

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-THIRD DAY, THURSDAY, MAY 16, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Save this moment, Gracious God, from being only a custom or gesture. Help each one of us in this place call upon You for Your strength and guidance. You are the Great Unseen Member of this House. If we listen with the ears of faith and hope, Your truth and wisdom will inform us.

Bless these men and women of this Body. Grant them that which they will need for this day of decisions and debate. Keep them and their families in Your care and so lead them that this night they may hear Your gracious benediction, "Well done, good and faithful servant."

To You be glory and honor. 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: Sarah Wilson, Samantha Moody-Walker and Spencer Hunley.

The Journal of the seventy-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2038 - Representative Smith
House Resolution No. 2039
and
House Resolution No. 2040 - Representative Johnson (61)
House Resolution No. 2041 - Representative Shields
House Resolution No. 2042 - Representative Relford
House Resolution No. 2043 - Representative Hegeman
House Resolution No. 2044 - Representative Kelly (36)

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1041, as amended, relating to tourism taxes, was taken up by Representative Myers.

Representative Myers moved that the House refuse to adopt **SS SCS HB 1041, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Gambaro made a substitute motion to adopt and truly agree to and finally pass **SS SCS HB 1041, as amended**.

Which motion was adopted by the following vote:

AYES: 118

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Liese
Linton	Lowe	Luetkemeyer	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Paone	Quinn	Ransdall	Reid	Reinhart
Relford	Reynolds	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 032

Ballard	Barnett	Bartle	Boatright	Boykins
Cunningham	Gaskill	Haywood	Hegeman	Hohulin
Johnson 61	Kelly 144	Legan	Long	Mayer
Moore	Murphy	Myers	Phillips	Purgason
Rector	Richardson	Roark	Shields	Shoemaker
Smith	Troupe	Villa	Vogel	Walker
Whorton	Williams			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Brooks	Cierpiot	Hagan-Harrell	Koller
Lawson	Lograsso	Luetkenhaus	Marble	O'Connor
Portwood	Ridgeway			

VACANCIES: 001

On motion of Representative Gambaro, **SS SCS HB 1041, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	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	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Liese	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Vogel	Wagner
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Boykins	Haywood	Johnson 61	Legan	Smith
Troupe	Villa	Walker	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Brooks	Carnahan	Cierpiot	Hagan-Harrell
Harlan	Lawson	Lograsso	Luetkenhaus	May 149
O'Connor	Portwood	Reid	Ridgeway	Shields

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

On motion of Representative Myers the emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crump
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	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 014

Bartle	Boatright	Crowell	Cunningham	Hendrickson
Hohulin	Johnson 61	Phillips	Purgason	Reid
Roark	Smith	Van Zandt	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brooks	Cierpiot	Hagan-Harrell	Kelly 27	Lograsso
Luetkenhaus	Naeger	Portwood	Ridgeway	

VACANCIES: 001

SS#2 SCS HB 1348, as amended, relating to boll weevil eradication, was taken up by Representative Myers.

Representative Myers moved that the House refuse to adopt **SS#2 SCS HB 1348, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 49, relating to acts and resolutions, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCR 49** was read the third time and passed by the following vote:

AYES: 142

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	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	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Barnitz	Britt	Shoemyer	Smith
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Berkowitz	Bland	Brooks
Copenhaver	Hagan-Harrell	Lograsso	Luetkenhaus	Moore
Myers	O'Connor	Portwood	Ridgeway	Troupe
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

HCS SCR 41, relating to charity care accountability, was taken up by Representative George.

On motion of Representative George, **HCS SCR 41** was adopted and read the third time and passed by the following vote:

AYES: 099

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burton	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hampton	Harding
Harlan	Haywood	Hegeman	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Marsh
Mays 50	McKenna	Merideth	Monaco	Moore
O'Connor	O'Toole	Overschmidt	Paone	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Rizzo	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 052

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Cierpiot
Cooper	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelly 144	King	Legan
Linton	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Purgason	Reinhart
Richardson	Roark	Robirds	Ross	Schwab
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Brooks	Byrd	Crawford	Hagan-Harrell
Hickey	Lograsso	Luetkenhaus	Portwood	Ridgeway
Troupe				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

SCR 73, relating to the joint interim committee on After-School Programs, was taken up by Representative Copenhagen.

On motion of Representative Copenhagen, **SCR 73** was read the third time and passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Copenhagen
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Ballard	Bearden	Burcham	Byrd	Cierpiot
Cooper	Crawford	Hohulin	Hunter	Linton
Long	Murphy	Naeger	O'Connor	Purgason
Roark	Robirds	Schwab	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartle	Bland	Boykins	Brooks
Clayton	Crowell	Franklin	George	Green 73
Hagan-Harrell	Harlan	Hickey	Holand	Hosmer
Kelly 27	Lograsso	Luetkenhaus	Portwood	Ridgeway
Scheve	Troupe	Wagner		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SBs 923, 828, 876, 694 & 736, with House Amendment No. 4 and HS, as amended, pending, relating to children and families, was taken up by Representative Barry.

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

Which motion was defeated by the following vote:

AYES: 067

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Luetkemeyer	Marsh
May 149	Mayer	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Phillips
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Roark	Ross	Schwab	Scott
Secrest	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 087

Abel	Baker	Barry 100	Bartelsmeyer	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Graham
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Jolly	Jones	Kelly 27
Kelly 36	Koller	Lawson	Liese	Lowe
Luetkenhaus	Marble	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Robirds	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brooks	Hagan-Harrell	Johnson 90	Lograsso	Long
Ostmann	Portwood	Ridgeway		

VACANCIES: 001

Representative Kelly (27) 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. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"452.377. 1. For purposes of this section and section 452.375, "relocate" or "relocation" means a change in the principal residence of a child for a period of ninety days or more, but does not include a temporary absence from the principal residence.

2. Except as otherwise provided in subsection 3 of this section:

(1) Notice of a proposed relocation of the residence of the child, or any party entitled to custody or visitation of the child, shall be given in writing by certified mail, return receipt requested, to any party with custody or visitation rights[. Absent exigent circumstances as determined by a court with jurisdiction, written notice shall be provided] at least sixty days in advance of the proposed relocation. The notice of the proposed relocation shall include the following information:

[(1)] (a) The intended new residence, including the specific address and mailing address, if known, and if not known, the city;

[(2)] (b) The home telephone number of the new residence, if known;

[(3)] (c) The date of the intended move or proposed relocation;

[(4)] (d) A brief statement of the specific reasons for the proposed relocation of a child, if applicable; and

[(5)] (e) A proposal for a revised schedule of custody or visitation with the child, if applicable[.

3.]; and

(2) A party required to give notice of a proposed relocation pursuant to **this** subsection [2 of this section] has a continuing duty to provide a change in or addition to the information required by this section as soon as such information becomes known.

[4. In exceptional circumstances where] **3. If any party believes circumstances that require immediate aid or action exist, including circumstances where the health or safety of any adult or child would be unreasonably placed at risk by providing the notice or disclosures required in subsection 2 of this section, the following procedure shall apply:**

(1) By January 1, 2003, the state courts administrator shall develop and adopt a uniform form for providing notice to a nonrelocating party of a proposed relocation with exigent circumstances. Such form shall be provided to each circuit clerk and shall contain, but is not limited to, the following:

(a) A description of the nature of the exigent circumstances;

(b) An estimate of the distance to the intended new resident in miles, rounded to the nearest fifty miles;

(c) Whether the relocation will change the school district of the child being relocated; and

(d) Notification to the nonrelocating party that the child may be relocated unless the party files a motion seeking an order to prevent the proposed relocation within thirty days after receipt of such notice.

The current address and the specific intended new residence address of the relocating party shall not be provided to the nonrelocating party;

(2) **The party believing exigent circumstances exist and the health or safety of any adult or child would be unreasonably placed at risk by providing the notice or disclosures required in subsection 2 of this section shall complete the uniform form created in subdivision (1) of this subsection and provide such limited notice to the nonrelocating party;**

(3) **If the nonrelocating party does not file a motion seeking an order to prevent the relocation within thirty days after receipt of the notice provided pursuant to this subsection, the residence of the child may be relocated immediately;**

(4) **If the nonrelocating party files a motion seeking an order to prevent the relocation within thirty days after receipt of the notice provided pursuant to this subsection, a hearing shall be held and if the court makes a finding that the health or safety of any adult or child would be unreasonably placed at risk by the disclosure of the required identifying information concerning a proposed relocation of the child, the court may order that:**

[(1)] (a) The specific residence address and telephone number of the child, parent or person, and other identifying information shall not be disclosed in the [pleadings, notice, other] documents filed in the proceeding or the

final order except for an in camera disclosure;

[(2)] **(b)** The notice requirements provided by this section shall be waived to the extent necessary to protect the health or safety of a child or any adult; or

[(3)] **(c)** Any other remedial action the court considers necessary to facilitate the legitimate needs of the parties and the best interest of the child[.];

[5.] **(5) If the court determines that the health or safety of any adult or child would not be reasonably placed at risk by the disclosure of the required identifying information concerning a proposed relocation of the child, the party shall comply with the disclosure requirements in this section.**

4. Except as otherwise provided in subsection 3 of this section, the court shall consider a failure to provide notice of a proposed relocation of a child or any party entitled to custody or visitation of the child as:

- (1) A factor in determining whether custody and visitation should be modified;
- (2) A basis for ordering the return of the child if the relocation occurs without notice; and
- (3) Sufficient cause to order the party seeking to relocate the child to pay reasonable expenses and attorneys fees incurred by the party objecting to the relocation.

[6. If the parties agree to a revised schedule of custody and visitation for the child, which includes a parenting plan, they may submit the terms of such agreement to the court with a written affidavit signed by all parties with custody or visitation assenting to the terms of the agreement, and the court may order the revised parenting plan and applicable visitation schedule without a hearing.

7.] **5.** The residence of the child may be relocated sixty days after providing notice, as required by this section, unless a parent files a motion seeking an order to prevent the relocation within thirty days after receipt of such notice. Such motion shall be accompanied by an affidavit setting forth the specific factual basis supporting a prohibition of the relocation. The person seeking relocation shall file a response to the motion within fourteen days, unless extended by the court for good cause, and include a counter-affidavit setting forth the facts in support of the relocation as well as a proposed revised parenting plan for the child.

[8.] **6.** If relocation of the child is proposed, a third party entitled by court order to legal custody of or visitation with a child and who is not a parent may file a cause of action to obtain a revised schedule of legal custody or visitation, but shall not prevent a relocation.

[9.] **7.** The party seeking to relocate shall have the burden of proving that the proposed relocation is made in good faith and is in the best interest of the child.

