35, (May 7, 2002) - Riback Wilson (25)
- 2 HCR 30, (May 7, 2002) - Boucher
- 3 HCR 40, (May 7, 2002) - Walton

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32 - Barry

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

SENATE BILLS FOR SECOND READING

- 1 SB 1281
- 2 SS#2 SCS SB 1279, 1162 & 1164

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

SCR 58, HCA 1 (Klarich) (4-9-02, Pages 1026-1027) - Luetkenhaus

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, HS,
as amended, pending (Westfall) - Koller
- 2 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 3 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 4 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 5 SCS SB 915, 710 & 907, (Westfall) - Koller
- 6 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 7 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 8 HCS SS SCS SB 670 & 684, (Sims) - Harlan
- 9 HCS SB 1039, (DePasco) - Curls
- 10 HCS SCS SB 1061 & 1062, (Rohrbach) - Harlan
- 11 HCS SCS SB 722, (Bentley) - Relford
- 12 SB 1143, (Jacob) - Monaco
- 13 SB 859, (Russell) - Ransdall
- 14 HCS SCS SB 680, E.C. (Bland) - Barry
- 15 HCS SB 718, (House) - Berkowitz
- 16 SCS SB 1266, (Kenney) - Hoppe

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 2009 - O'Connor
- 2 SCS HB 1701 - Luetkenhaus

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 1313, (request Senate recede/grant conference) - Burton
- 2 HS SB 1220, as amended (request House recede/grant conference) - O'Toole

BILLS IN CONFERENCE

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway
- 14 HS HCS SS SB 1248, as amended - Foley
- 15 HCS SB 758 - Hosmer
- 16 HCS SB 795 - Treadway
- 17 HCS SCS SB 980 - Hunter
- 18 HCS SCS SB 1086 & 1126 - Hoppe