[10. If relocation is permitted:

(1)] **The nonrelocating party shall provide sufficient evidence to support such party's opposition to the proposed relocation.**

8. If the court finds that relocation is in the best interest of the child and will be permitted, the schedule of custody and visitation, including a parenting plan, shall be modified as follows:

(1) If the parties agree to a revised schedule of custody and visitation for the child, including a parenting plan, they may submit the terms of such agreement to the court with a written affidavit signed by all parties with custody or visitation assenting to the terms of the agreement, and the court may order the revised parenting plan and applicable visitation schedule without a hearing;

(2) If the parties cannot agree to a revised schedule of custody and visitation for the child, including a parenting plan, the revised parenting plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child. In the revised parenting plan:

(a) The court shall order contact with the nonrelocating party including custody or visitation and telephone access sufficient to assure that the child has frequent, continuing and meaningful contact with the nonrelocating party unless the child's best interest warrants otherwise; and

[(2)] **(b)** The court shall specify how the transportation costs will be allocated between the parties and adjust the child support, as appropriate, considering the costs of transportation.

[11.] **9.** After August 28, 1998, every court order establishing or modifying custody or visitation shall include the following language: "[Absent exigent circumstances as determined by a court with jurisdiction] **Unless limited notice is provided pursuant to subsection 3 of section 452.377, RSMo, and a court with jurisdiction determines that exigent circumstances exist, including circumstances where the health or safety of any adult or child would be unreasonably placed at risk by such notice or disclosure,** you, as a party to this action, are ordered to notify, in writing by certified mail, return receipt requested, and at least sixty days prior to the proposed relocation, each party to this action of **your relocation or** any proposed relocation of the principal residence of the child, including the following information:

- (1) The intended new residence, including the specific address and mailing address, if known, and if not known, the city;
- (2) The home telephone number of the new residence, if known;
- (3) The date of the intended move or proposed relocation;
- (4) A brief statement of the specific reasons for the proposed relocation of the child; and
- (5) A proposal for a revised schedule of custody or visitation with the child.

Your obligation to provide this information to each party continues as long as you or any other party by virtue of this order is entitled to custody of a child covered by this order. Your failure to obey the order of this court regarding the proposed relocation may result in further litigation to enforce such order, including contempt of court. In addition, your failure to notify a party of a relocation of the child may be considered in a proceeding to modify custody or visitation with the child. Reasonable costs and attorney fees may be assessed against you if you fail to give the required notice."

[12.] **10. Except as otherwise provided in subsection 3 of this section,** violation of the provisions of this section or a court order under this section may be deemed a change of circumstance under section 452.410, allowing the court to modify the prior custody decree. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

[13.] **11.** Any party who objects in good faith to the relocation of a child's principal residence shall not be ordered to pay the costs and attorney's fees of the party seeking to relocate."; and

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

Representative Crowell raised a point of order that **House Amendment No. 5** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Britt assumed the Chair.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 5**.

Representative Shields raised a point of order that **House Amendment No. 1 to House Amendment No. 5** is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Kelly (27), **House Amendment No. 5** was adopted by the following vote:

AYES: 098

Abel	Baker	Barnett	Bartelsmeyer	Berkowitz
Berkstresser	Bland	Boatright	Boucher	Bowman
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Cunningham	Curls	Daus	Davis
Fares	Franklin	Fraser	Gaskill	George
Green 15	Green 73	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Hoppe	Hosmer	Jetton
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Marsh	May 149

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Mays 50	McKenna	Merideth	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scott	Secrest
Seigfreid	Shelton	Shields	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Walker	Walton	Ward	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 042

Ballard	Barry 100	Bartle	Bearden	Behnen
Black	Bonner	Cierpiot	Cooper	Crawford
Crowell	Dempsey	Dolan	Enz	Farnen
Froelker	Gambaro	Graham	Gratz	Griesheimer
Hendrickson	Hollingsworth	Holt	Hunter	Johnson 90
King	Luetkemeyer	Mayer	Monaco	Moore
Nordwald	Phillips	Portwood	Quinn	Rector
Ridgeway	Roark	Schwab	Selby	Shoemyer
Surface	Wright			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 021

Barnitz	Boykins	Brooks	Foley	Hagan-Harrell
Harlan	Holand	Koller	Luetkenhaus	Marble
Miller	Myers	Naeger	Purgason	Scheve
Shoemaker	Troupe	Van Zandt	Wagner	Whorton
Willoughby				

VACANCIES: 001

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 14, Section 210.001, Line 10 of said page, by inserting immediately after said line the following:

“210.115. 1. When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, **minister as provided by Section 352.400, RSMo**, Christian Science practitioner, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately report or cause a report to be made to the division in accordance with the provisions of sections 210.109 to 210.183. As used in this section, the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. Whenever such person is required to report pursuant to sections 210.109 to 210.183 in an official capacity

as a staff member of a medical institution, school facility, or other agency, whether public or private, the person in charge or a designated agent shall be notified immediately. The person in charge or a designated agent shall then become responsible for immediately making or causing such report to be made to the division. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect.

3. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

4. In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

5. Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452, RSMo, and shall report the findings to the child fatality review panel established pursuant to section 210.192.

6. Any person or individual required to report may also report the suspicion of abuse or neglect to any law enforcement agency or juvenile office. Such report shall not, however, take the place of reporting or causing a report to be made to the division.

7. If an individual required to report suspected instances of abuse or neglect pursuant to this section has reason to believe that the victim of such abuse or neglect is a resident of another state or was injured as a result of an act which occurred in another state, the person required to report such abuse or neglect may, in lieu of reporting to the Missouri division of family services, make such a report to the child protection agency of the other state with the authority to receive such reports pursuant to the laws of such other state. If such agency accepts the report, no report is required to be made, but may be made, to the Missouri division of family services.”; and

Further amend said bill, Page 59, Section 294.141, Line 21 of said page, by inserting immediately after said line the following:

“352.400. 1. As used in this section, the following words and phrases shall mean:

(1) “Abuse”, any physical injury, sexual abuse, or emotional abuse, injury or harm to a child under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo;

(2) “Child”, any person regardless of physical or mental condition, under eighteen years of age;

(3) “Minister”, any person while practicing as a minister of the gospel, clergyperson, priest, rabbi, or other person serving in a similar capacity for any religious organization who is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or has access to a child.

(4) “Neglect”, failure to provide the proper or necessary support or services by those responsible for the care, custody, and control of a child, under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo;

(5) “Religious organization”, any society, sect, persuasion, mission, church, parish, congregation, temple, convention or association of any of the foregoing, diocese or presbytery, or other organization, whether or not incorporated, that meets at more or less regular intervals for worship of a supreme being or higher power, or for mutual support or edification in piety or with respect to the idea that a minimum standard of behavior from the standpoint of overall morality is to be observed, or for the sharing of common religious bonds and convictions;

(6) "Report", the communication of an allegation of abuse or neglect pursuant to sections 210.109 to 210.183, RSMo.

2. When a minister or agent designated pursuant to subsection 3 of this section has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo, the minister or designated agent shall immediately report or cause a report to be made as provided in sections 210.109 to 210.183, RSMo. Notwithstanding any other provision of this section or sections 210.109 to 210.183, RSMo, a minister shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.

3. A religious organization may designate an agent or agents required to report pursuant to sections 210.109 to 210.183, RSMo, in an official capacity on behalf of the religious organization. In the event a minister, official or staff member of a religious organization has probable cause to believe that the child has been subjected to abuse or neglect under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo, and the minister, official or staff member of the religious organization does not personally make a report pursuant to sections 210.109 to 210.183, RSMo, the designated agent of the religious organization shall be notified. The designated agent shall then become responsible for making or causing the report to be made pursuant to sections 210.109 to 210.183, RSMo. This section shall not preclude any person from reporting abuse or neglect as otherwise provided by law."; and

Further amend the title and enacting clause accordingly.

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

Representative Portwood 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. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopy machine.

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

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

4. Effective February first of each year, the handling fee and per page fee listed in subsection 1 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for all urban consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted handling and per page fees on the department's Internet website by February first of each year.

[191.233. The limits provided in section 191.227 shall be increased or decreased on an annual basis effective January first of each year in accordance with the Health Care Financing Administration Market Basket Survey.]; and

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

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

Representative Sanders Brooks offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location all of the following:

“196.230. **1.** The director of the department of health **and senior services** and [his] **the director's** assistants or agents [by him] appointed **by the director**, the state, county, city and town health officers shall have full power at any time to enter and inspect every building, room, basement or cellar, occupied or used, or suspected of being used, for the production for sale, manufacture for sale, storage, sale, distribution or transportation of food and all utensils, fixtures, furniture and machinery used as aforesaid, and if upon inspection any food producing or distributing establishment, conveyance, employer, operative, employee, clerk, driver or other person is found to be violating any of the provisions of sections 196.190 to 196.265, or if the production, cooking, preparation, manufacture, packing, storing, sale, distribution or transportation of food is being conducted in a manner detrimental to the health of the employees and operatives and the character or quality of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector, making the examination or inspection, shall furnish evidence of [said] **such** violation to the prosecuting attorney of the county in which the violation occurs, and it shall be the duty of all prosecuting attorneys to represent and prosecute, in behalf of the people, when called upon by the director of the department of health **and senior services** to do so, all such cases of offenses arising [under] **pursuant to** the provisions of sections 196.190 to 196.265. When complaint is made by the [said] director of the department of health **and senior services**, security for costs shall not be required of the complainant in any case at any time of the prosecution or trial.

2. All state, county and municipal health officials or inspectors shall utilize the most recent Missouri Food Code for the inspection of entities listed in subsection 1 of this section.

3. The department of health shall notify its division of nutritional health and services of any violation of sections 196.190 to 196.265 by a grocery store that is found during an inspection conducted pursuant to subsection 1 of this section.

196.232. Any grocery store, convenience store or food distributing establishment that redeems state-issued Women, Infant and Children (WIC) food instruments and receives two unsatisfactory health examinations or inspections from the department of health within a three-year period shall be disqualified from the WIC program for a period of not less than six months and not more than one year. Such stores or establishments shall also be subject to any other administrative remedies available under the WIC program.

196.235. Any person who violates any of the provisions of sections 196.190 to 196.230, shall be guilty of a misdemeanor, and, on conviction, shall be punished for the first offense by a fine of not less than [ten] **twenty dollars nor more than one hundred dollars **a day for each day such violation is not corrected**, or be imprisoned in the county jail not exceeding thirty days, or both, in the discretion of the court.”; and**

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

Representative Seigfreid raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

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

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

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 43, Section 294.011, Line 1, by deleting all of said line.

Representative Boatright moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

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

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location the following section:

"208.344. 1. By December 1, 2002, and annually thereafter, the division of family services shall submit a report to the governor, the president pro tempore of the senate, and the speaker of the house of representatives regarding the progress of welfare reform in Missouri. The report shall include, but not be limited to, current statistics and recommendations regarding:

- (1) Individuals who have successfully left welfare and employment of such individuals;**
 - (2) Individuals who remain on or have returned to welfare; and**
 - (3) Benefits of welfare reform realized by families, employers, and the state.**
- 2. The provisions of this section shall expire on December 31, 2007."; and**

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

On motion of Representative Bland, **House Amendment No. 10** was adopted.

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

Representative Monaco raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, **or copy service for said provider**, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, **or any person entitled to bring an action for wrongful death of a deceased patient pursuant to Section 537.080, RSMo**, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within [a reasonable time] **60 days** of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page [for copies of documents made on a standard photocopy machine].

2. [Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.] **Any provider who does not furnish records within 60 days of the receipt of the request therefor shall forfeit the handling fee, the per page copy fee and, in addition, shall pay the person who requested said records a penalty in the amount of fifteen dollars plus thirty-five cents per page per day commencing on the 61st day until such date as the records shall be furnished.**

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

On motion of Representative Johnson (90), **House Amendment No. 11** was adopted.

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

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 43, Section 7, Line 16, by deleting [under the direct control] and inserting "**with the permission**"; and deleting Line 17 beginning with "and" through Page 44, Line 21; and

Further amend said bill by deleting Page 45, Line 20, to Page 46, Line 13; and delete Page 46, Line 18, after the word "division" to Page 46, Line 21; and

Further amend said bill by deleting Page 47, Line 8, through Page 47, Line 16.

Representative Cunningham moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnett	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Burcham	Byrd	Cierpiot
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Gaskill	Gratz	Griesheimer	Hanaway
Hegeman	Hendrickson	Holt	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Murphy	Myers	Naeger	Ostmann
Phillips	Quinn	Reid	Richardson	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel				

NOES: 070

Abel	Barnitz	Barry 100	Bartelsmeyer	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Hampton	Harding
Haywood	Hickey	Hollingsworth	Hoppe	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Liese
Lowe	Mays 50	Merideth	Monaco	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 036

Baker	Ballard	Boykins	Brooks	Burton
Cooper	Crawford	Froelker	Green 73	Hagan-Harrell
Harlan	Hartzler	Henderson	Hilgemann	Hohulin
Holand	Hosmer	Hunter	Johnson 61	Koller
Lawson	Long	Luetkenhaus	McKenna	Moore
Nordwald	O'Connor	Portwood	Purgason	Rector
Reinhart	Ridgeway	Scheve	Troupe	Wagner
Wright				

VACANCIES: 001

HCS SS SCS SBs 923, 828, 876, 694 & 736, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1898**: Senators Russell, Rohrbach, Gibbons, Goode and Mathewson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SBs 1061 & 1062, as amended**: Senators Rohrbach, Kenney, Klindt, Mathewson and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 77**.

SENATE CONCURRENT RESOLUTION NO. 77

WHEREAS, the general assembly is continually asked to act upon measures dealing with complex and controversial subjects; and

WHEREAS, such measures frequently require lengthy and comprehensive study and evaluation; and

WHEREAS, the committee system of evaluation of proposed legislation has proven its worth time and again to the entire membership of the general assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the standing committees of each house and such other committees of the Senate and House of Representatives as the president pro tem or the speaker shall designate may meet with the approval of the president pro tem or speaker, as the case may be, to consider bills or to perform any other necessary legislative function during the interim prior to the convening of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the members of each committee incurred while attending meetings of those committees, and the expenses of the research and clerical personnel assigned thereto, be paid from the appropriate House or Senate contingent fund.

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 allowed the Senate conferees to exceed the differences on **HS HCS SS SCS SBs 670 & 684, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1502 & 1821**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to credit information used in insurance underwriting.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 1:15 p.m.

AFTERNOON SESSION

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2045

through

House Resolution No. 2048 - Representatives Williams and Berkstresser

House Resolution No. 2049 - Representative Lawson

House Resolution No. 2050

through

House Resolution No. 2058 - Representative Portwood

House Resolution No. 2059 - Representative Boucher

House Resolution No. 2060 - Representative Legan

House Resolution No. 2061 - Representative Harding

House Resolution No. 2062 - Representative Ward

House Resolution No. 2063 - Representative Bland

House Resolution No. 2064

through

House Resolution No. 2072 - Representative Whorton

House Resolution No. 2073 - Representative Townley

House Resolution No. 2074

and

House Resolution No. 2075 - Representative Shelton

House Resolution No. 2076 - Representative Bearden

House Resolution No. 2077 - Representatives Miller, Moore and Berkstresser

House Resolution No. 2078

and

House Resolution No. 2079 - Representative Rector

House Resolution No. 2080 - Representative Boucher

House Resolution No. 2081 - Representative Green (73)

House Resolution No. 2082 - Representative Legan

House Resolution No. 2083

through

House Resolution No. 2085 - Representative Scott

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SB 665 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SBs 1112 & 854 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 916 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 989 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS#2 SB 1191 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL - CONSENT

SB 831, relating to Bill of Rights Day, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SB 831** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
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	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	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	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	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: 016

Baker	Berkstresser	Enz	Franklin	Green 73
Harlan	Hickey	Hilgemann	Hohulin	Holand
Luetkenhaus	Mays 50	Murphy	Shields	Surface
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

BILL IN CONFERENCE

CCR HS HCS SB 895, as amended, relating to banking regulations, was taken up by Representative Liese.

On motion of Representative Liese, **CCR HS HCS SB 895, as amended**, was adopted by the following vote:

AYES: 147

Abel	Baker	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	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Enz	Fares	Foley	Fraser	Froelker
Gambaro	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	Lawson
Legan	Liese	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	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 005

Farnen	Selby	Smith	Troupe	Wagner
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PRESENT: 000

ABSENT WITH LEAVE: 010

Dolan	Franklin	Green 73	Harlan	Hickey
Hohulin	Murphy	Reid	Relford	Shields

VACANCIES: 001

On motion of Representative Liese, **CCS HS HCS SB 895** was truly agreed to and finally 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	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
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	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	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
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Shelton	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Farnen	Relford	Selby	Smith	Troupe
Wagner				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Byrd	Dolan	Franklin	Harlan
Henderson	Hohulin	Marble	Murphy	Reid
Reinhart	Shields	Treadway		

VACANCIES: 001

Speaker Pro Tem Abel 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 refuses to recede from its position on **SS#2 SCS HB 1348, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that Senator Schneider has replaced Senator Mathewson to act with a like committee from the House on **SS SCS HS HCS HB 1962, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SBs 670 & 684, as amended**: Senators Sims, Singleton, Kinder, Stoll and House.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 680, as amended**: Senators Bland, Dougherty, Steelman, Klindt and Rohrbach.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS#2 SCS HB 1348: Representatives Berkowitz, Shoemyer (9), Barnitz, Myers and Legan
HS HCS SS SCS SBs 670 & 684: Representatives Harlan, Hosmer, Ladd Baker, Richardson and Byrd

MOTION

Representative Myers moved that the House grant leave to the members of the House Conference Committee on **SS#2 SCS HB 1348, as amended**, pursuant to Rule 26.

Which motion was adopted.

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HS HCS HBs 1502 & 1821, relating to insurance companies, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SS SCS HS HCS HBs 1502 & 1821** was adopted by the following vote:

AYES: 127

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Boucher	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Farnen

Foley	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	St. Onge
Thompson	Treadway	Van Zandt	Villa	Vogel
Walker	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 020

Bartelsmeyer	Bland	Boykins	Clayton	Fares
Fraser	Haywood	Hosmer	Johnson 61	Marsh
Mays 50	Murphy	Robirds	Smith	Surface
Townley	Troupe	Walton	Williams	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkowitz	Bowman	Cierpiot	Franklin
Harlan	Hickey	Lowe	Naeger	Ostmann
Paone	Schwab	Shelton	Skaggs	Wagner

VACANCIES: 001

On motion of Representative Luetkenhaus, **SS SCS HS HCS HBs 1502 & 1821** was truly agreed to and finally passed by the following vote:

AYES: 124

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Boatright	Bonner	Boucher	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	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 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	McKenna	Merideth	Miller

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Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	St. Onge
Townley	Treadway	Villa	Vogel	Ward
Whorton	Wilson 25	Wright	Mr. Speaker	

NOES: 021

Bartelsmeyer	Bland	Boykins	Brooks	Clayton
Curls	Fares	Haywood	Hosmer	Johnson 61
Jones	Marsh	Mays 50	Murphy	Smith
Surface	Thompson	Troupe	Walker	Walton
Williams				

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Berkstresser	Bowman	Cierpiot	Franklin
Harding	Harlan	Hickey	Legan	Lowe
Robirds	Shelton	Skaggs	Van Zandt	Wagner
Willoughby	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

BILL IN CONFERENCE

HS#2 HCS SS SCS SBs 969, 673 & 855, as amended, relating to sex crimes and crime prevention, was taken up by Representative Hanaway.

Representative Hanaway moved that the House conferees be no longer bound to **House Amendment No. 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a further conference.

Representative Reynolds raised a point of order that the motion to no longer bind the House conferees to House Amendment No. 2 is out of order.

The Chair ruled the point of order not well taken.

Representative Hanaway again moved that the House conferees be no longer bound to **House Amendment No. 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a further conference.

Which motion was adopted by the following vote:

AYES: 087

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Berkowitz	Berkstresser	Black	Bland	Boatright
Boucher	Bowman	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Gaskill	Hagan-Harrell	Hanaway	Harding
Hartzler	Hegeman	Hilgemann	Hohulin	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
King	Legan	Lograsso	Long	Lowe
Luetkemeyer	Marble	May 149	Mayer	Mays 50
Miller	Moore	Myers	O'Toole	Ostmann
Phillips	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Ridgeway	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Shelton
Shoemaker	Skaggs	Smith	St. Onge	Thompson
Van Zandt	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 046

Barnitz	Bartle	Bearden	Behnen	Boykins
Burcham	Burton	Champion	Cooper	Crawford
Crowell	Dempsey	George	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hendrickson	Hickey
Holt	Hoppe	Kelley 47	Kelly 36	Koller
Lawson	Linton	Luetkenhaus	McKenna	Nordwald
O'Connor	Overschmidt	Paone	Portwood	Rector
Reynolds	Roark	Selby	Shoemyer	Surface
Townley	Treadway	Villa	Vogel	Wagner
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 029

Baker	Bonner	Cunningham	Franklin	Froelker
Gambaro	Graham	Harlan	Haywood	Henderson
Holand	Hollingsworth	Hosmer	Hunter	Kelly 144
Liese	Marsh	Merideth	Monaco	Murphy
Naeger	Richardson	Rizzo	Secrest	Shields
Troupe	Walker	Walton	Ward	

VACANCIES: 001

Representative Reynolds requested a verification of the roll call on the motion to no longer bind the House conferees to **House Amendment No. 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has allowed the Senate conferees to exceed the differences on **HS HCS SS SB 1248, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **HS SB 1220, as amended**, and that the Senate conferees are allowed to exceed the differences with regard to limiting the number of race tracks.

MOTIONS

Representative Foley moved that the House Conference Committee on **HS HCS SS SB 1248, as amended**, be allowed to exceed the differences.

Which motion was adopted.

Representative Foley moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, pursuant to Rule 26.

Which motion was adopted.

BILL IN CONFERENCE

HS SB 1220, as amended, relating to the Gaming Commission, was taken up by Representative O'Toole.

Representative O'Toole moved that the House grant the Senate a further conference on **HS SB 1220, as amended**, and the conferees be allowed to exceed the differences with regard to limiting the number of race tracks.

Representative Scheve assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Kelley (47) made a substitute motion that the House grant the Senate a further conference on **HS SB 1220, as amended**, and the conferees be allowed to exceed the differences on the number of tracks and on age, and bind the conferees to the House position on House Amendment No. 2.

Representative O'Toole raised a point of order that the substitute motion is dilatory.

The Chair ruled the point of order not well taken.

Representative Kelley (47) again moved that the substitute motion be adopted, which motion was defeated by the following vote:

AYES: 071

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bray 84	Burcham	Burton	Campbell	Champion
Cierpiot	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Gaskill	Griesheimer	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hunter	Jetton	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Legan	Linton	Lograsso
Long	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Nordwald
Phillips	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Treadway	Van Zandt	Vogel
Wright				

NOES: 083

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Carnahan	Clayton	Cooper	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jones	Kelly 144	Koller
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Relford
Reynolds	Richardson	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Harlan	Hohulin	Holand	Lawson
Luetkemeyer	O'Connor	Purgason		

VACANCIES: 001

Representative O'Toole again moved that the House grant the Senate a further conference on **HS SB 1220, as amended**, and allow the conferees to exceed the differences with regard to limiting the number of race tracks.

Which motion was adopted by the following vote:

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AYES: 081

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Boykins	Britt	Byrd	Carnahan
Clayton	Copenhaver	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harlan	Haywood	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Relford	Reynolds	Richardson	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 075

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Bland
Boatright	Bowman	Bray 84	Brooks	Burcham
Burton	Campbell	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Daus	Enz
Froelker	Gaskill	Griesheimer	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Holand
Hunter	Jetton	Jolly	Jones	Kelley 47
Kelly 27	Linton	Lograsso	Long	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Nordwald	Phillips	Quinn	Rector
Reid	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Hickey	Hohulin	Lawson	Luetkemeyer	Purgason
Thompson				

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEES

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

HS HCS SCS SB 680: Representatives Barry, Campbell, Kelly (27), Miller and Bartelsmeyer

HS#2 HCS SS SCS SBs 969, 673 & 855: Representatives Smith, Hosmer, Britt, Mayer and Hendrickson

BILL CARRYING REQUEST MESSAGE

HS SS#2 SCS SBs 984 & 985, relating to the Department of Natural Resources, was taken up by Representative Merideth.

Representative Merideth moved that the House refuse to recede from its position on **HS SS #2 SCS SBs 984 & 985** and grant the Senate a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR HCS SCS SB 1202, relating to the motor carrier services unit, was taken up by Representative Koller.

On motion of Representative Koller, **CCR HCS SCS SB 1202** was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	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
Lawson	Legan	Liese	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	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

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NOES: 004

Bray 84	Campbell	Murphy	Van Zandt
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PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Cooper	Harlan	Hickey	Purgason
Reid	Thompson			

VACANCIES: 001

On motion of Representative Koller, **CCS HCS SCS SB 1202** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	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
Lawson	Legan	Liese	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	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Bray 84	Campbell	Van Zandt
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PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard	Cooper	Harlan	Hickey	Murphy
Purgason	Thompson			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Barnett	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
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	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 36	King	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Quinn	Ransdall
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 024

Bartle	Behnen	Burcham	Byrd	Cierpiot
Crawford	Crowell	Cunningham	Enz	Froelker
Hendrickson	Hunter	Jetton	Kelly 144	Linton
Lograsso	Mayer	Murphy	Phillips	Portwood
Rector	Ridgeway	Roark	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Bartelsmeyer	Bray 84	Champion
Cooper	Harlan	Kelly 27	Purgason	Reid
Thompson	Van Zandt			

VACANCIES: 001

Representative Koller moved that the House grant leave to the members of the House Conference Committee on **HS SCS SBs 915, 710 & 907, as amended**, pursuant to Rule 26.

Which motion was adopted.

Representative Koller moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738**, pursuant to Rule 26.

Which motion was adopted.

Representative Britt resumed the Chair.

CCR SCS HB 1313, relating to physical therapy, was taken up by Representative Burton.

On motion of Representative Burton, **CCR SCS HB 1313** was adopted by the following vote:

AYES: 148

Abel	Baker	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	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	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
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hagan-Harrell	Murphy
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PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 011

Cierpiot	Cooper	Froelker	Green 15	Green 73
Harlan	Hilgemann	Hohulin	Long	Purgason
Skaggs				

VACANCIES: 001

On motion of Representative Burton, **CCS SCS HB 1313** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	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	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
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	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Cooper	Dolan	Franklin	Green 73
Harlan	Hickey	Hohulin	Long	Paone
Purgason	Skaggs	Wright		

VACANCIES: 001

Representative Britt declared the bill passed.

CCR HS HCS SCS SB 712, as amended, relating to state emergency health powers, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **CCR HS HCS SCS SB 712, as amended**, was adopted by the following vote:

AYES: 100

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Bonner	Boucher	Boykins
Bray 84	Britt	Burcham	Burton	Carnahan
Champion	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Hagan-Harrell	Hampton	Harding	Hartzler	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Koller	Legan	Liese
Lowe	Luetkenhaus	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scott	Seigfreid
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Mr. Speaker

NOES: 054

Bartelsmeyer	Bartle	Bearden	Behnen	Black
Bland	Boatright	Bowman	Brooks	Byrd
Campbell	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Gratz	Griesheimer	Hanaway
Haywood	Henderson	Hendrickson	Hunter	Jetton
Johnson 61	Jones	Kelly 27	King	Lawson
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Murphy	Myers	Naeger	Nordwald
Portwood	Quinn	Rector	Reinhart	Roark
Schwab	Secrest	Selby	St. Onge	Townley
Walker	Whorton	Wilson 42	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Green 73	Harlan	Hohulin	Long
Ostmann	Purgason	Scheve		

VACANCIES: 001

On motion of Representative O'Toole, **CCS HS HCS SCS SB 712**, was truly agreed to and finally passed by the following vote:

AYES: 102

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Green 15	Hagan-Harrell	Hampton	Harding	Hartzler
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Lowe
Luetkenhaus	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Reynolds	Richardson	Rizzo	Ross	Scheve
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 049

Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Brooks	Burcham	Byrd	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Froelker	Gratz	Griesheimer	Hanaway	Haywood
Henderson	Hendrickson	Jetton	Jones	King
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Murphy	Myers	Naeger	Nordwald
Phillips	Portwood	Quinn	Rector	Reinhart
Ridgeway	Roark	Robirds	Schwab	Secrest
St. Onge	Townley	Walker	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Green 73	Harlan	Hohulin	Hunter
Long	Ostmann	Purgason	Shoemaker	Skaggs
Wright				

VACANCIES: 001

Representative Britt declared the bill passed.

CCR HS SCS SB 1026, as amended, relating to health insurance, was taken up by Representative Barry.

On motion of Representative Barry, **CCR HS SCS SB 1026, as amended**, was adopted by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curts	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
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	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer	Boykins	Crump	Franklin	Green 73
Harlan	Hohulin	Long	Ostmann	Purgason
Reid	Skaggs	Wagner	Wright	

VACANCIES: 001

On motion of Representative Barry, **CCS HS SCS SB 1026**, was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	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	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	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	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bartelsmeyer	Boykins	Franklin	Froelker	Gaskill
Green 73	Harlan	Hohulin	Long	Murphy
Ostmann	Phillips	Purgason	Schwab	Skaggs
Thompson	Van Zandt	Wright		

VACANCIES: 001

Representative Britt declared the bill passed.

CCR HS HCS SCS SB 810, as amended, relating to the Utilicare Program, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **CCR HS HCS SCS SB 810, as amended**, was adopted by the following vote:

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AYES: 124

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Hartzler	Haywood	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Quinn	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Ross	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 028

Bartelsmeyer	Behnen	Boatright	Burcham	Cooper
Davis	Froelker	Griesheimer	Hegeman	Hunter
Jetton	Kelly 144	Lawson	Legan	Marsh
Miller	Nordwald	Phillips	Ransdall	Rector
Richardson	Roark	Robirds	Schwab	Scott
Shields	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Harding	Harlan	Hohulin	Long
Murphy	Ostmann	Purgason	Scheve	Shoemaker

VACANCIES: 001

On motion of Representative Ladd Baker, **HS HCS SCS SB 810, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls

Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Ballard	Behnen	Boatright	Phillips	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Byrd	Cierpiot	Cooper	Dolan
Hickey	Hohulin	Hunter	Kelly 144	Long
Murphy	Myers	Ostmann	Paone	Purgason
Scheve				

VACANCIES: 001

Representative Britt declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEE

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

HS SS#2 SCS SBs 984 & 985: Representatives Merideth, Ransdall, Barnitz, Marble and Kelly (144)

CONFERENCE COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bartelsmeyer is no longer a member of the House Conference Committee on **HS HCS SCS SB 680, as amended.**

Representative Holand has been appointed a member of the House Conference Committee on **HS HCS SCS SB 680, as amended.**

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 923, 828, 876, 694 & 736, with HS, as amended, pending, relating to children and families, was again taken up by Representative Barry.

Representative Hosmer offered **House Amendment No. 13.**

Representative Seigfreid raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Barry, **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended,** was adopted.

On motion of Representative Barry, **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended,** was read the third time and passed by the following vote:

AYES: 100

Abel	Barnitz	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	King	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mays 50	McKenna	Monaco	Moore	O'Connor
Ostmann	Overschmidt	Paone	Ransdall	Reid

Relford	Reynolds	Ridgeway	Rizzo	Ross
Scheve	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 050

Barnett	Bartle	Behnen	Boatright	Burcham
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Gambara	Gaskill	Griesheimer
Hartzler	Hegeman	Hendrickson	Hunter	Jetton
Kelley 47	Kelly 144	Koller	Legan	Linton
Marble	Mayer	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Quinn	Rector	Reinhart	Richardson	Roark
Robirds	Schwab	Scott	Selby	Shoemaker
St. Onge	Surface	Townley	Troupe	Wright

PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 011

Baker	Ballard	Boykins	Cierpiot	Hohulin
Lawson	Long	O'Toole	Purgason	Secrest
Treadway				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

HCS SS SCS SB 1107, relating to emergency services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SS SCS SB 1107**.

Representative Hoppe 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 No. 1107, Page 63, Section 190.528, Lines 3 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"strict as the minimum state standards, and no such regulations or ordinances shall"; and

Further amend said bill, Page 63, Section 190.528, Line 10 of said page, by deleting the year **"2001"** and inserting in lieu thereof the year **"2002"**; and

Further amend said bill, Page 63, Section 190.528, Line 12, by deleting the year **"2001"** and inserting in lieu thereof the year **"2002"**; and

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

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

Representative Clayton 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 No. 1107, by inserting in the appropriate location:

“Section 2. Any county that has established an emergency telephone service 911 board pursuant to section 190.309, may impose a county sales tax pursuant to subsection 1 to 7 of section 190.335, in lieu of tax imposed pursuant to section 190.305, and shall not be required to establish a board pursuant to subsections 8 to 10 of section 190.335, RSMo.”; and

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

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

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

House Amendment No. 3 was withdrawn.

Representative Fraser 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 No. 1107, by inserting in the appropriate location all of the following:

“190.246. 1. As used in this section, the following terms shall mean:

(1) "Eligible person, firm, organization or other entity", an ambulance service or emergency medical response agency, a certified first responder, emergency medical technical-basic or emergency medical technician paramedic who is employed by, or an enrolled member, person, firm, organization or entity designated by, rule of the department of health and senior services in consultation with other appropriate agencies. All such eligible persons, firms, organizations or other entities shall be subject to the rules promulgated by the director of the department of health and senior services;

(2) "Emergency health care provider":

(a) A physician licensed pursuant to chapter 334, RSMo, with knowledge and experience in the delivery of emergency care; or

(b) A hospital licensed pursuant to chapter 197, RSMo, that provides emergency care.

2. Possession and use of epinephrine auto-injector devices shall be limited as follows:

(1) No person shall use an epinephrine auto-injector device unless such person has successfully completed a training course in the use of epinephrine auto-injector devices approved by the director of the department of health and senior services. Nothing in this section shall prohibit the use of an epinephrine auto-injector device:

(a) By a health care professional licensed or certified by this state who is acting within the scope of his or her practice; or

(b) By a person acting pursuant to a lawful prescription;

(2) Every person, firm, organization and entity authorized to possess and use epinephrine auto-injector devices pursuant to this section shall use, maintain and dispose of such devices in accordance with the rules of the department;

(3) Every use of an epinephrine auto-injector device pursuant to this section shall immediately be reported to the emergency health care provider.

3. (1) Use of an epinephrine auto-injector device pursuant to this section shall be considered first aid or emergency treatment for the purpose of any law relating to liability.

(2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a profession.

(3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device may sell or provide it to a person authorized to possess it pursuant to this section.

4. Any person, firm, organization or entity that violates the provisions of this section is guilty of a class B misdemeanor.”; and

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

Representative Britt resumed the Chair.

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

Representative O'Toole 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 No. 1107, by inserting in the appropriate location the following:

"87.235. 1. **Effective May 1, 2002**, upon the receipt of evidence and proof that the death of a member was the result of an accident or exposure at any time or place, provided that at such time or place the member was in the actual performance of the member's duty and, in the case of an exposure, while in response to an emergency call, or was acting pursuant to orders, there shall be paid in lieu of all other benefits the following benefits:

(1) A retirement allowance to the widow during the person's widowhood of [fifty] **seventy** percent of the [deceased member's average final compensation] **pay then provided by law for the highest step in the range of salary for the next title or next rank above the member's range or title held at the time of the member's death**, plus ten percent of such compensation to or for the benefit of each unmarried dependent child of the deceased member, who is either under the age of eighteen, or who is totally and permanently mentally or physically disabled and incapacitated, regardless of age, but not in excess of a total of three children, including both classes, and paid as the board of trustees in its discretion directs;

(2) If no widow benefits are payable pursuant to subdivision (1), such total allowance as would have been paid had there been a widow shall be divided among the unmarried dependent children under the age of eighteen and such unmarried children, regardless of age, who are totally and permanently mentally or physically disabled and incapacitated, and paid to or for the benefit of such children as the board of trustees in its discretion shall direct;

(3) If there is no widow, or child under the age of eighteen years, or child, regardless of age, who is totally and permanently mentally or physically disabled and incapacitated, then an amount equal to the widow's benefit shall be paid to the member's dependent father or dependent mother, as the board of trustees shall direct, to continue until remarriage or death;

(4) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen years pursuant to subdivisions (1) and (2) of this section shall be paid beyond the age of eighteen years through the age of twenty-five years in such cases where the child is a full-time student at a regularly accredited college, business school, nursing school, school for technical or vocational training or university, but such benefit shall cease whenever the child ceases to be a student. A college or university shall be deemed to be regularly accredited which maintains membership in good standing in a national or regional accrediting agency recognized by any state college or university.

2. No benefits pursuant to this section shall be paid to a child over eighteen years of age who is totally and permanently mentally or physically disabled and incapacitated, if such child is a patient or ward in a public-supported institution.

3. Wherever any dependent child designated by the board of trustees to receive benefits pursuant to this section is in the care of the widow of the deceased member, the child's benefits may be paid to the widow for the child.”; and

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

On motion of Representative O'Toole, **House Amendment No. 4** was adopted.

Representative Smith 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 No. 1107, Pages 79-86, Sections 321.552, 321.554 and 321.556, by striking said sections from the bill; and

Further amend the title and enacting clause accordingly.

Representative Smith moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 77, Section 320.350, Line 1-19, by deleting all of said lines.

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

Which motion was defeated by the following vote:

AYES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Koller
Legan	Linton	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Monaco
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Quinn	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Walton
Wright				

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis

Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Harlan	Lawson	Long	Murphy	Purgason
Williams				

VACANCIES: 001

Representative Ostmann 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 No. 1107, Page 6, Line 20, by inserting a “1” after the “99.847” on said page; and

Further amend Page 7, Line 9, by inserting after said line:

“2. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.

3. Sections 99.866 and 99.874, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and

Further amend the title and enacting clause accordingly.

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

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

Representative Hoppe raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 79, Section 321.552, Line 6, by inserting after the word “inhabitants” the following:

“or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants; or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants,”.

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

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 79, Section 321.130, Line 4, by adding at the end of said line the following:

“321.180. The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the district in permanent records. He shall file with the clerk of the court, at the expense of the district, a corporate fidelity bond in an amount to be determined by the board for not less than five thousand dollars, conditioned on the faithful performance of the duties of his office. He shall file in the office of the county clerk of each county in which all or part of the district lies a detailed financial statement for the preceding fiscal year of the district on behalf of the board, on or before April first of the following year. [The fiscal year of the board shall be the same as the calendar year, beginning January first of each year and ending December thirty-first of the same year.]”.

On motion of Representative Lograsso, **House Amendment No. 9** was adopted.

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

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 11, Section 190.053, Line 19, by deleting all of said section; and

Further amend said bill, Page 15, Line 10, by deleting all of Section 190.054; and

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

On motion of Representative Ross, **House Amendment No. 10** was adopted.

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

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, by adding the following language to the end of said bill:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. **Subject to the provisions of section 50.555 the county commission may create a fund to be known as "The County Crime Reduction Fund".**

7. The county commission may create other funds as are necessary from time to time.

50.555. 1. A county commission may establish by ordinance or order a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county crime reduction fund and shall be under the supervision of a board of trustees consisting of one citizen of the county appointed by the presiding commissioner of the county, one citizen of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county prosecuting attorney.

2. Money from the county crime reduction fund shall only be expended upon the approval of a majority of the members of the county crime reduction fund's board of trustees and only for the purposes provided for by subsection 3 of this section.

3. Money from the county crime reduction fund shall only be expended for the following purposes:

- (1) Narcotics investigation, prevention, and intervention;**
- (2) Purchase of law enforcement related equipment and supplies for the sheriff's office;**
- (3) Matching funds for federal or state law enforcement grants;**
- (4) Funding for the reporting of all state and federal crime statistics or information; and**
- (5) Any law enforcement related expense, including those of the prosecuting attorney, approved by the**

board of trustees for the county crime reduction fund that is reasonably related to investigation, preparation, trial, and disposition of criminal cases before the courts of the state of Missouri.

4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county crime reduction fund. The crime reduction fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state, or federal funds.

5. County crime reduction funds shall be audited as are all other county funds.

558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of section 559.115, RSMo, relating to probation.

2. The provisions of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of a defendant after sentencing. For purposes

of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the defendant has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the defendant must serve shall be forty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(2) If the defendant has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be fifty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the defendant has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be eighty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the defendant before he is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the terms results in an unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for defendants convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

(a) The nature and severity of each offense;

(b) The record of prior offenses by the offender;

(c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime; and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall publish and distribute its system of recommended sentences on or before July 1, 1995. The commission shall study the implementation and use of the system of recommended sentences until July 1, 1998, and return a final report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 1998, report, the commission may revise the recommended sentences every three years.

(5) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(6) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(7) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. If the imposition or execution of a sentence is suspended, the court may consider ordering restorative justice methods pursuant to section 217.777, RSMo, including any or all of the following, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim for costs incurred as a result of the offender's actions;**
- (2) Offender treatment programs;**
- (3) Mandatory community services;**
- (4) Work release programs in local facilities; and**
- (5) Community-based residential and nonresidential programs.**

8. If the imposition or execution of a sentence is suspended for a misdemeanor, in addition to the provisions of subsection 7 of this section, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to section 50.555, RSMo. Such contribution shall not exceed five hundred dollars for any course of conduct, regardless of the number of charges resulting from such conduct. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555, RSMo. County crime reduction funds shall be audited as are all other county funds.

[7.] **9.** The provisions of this section shall apply only to offenses occurring on or after August 28, 1994.

559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, or society. Such conditions may include, but shall not be limited to:

- (1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
- (2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

3. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty or a finding of guilt, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to section 50.555, RSMo. Such contribution shall not exceed five hundred dollars for any course of conduct, regardless of the number of charges resulting from such conduct. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555, RSMo. County crime reduction funds shall be audited as are all other county funds.

[3.] **4.** The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or

any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

[4.]5. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

6. The defendant may refuse probation conditioned on a payment to a county crime reduction fund. If he or she does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. A judge may order payment to a crime reduction fund only if such fund had been created prior to sentencing by ordinance or resolution of a county of the state of Missouri. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering the probationers to make payments. A defendant who fails to make a payment or payments to a county crime reduction fund may not have his probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.”; and

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

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

On motion of Representative Hoppe, **HS HCS SS SCS SB 1107, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SS SCS SB 1107, as amended**, was read the third time and passed by the following vote:

AYES: 104

Abel	Baker	Barnett	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Copenhaver	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Farnen	Foley
Fraser	Gambaro	George	Graham	Gratz
Green 15	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Liese	Linton	Lowe	Luetkemeyer
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Ransdall	Reid
Relford	Reynolds	Richardson	Rizzo	Robirds
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 047

Barnitz	Bartelsmeyer	Bartle	Behnen	Boatright
Burcham	Burton	Champion	Cooper	Crawford
Crowell	Dolan	Fares	Franklin	Froelker

Gaskill	Griesheimer	Henderson	Hohulin	Holand
Hunter	Kelley 47	Kelly 144	King	Koller
Legan	Marble	Marsh	Moore	Murphy
Naeger	Nordwald	Phillips	Portwood	Quinn
Rector	Reinhart	Ridgeway	Roark	Ross
Schwab	Scott	Shoemaker	Smith	Surface
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Crump	Green 73	Hickey	Jetton
Lawson	Lograsso	Long	Luetkenhaus	Purgason
Scheve				

VACANCIES: 001

Representative Britt declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1196**, entitled:

An act to repeal sections 136.055, 142.803, 144.805, 155.080, 226.200, 226.540, 226.550, 226.573, 226.580, 226.585, 227.100 and 305.230, RSMo, relating to funding for transportation, and to enact in lieu thereof thirteen new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1196, Page 8, Section 226.200, Line 5, by inserting at the end of said line the following:

“Appropriations to the highway patrol from the state highways and transportation department fund shall be made in accordance with article IV, section 30(b) of the Missouri Constitution. Appropriations allocated from the state highways and transportation department fund to the highway patrol shall only be used by the highway patrol to administer and enforce state motor vehicle laws or traffic regulations. Beginning July 1, 2007, any activities or functions conducted by the highway patrol not related to enforcing or administering state motor vehicle laws or traffic regulations shall not be funded by the state highways and transportation department fund, but shall be funded from general revenue or any other applicable source. Any current funding from the highways and transportation department fund used for activities not related to enforcing state motor vehicle laws or traffic regulations shall expire on June 30, 2007. The state auditor shall annually audit and examine the appropriations made to the highway patrol to determine whether such appropriations are actually being used for administering and enforcing state motor vehicle laws and traffic regulations pursuant to the constitution. The state auditor shall submit its annual findings to the general assembly by January fifteenth of each year.”.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 810, as amended**, and has taken up and passed **HS HCS SCS SB 810, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1143**, entitled:

An act to repeal sections 72.080, 72.130, 88.010, 88.013, 88.027, 88.030, 88.040, 88.043, 88.047, 88.050, 88.053, 88.057, 88.060, 88.063, 88.073, 99.050, 99.134, 135.207, 135.230, 135.400, 135.403, 135.408, 135.411, 135.423, 135.431, 135.478, 135.481, 135.484, 135.487, 135.530, 143.811, 238.230, 348.300 and 348.302, RSMo, Section 135.535 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701 of the ninetieth general assembly, first regular session and section 135.535 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate bill no. 20 of the ninetieth general assembly, first regular session, and to enact in lieu thereof ninety-nine new sections relating to community development.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 21, Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 24, Senate Amendment No. 25, Senate Amendment No. 26, Senate Amendment No. 27 and Senate Amendment No. 28

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 3, Section 68.200, Lines 26-27 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 2-9, Section 68.202, by striking all of said section from the bill; and

Further amend said bill, Pages 10-11, Section 68.204, by striking all of said section from the bill; and

Further amend said bill, Page 11, Section 68.206, by striking all of said section from the bill; and

Further amend said bill, Pages 11-12, Section 68.208, by striking all of said section from the bill; and

Further amend said bill, Pages 12-13, Section 68.210, by striking all of said section from the bill; and

Further amend said bill, Pages 13-14, Section 68.212, by striking all of said section from the bill; and

Further amend said bill, Pages 14-18, Section 68.214, by striking all of said section from the bill; and

Further amend said bill, Pages 18-20, Section 68.218, by striking all of said section from the bill; and

Further amend said bill, Pages 20-24, Section 68.220, by striking all of said section from the bill; and

Further amend said bill, Pages 24-25, Section 68.222, by striking all of said section from the bill; and

Further amend said bill, Pages 25-26, Section 68.224, by striking all of said section from the bill; and

Further amend said bill, Pages 26-27, Section 68.226, by striking all of said section from the bill; and

Further amend said bill, Pages 27-30, Section 68.230, by striking all of said section from the bill; and

Further amend said bill, Pages 30-32, Section 68.232, by striking all of said section from the bill; and

Further amend said bill, Page 32, Section 68.234, by striking all of said section from the bill; and

Further amend said bill, Page 32, Section 68.236, by striking all of said section from the bill; and

Further amend said bill, Page 33, Section 68.238, by striking all of said section from the bill; and

Further amend said bill, Page 33, Section 68.240, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Pages 58-61, Section 99.134 of said pages, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 146, Section 238.230, Line 29 of said page, by inserting after all of said line the following:

“288.037. 1. The term “employer” shall include any Indian tribe for which service in employment as defined in section 288.034 is performed.

2. The term “employment” shall include service performed in the employ of an Indian tribe, as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), provided such service is excluded from “employment” as defined in FUTA solely by reason of Section 3306(c)(7), FUTA, and is not otherwise excluded from “employment” under this chapter. For purposes of this section, the exclusions from employment in subsection 9 of section 288.034 shall be applicable to services performed in the employ of an Indian tribe.

3. Benefits based on service in employment defined in this section shall be payable in the same amount, on the same terms, and subject to the same conditions as benefits payable on the basis of other service subject to this chapter. The provisions of subsection 3 of section 288.040 pertaining to services performed at an educational institution while in the employ of an “educational service agency” shall apply to services performed in an educational institution or educational service agency wholly owned and operated by an Indian tribe or tribal unit.

4. (1) Indian tribes or tribal units, including subdivisions, subsidiaries, or business enterprises wholly owned by such Indian tribes, subject to this chapter shall pay contributions under the same terms and conditions as all other subject employers, unless they elect to pay into the state unemployment fund amounts equal to the amount of benefits attributable to service in the employ of the Indian tribe. An Indian tribe and all tribal units of such Indian tribe shall be jointly and severally liable for any and all contributions, payments in lieu of contributions, interest, penalties, and surcharges owed by the Indian tribe and all tribal units of such Indian tribe.

(2) Indian tribes electing to make payments in lieu of contributions must make such election in the same manner and under the same conditions as provided in subsection 3 of section 288.090 pertaining to state and local governments and nonprofit organizations subject to this chapter. Indian tribes will determine if reimbursement for benefits paid will be elected by the tribe as a whole, by individual tribal units, or by combinations of individual tribal units. Termination of an Indian tribe’s coverage pursuant to subdivision (5) of this subsection shall terminate the election of such Indian tribe and any tribal units of such Indian tribe to

make payments in lieu of contributions.

(3) Indian tribes or tribal units will be billed for the full amount of benefits attributable to service in the employ of the Indian tribe or tribal unit on the same schedule as other employing units that have elected to make payments in lieu of contributions.

(4) Any Indian tribe or tribal unit that elects to become liable for payments in lieu of contributions shall be required, prior to the effective date of its election, to post with the division a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the Indian tribe or tribal unit was liable in the last calendar year in which it accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties, and surcharges for which the Indian tribe or tribal unit may be, or becomes, jointly and severally liable pursuant to this chapter.

(5) Failure of the Indian tribe or tribal unit to maintain the required surety bond, including the posting of an additional surety bond or a replacement surety bond within ninety days of being directed by the division, will cause services performed for such Indian tribe to not be treated as “employment” for purposes of subsection 2 of this section.

(6) The director may determine that any Indian tribe that loses coverage under subdivision (5) of this subsection, may have services performed for such tribe again included as “employment” for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid. Upon reinstatement of coverage under this subdivision, an Indian tribe or any tribal unit may elect, in accordance with the provisions of this subsection, to make payments in lieu of contributions.

(7) If an Indian tribe fails to maintain the required surety bond by posting an additional surety bond or a replacement surety bond within ninety days of being directed by the division, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

(8) Notices of surety bond deficiency to Indian tribes or their tribal units shall include information that failure to post an additional surety bond or a replacement surety bond within the prescribed time frame:

- (a) Will cause the Indian tribe to be liable for taxes under FUTA;
- (b) Will cause the Indian tribe to be excepted from the definition of “employer,” as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from “employment”.

5. (1) Failure of the Indian tribe or tribal unit to make required payments, including assessments of interest and penalty, within ninety days of receipt of the bill will cause services performed for such Indian tribe to not be treated as “employment” for purposes of subsection 2 of this section.

(2) The director may determine that any Indian tribe that loses coverage under subdivision (1) of this subsection, may have services performed for such tribe again included as “employment” for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid.

(3) If an Indian tribe fails to make payments required under this section, including assessments of interest and penalty, within ninety days of a final notice of delinquency, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

6. Notices of payment and reporting delinquency to Indian tribes or their tribal units shall include information that failure to make full payment within the prescribed time frame:

- (1) Will cause the Indian tribe to be liable for taxes under FUTA;
- (2) Will cause the Indian tribe to be excepted from the definition of “employer”, as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from “employment”.

7. Extended benefits paid that are attributable to service in the employ of an Indian tribe and not reimbursed by the federal government shall be financed in their entirety by such Indian tribe.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 1, In the Title, Line 17, by inserting after “development” the following: “, with an effective date for certain sections”; and

Further amend said bill, Page 61, Section 99.134, Line 22, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to [99.865] **99.873**, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) “Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) “Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) “Gambling establishment”, an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) “High unemployment”, unemployment in the census block group or contiguous group of block groups in which the redevelopment project is located of at least one and one-half times that of the metropolitan statistical area in which the area is located or, one and one-half times the unemployment rate of nonmetropolitan

counties if the area is not located in a metropolitan statistical area;

(8) “Low fiscal capacity”, per capita assessed valuation of property in the municipality of less than sixty percent of the entire county in which it is located, or, in unincorporated areas, when the per capita assessed valuation of property in the school district is less than sixty percent of the entire county in which it is located;

(9) “Moderate income”, either a Missouri municipality within a metropolitan statistical area which has a population of at least one thousand five hundred and median household income of under ninety percent of the median household income for the metropolitan statistical area, according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition, the definition shall include municipalities not within a metropolitan statistical area, with a median household income of under ninety percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census;

[(7)] (10) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, “municipality” applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(8)] (11) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(9)] (12) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(10)] (13) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(11)] (14) “Redevelopment area”, an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(12)] (15) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(13)] (16) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(14)] (17) “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

(18) "Retail", any establishment possessing a retail sales license and responsible for the collection of sales taxes pursuant to the provisions of section 144.080, RSMo;

(19) "Retail redevelopment project", any development project within a redevelopment area, as defined in this section, where more than thirty-three percent of the total estimated redevelopment project costs are devoted to the construction, reconstruction, or expansion of retail establishments or of privately-owned infrastructure or facilities ancillary to sales at retail;

[(15)] **(20)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(16)] **(21)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(17)] **(22)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; [and]

[(18)] **(23)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision [and], an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall

include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660,

RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer

within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to **blighted areas located in distressed communities pursuant to section 135.530, RSMo**, blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the

duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the “Missouri Supplemental Tax Increment Financing Fund”, to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. All personnel and other costs incurred by the department of economic development for the administration and operation of subsections 4 to 12 of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection 10 of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development.

99.866. 1. Except as provided in subsection 2 of this section, sections 99.866 to 99.872 shall apply to any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants.

2. Any redevelopment project consisting solely of public infrastructure improvements on public land requiring two million dollars or less in tax increment financing, wherein the bonds for such project will be paid off in seven years or less, shall be exempt from the provisions of sections 99.866 to 99.872. However, no “stringing” of projects shall be allowed. No exempt project pursuant to this section shall be combined with another exempt project pursuant to this section for a period of five years.

3. Any redevelopment project for which eligible project redevelopment costs are to be paid from that portion of the total economic activity taxes and payments in lieu of taxes imposed by the municipality only, and real or potential revenues from no other taxing jurisdictions are involved, are exempt from the provisions of sections 99.866 to 99.872.

99.867. 1. The municipality and any proposed redevelopment area shall meet the requirements of section 99.810 and this section. In addition, if the proposed redevelopment project is a retail redevelopment project, it must be in a redevelopment area where:

(1) The host municipality or, for unincorporated areas, the host school district has low fiscal capacity;
or

(2) The census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area have high unemployment; or

(3) The municipality, census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area are characterized by moderate income.

2. Tax increment financing shall not be used for more than thirty percent of the total estimated

redevelopment costs of a project unless the redevelopment is in a municipality, census block group or group of block groups with a median household income less than seventy percent of that of the metropolitan area, a distressed community as defined in section 135.530, RSMo, a federal enterprise zone or a federal empowerment zone. Tax increment financing shall not be used to develop sites in which twenty-five percent or more of the area is vacant and has not previously been developed or qualifies as "open space" pursuant to section 67.900, RSMo, or is presently being used for agricultural or horticultural purposes.

3. If the majority of the proposed redevelopment project is located in an area meeting the requirements of low fiscal capacity, high unemployment, and moderate income set forth in this section, and if such conditions are documented in an area which is contiguous to but outside of the qualifying area, and is smaller than a census block group, the contiguous area shall be added to the qualifying area.

99.870. Commencing with the first fiscal year in which any municipality receives any payments in lieu of taxes from a redevelopment project and continuing through the last fiscal year in which the municipality receives such payments, the municipality shall pay to any other taxing entities entitled to receive revenue from levies on real property in such municipality, an amount equal to twenty-five percent of the payments in lieu of taxes received by the municipality. This amount shall be divided among the other affected taxing entities on a basis that is proportional to the collections of revenue from real property in the development area to which each such taxing district is entitled during that tax year.

99.871. In addition to the requirements which may apply pursuant to section 99.810, no redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision, an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met, and a study stating that records were reviewed, inspections were made, comparisons were made, or tasks undertaken demonstrating that the property has not been developed through private enterprise over a period of time. Such a study should be signed by a responsible party in the local jurisdiction who is designated as being responsible for the study's representations. The study shall be of sufficient specificity to allow representatives of the tax increment financing commission or the municipality, or both, to conduct investigations deemed necessary in order to confirm its findings;

(2) An economic feasibility analysis including a pro forma financial statement indicating a return on investment that may be expected without public assistance. The financial statement shall detail any assumptions made, a pro forma statement analysis demonstrating the amount of assistance required to bring the return into a range deemed attractive to private investors, which amount shall be equal to the estimated reimbursable project costs.

99.872. The municipality and the developer shall annually submit information to the department regarding an approved plan for as long as the plan is in effect. The department shall establish reporting requirements by rule promulgated pursuant to chapter 536, RSMo. The department shall submit a report to the governor and the general assembly by December thirty-first of each year. The report shall, at a minimum, identify the number and location of redevelopment areas, quantify public investment in each, and assess the public benefit derived from the redevelopment project.

99.873. Any district in any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with

more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants, providing emergency services pursuant to chapter 190 or 321, RSMo, shall be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment.

99.874. The provisions of this act shall apply to all redevelopment projects which are approved by a municipality after the effective date of this act.”; and

Further amend said bill, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section B. The repeal and reenactment of sections 99.805, 99.810, 99.845 and the enactment of sections 99.866, 99.867, 99.870, 99.871, 99.872, 99.873 and 99.874 of this act shall become effective July 1, 2003.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section 1. 1. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.

2. Sections 99.800 to 99.865, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 134, Section 135.530, by deleting brackets on said page.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, Lines 7-8 of said page, by striking said lines and inserting in lieu thereof the following: “development projects adopted pursuant to sections 99.915 to 99.984. The purpose of the hearing shall be to determine if”.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Section 348.302, Page 150, Line 7 of said page, by inserting after all of said line the following:

“Section 1. The housing authority commission shall appoint a Section 8 housing evaluation committee of seven members composed of three landlords and four members from business and community groups.”; and

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

Further amend said bill, Page 62, Section 99.921, Line 25 of said page, by inserting after “corporation” the following: “**association**”; and

Further amend said bill, Page 72, Section 99.933, Lines 15 to 18 of said page, by striking said lines and inserting in lieu thereof the following:

“3. Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any city not within a county, and any county with a charter form of government and with more than one million inhabitants shall approve a minority and women-owned business enterprise program to be implemented by the downtown economic stimulus authority. The program shall require all businesses, vendors and contractors working on projects undertaken by the authority to ensure enforcement of an equal opportunity employment plan and a minority and women-owned business program that is based on population and availability that contains specific goals for each such business, vendor and contractor, in accordance with applicable state and federal laws, rules, regulations and orders.”; and

Further amend said bill, Page 75, Section 99.944, Lines 12 to 29 of said page, by striking all of said lines; and

Further amend said bill, Page 76, Section 99.944, Lines 1 to 10 of said page, by striking all of said lines and inserting in lieu thereof the following:

“99.944. 1. Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county with a charter form of government and with more than one million inhabitants, and any city not within a county may by ordinance establish a fund for the purpose of providing funds to community development corporations in such city for comprehensive programs within such city to stimulate economic development, housing, and other public benefits leading to the development of economically sustainable neighborhoods or communities, such fund to be known as the “Community Development Corporation Revolving Fund”. Notwithstanding section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

2. The community development corporation revolving fund shall be administered by a community development corporation revolving fund board, which shall consist of six members appointed by the chief elected official of such municipality or county, of which one shall be a member of the economic stimulus authority, three shall be members of the local regional community development association, and two shall be members of local business or financial organizations. The initial members shall serve staggered terms of one, two, and three years as determined by the chief elected official at the time of appointment. Thereafter, successor members shall be appointed by the chief elected official for a term of three years, and shall hold office until a successor is appointed. Any member may be removed by the chief elected official for inefficiency, neglect of duty, or misconduct. All vacancies shall be filled by appointment of the chief elected official for the unexpired term. No member shall receive compensation for the member's services, but shall be entitled to necessary and reasonable expenses, including travel expenses, incurred in the discharge of the member's duties. The chief elected official shall appoint the chair of the board, and the members of the board shall elect officers from the membership of the board.”; and

Further amend said bill, Page 77, Section 99.944, Line 4 of said page, by inserting after “annually.” the following:

“Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any city not within a county, and any county with a charter form of government and with more than one million inhabitants that enacts any new local sales tax for any downtown development project pursuant to this section shall distribute at least five percent of the revenue generated by the sales tax to the fund.”.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 61, Section 99.915, Line 27 of said page, by inserting after all of said line the following:

“3. No transfer from the general revenue fund to the special allocation fund defined in subsection 20 of section 99.945 shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project.”.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 83, Section 99.945, Line 29, by inserting immediately after the word “increment,” the following: **“based on the estimate at the time of the initial agreement,”.**

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 83, Section 99.945, Line 27 of said page, by striking the following: “some portion” and inserting in lieu thereof the following: **“a percentage not to exceed fifty percent”.**

Senate Amendment No. 21

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, by inserting immediately after all of said section the following:

“100.840. 1. To provide funds for the present payment of the costs of economic development projects, the board may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement. The total amount of outstanding certificates sold by the board shall not exceed seventy-five million dollars. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board, and may bear interest at such rate or rates as the board shall determine, notwithstanding the provisions of section 108.170, RSMo, to the contrary. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. Certificates may be issued for the purpose of refunding a like, greater or lesser principal amount of certificates and may bear a higher, lower or equivalent rate of interest than the certificates being renewed or refunded.

3. The board shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

4. Certificates issued pursuant to this section shall not be deemed to be an indebtedness of the state or the board or of any political subdivision of the state.

5. In no event shall the aggregate amount of tax credits authorized by subsection 4 of this section exceed ten million dollars annually.”.

Senate Amendment No. 22

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, Line 15, by inserting immediately after all of said line the following:

“100.010. As used in sections 100.010 to 100.200, unless the context clearly indicates otherwise, the following words and terms have the following meanings:

(1) “Division”, an appropriate division of the department of economic development of the state of Missouri, or any agency which succeeded to the functions of the division of commerce and industrial development;

(2) “Facility”, an industrial plant purchased, constructed, extended or improved pursuant to sections 100.010 to 100.200, including the real estate, buildings, fixtures and machinery;

(3) “Governing body”, bodies and boards, by whatever names they may be known, charged with the governing of a municipality as herein defined;

(4) “Municipality”, any county, city, incorporated town or village of the state;

(5) “Office industry”, a regional, national or international headquarters, a telecommunications operation, a computer operation, an insurance company or a credit card billing and processing center;

(6) “Project for industrial development” or “project”, the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities which provide interstate commerce, and industrial plants, including the real estate either within or without the limits of such municipalities, buildings, fixtures, and machinery; except that any project of a municipality having fewer than eight hundred inhabitants shall be located wholly within the limits of the municipality;

(7) “Revenue bonds”, bonds, loans, debentures, notes, special certificates or other evidences of indebtedness issued by a municipality and secured by revenues of a project for industrial development;

(8) “Taxing district”, any political subdivision of this state having the power to levy ad valorem taxes and whose boundaries for ad valorem taxation purposes include any portion of the area in which the project will be located.

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

(1) A description of the project;

(2) An estimate of the cost of the project;

(3) A statement of the source of funds to be expended for the project;

(4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality; and

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

2. If the plan for the project is approved after August 28, 2002, and the project plan involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality, the project plan shall additionally include the following information:

(1) A statement identifying each taxing district affected by such project;

(2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after development;

(3) An analysis of the costs and benefits of the project on each taxing district; and

(4) Identification of any payments in lieu of taxes, contributions, grants or other payments of any nature whatsoever expected to be made by any lessee of the project, and the disposition of any such payments by the municipality.

3. If the plan for the project is approved after August 28, 2002, any payments in lieu of taxes, contributions, grants or other payments of any nature whatsoever expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of issuing the bonds and administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each taxing district in proportion to the current ad valorem tax levy of each taxing district.

100.060. 1. The governing body of any municipality proposing a project for industrial development which involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality shall, not less than twenty days prior to approving the plan for a project as required by section 100.050, provide notice of the proposed project to the county in which the municipality is located and any school district that is a taxing district. Such notice shall include the information required in section 100.050, shall state the date on which the governing body of the municipality will first consider approval of the plan, and shall invite such taxing districts to submit comments to the governing body.

2. Projects of a county must be located within an unincorporated area of such county except that such projects may be located within the incorporated limits of a city, town or village within such county when approved by the governing body of such city, town or village.

3. This section is applicable only if the plan for the project is approved after August 28, 2002.

100.105. No later than January thirty-first of each year, the municipality shall file a report with the department of economic development on the previous year's revenue bond issuances and general obligation bond issuances, which report shall contain only the following information:

- (1) The name, address, spokesperson, and telephone number of the issuing entity;
- (2) The name, address, age, and type of business of the beneficiary firm;
- (3) The amount, term, interest rate or rates, and date of issuance of the bonds issued;
- (4) The name and address of the underwriter, if any, of such bonds;
- (5) The name and address of the guarantor, if any;
- (6) The size, by assets and previous year's sales, and the current number of employees, of the beneficiary firm;
- (7) A copy of the preliminary official statement used when offering the bonds for sale;
- (8) The estimated number of new jobs to be generated by the proposed project;
- (9) A list of the use of bond proceeds, including whether the purpose of the project and the funds generated by the issuance of such bonds is to open a new business, build a branch plant, expand an existing facility, or acquire an existing business[;] **together with a general description of the real property or personal property purchased by or on behalf of the municipality with such proceeds; and**

- (10) The estimated total cost of the project.

100.180. The municipality shall have the authority to enter into loan agreements, sell, lease, or mortgage to private persons, partnerships or corporations the facilities purchased, constructed or extended by the municipality for manufacturing and industrial development purposes. In the event that the facility has been financed by revenue bonds, the installments of charges or rents shall be sufficient to meet the interest and sinking fund requirements on the bonds. The loan agreement, installment sale agreement, [or] lease, **or other such document** shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with the other provisions of sections 100.010 to 100.200.”; and

Further amend said bill, Page 139, Section 135.535, Line 21, by inserting after all of said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, in

the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation, exclusive of new construction and improvements. All political subdivisions shall immediately revise the rates of levy for each purpose for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor shall be limited to the actual assessment growth within the political subdivision, exclusive of new construction and improvements, but not to exceed the consumer price index or five percent, whichever is lower.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, **sections 100.010 to 100.200, RSMo**, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. The assessor shall certify the amount of new construction and improvements for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers

for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

6. Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one/one hundredth of a cent. A taxing authority shall round up a fraction greater than or equal to five/one thousandth of one cent to the next higher one/one hundredth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the

taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed, to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 61, Section 99.134, Line 22, by inserting at the end of said line the following:

“99.847. Any district providing emergency services pursuant to chapter 190 or 321, RSMo, [upon the provision of evidence to the governing body of the municipality that direct costs incurred by such district in providing emergency services to the redevelopment area are directly attributable to the operation of redevelopment projects as these terms are defined in section 99.805, in the redevelopment area,] shall be entitled to reimbursement from the special allocation fund [for direct costs to the extent that such district can demonstrate that the increased tax revenues it receives from such projects in such areas are insufficient to fund such direct costs. However, such reimbursement shall not be less than twenty-five] **in the amount of at least fifty percent [nor] but no** more than one hundred percent of the district's tax increment.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 24

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Pages 132-133, Section 135.487, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 25

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section 1. If a city not within a county has, with or without a contract with the owner or lessee of the property or such owner's or lessee's agent, trustee, contractor, or subcontractor, ordered a mechanic or other person to perform the work described in subsection 3 of section 429.015, RSMo, and if such city has paid the mechanic or other person in full at any time within one hundred twenty days after the mechanic or other person has completed such work, then such city shall, upon complying with the provisions of sections 429.010 to 429.340, have a lien on the property in lieu of the lien that the mechanic or other person would have had pursuant to subsection 3 of section 429.015, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 26

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section 1. Notwithstanding any other provision of law to the contrary, any bonds issued by a local issuing entity for tax increment financing shall be an obligation of the local issuing entity and shall not be an obligation of the state, binding or otherwise, regardless of whether the state appropriates moneys to the local entity for payment of principal or interest on the bond obligations.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 27

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section 1. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than one million inhabitants.

2. Sections 99.866 to 99.874, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and

Further amend the title or enacting clause accordingly.

Senate Amendment No. 28

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 116, Section 135.259, Line 23, by inserting after all of said line the following:

“135.263. In addition to the number of enterprise zones authorized pursuant to sections 135.206, 135.210, 135.211, 135.256, 135.257, 135.259, 135.260 and 135.261, the department of economic development shall designate one such zone in a contiguous area, not to exceed two thousand acres, only if such single zone is situated at least partly within:

- (1) A village with more than three thousand but less than three thousand one hundred inhabitants;**
- (2) A home rule city with more than ten thousand but less than ten thousand one hundred inhabitants;**
- (3) A home rule city with more than twenty-two thousand but less than twenty-three thousand inhabitants; and**
- (4) A fourth class city with more than four hundred forty but less than four hundred fifty inhabitants; located in any county with a charter form of government and with more than one million inhabitants. Such enterprise zone designations shall only be made if such area meets all the requirements of section 135.205.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SCS HB 1348, as amended**: Senators Foster, Klindt, Cauthorn, Dougherty and Coleman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS SCS SB 675, as amended**, and has taken up and passed **HS HCS SS SCS SB 675, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SS#2 SCS SBs 984 & 985, as amended**: Senators Steelman, Klindt, Cauthorn, Caskey and Coleman.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HB 1196, as amended, relating to funding for transportation, was taken up by Representative Barnett.

On motion of Representative Barnett, **SS SCS HB 1196, as amended**, was adopted by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	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	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lowe	Luetkemeyer	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Boatright	Hohulin	Reid	Roark
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PRESENT: 002

Jetton	Mayer
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ABSENT WITH LEAVE: 015

Baker	Ballard	Green 73	Lawson	Linton
Lograsso	Long	Luetkenhaus	Marble	Monaco
Purgason	Scheve	Scott	Treadway	Williams

VACANCIES: 001

On motion of Representative Barnett, **SS SCS HB 1196, as amended**, was read the third time and passed by the following vote:

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AYES: 137

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

NOES: 005

Boatright	Hohulin	Rector	Reid	Roark
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PRESENT: 001

Jetton

ABSENT WITH LEAVE: 019

Baker	Ballard	Boykins	Byrd	Gaskill
Green 73	Lawson	Linton	Long	Luetkenhaus
Marble	Monaco	Moore	Murphy	Purgason
Scheve	Scott	Treadway	Wright	

VACANCIES: 001

Representative Britt declared the bill passed.

Speaker Kreider resumed the Chair.

Representative Gambaro assumed the Chair.

BILL IN CONFERENCE

CCR SCS HB 1402, as amended, relating to telecommunication services, was taken up by Representative Burton.

On motion of Representative Burton, **CCR SCS HB 1402, as amended**, was adopted by the following vote:

AYES: 129

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Foley	Franklin
Gambaro	Gaskill	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Villa
Vogel	Wagner	Walker	Walton	Ward
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 019

Boucher	Bray 84	Brooks	Campbell	Farnen
Fraser	George	Graham	Hagan-Harrell	Harding
Holt	Lowe	Murphy	Paone	Smith
Treadway	Whorton	Williams	Wilson 25	

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Clayton	Froelker	Harlan	Liese	Linton
Long	Luetkenhaus	Marsh	Monaco	Purgason
Richardson	Troupe	Van Zandt		

VACANCIES: 001

On motion of Representative Burton, **CCS SCS HB 1402**, was read the third time and passed by the following vote:

AYES: 126

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Franklin	Fraser	Gambaro
Gaskill	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Linton	Lograsso	Luetkemeyer	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Thompson
Townley	Villa	Vogel	Wagner	Walker
Walton	Ward	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 018

Boucher	Bray 84	Brooks	Campbell	Farnen
George	Graham	Hagan-Harrell	Harding	Kelly 27
Lowe	Murphy	Paone	Smith	Treadway
Whorton	Williams	Wilson 25		

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 017

Baker	Boykins	Foley	Froelker	Harlan
Lawson	Liese	Long	Luetkenhaus	Marsh
Monaco	O'Connor	Purgason	Scheve	Surface
Troupe	Van Zandt			

VACANCIES: 001

Representative Gambaro declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Baker	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Foley
Franklin	Gambaro	Graham	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Lawson	Legan	Linton	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
St. Onge	Surface	Townley	Villa	Vogel
Wagner	Walker	Walton	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 019

Abel	Barnitz	Boucher	Bray 84	Brooks
Campbell	Farnen	Fraser	Hagan-Harrell	Harding
Kelly 27	Murphy	Rizzo	Shoemyer	Smith
Treadway	Ward	Williams	Wilson 25	

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 019

Boykins	Carnahan	Cooper	Froelker	Gaskill
George	Green 73	Harlan	Koller	Liese
Long	Lowe	Luetkenhaus	Marsh	Purgason
Scheve	Thompson	Troupe	Van Zandt	

VACANCIES: 001

Speaker Kreider resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS#2 SB 1191, relating to the Missouri Tobacco Settlement, was taken up by Representative Graham.

Representative Graham offered **HS HCS SS#2 SB 1191**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 21, Section 8.560, Line 1, by deleting all of said lines and inserting in lieu thereof the following: "**petition pursuant to chapter 9 of the federal bankruptcy**"; and

Further amend said bill, Page 21, Section 8.560, Line 5, by deleting all of said line and inserting in lieu thereof the following: "**or become a debtor pursuant to chapter 9 or any successor**"; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 7, Section 8.530, Line 18, by inserting after the word "**entities**" the following:

"for the purpose of securing debt obligations with a maturity of not more than one year issued pursuant to Section 8.545 hereof"; and

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

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

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

"Section 1. 1. There is established a joint committee of the General Assembly to be known as the "Advisory Committee on Tobacco Securitization", to be comprised of five members of the senate and five members of the house of representatives. Three of the senate members shall be appointed by the president pro tem of the senate and two by the senate minority leader. Three of the house members shall be appointed by the speaker of the house and two by the house minority leader. The appointment of each member shall continue during his or her term of office as a member of the general assembly or until a successor has been duly appointed to fill his or her place when his or her term of office as a member of the general assembly has expired.

2. The committee shall study and recommend who the financial advisors, investment bankers, and other professional advisors shall be for the Authority, and shall make a written report to the Authority within sixty days of passage of the bill. The committee shall also study and provide a written report by December 31 of each year to the Authority detailing suggested allowable projects and payments for which money from the tobacco settlement securitization settlement trust fund may be used in the next appropriation cycle."; and

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

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 3, Section 8.505, Line 2, after the word “shortfalls” inserting the phrase “**refund a portion of the general obligation indebtedness of the State.**”.

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

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Pages 1 to 2, Section 8.010, by deleting said section and inserting in lieu thereof the following:

“1. The governor, attorney general and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex-officio member of the board but shall not have the power to vote.”; and

Further amend said bill, Page 5, Section 8.520, by deleting said section and inserting in lieu thereof the following:

“The powers of the authority are vested in and shall be exercised by a board consisting of three members: the governor, the lieutenant governor, and the attorney general. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex-officio member of the board but shall not have the power to vote. The treasurer of the state may serve as an ex officio member of the authority but shall not have the power to vote. Two members of the board constitute a quorum. The members shall elect a chairperson, vice chairperson, and secretary, annually, and other officers as the members determine necessary. Meetings of the board shall be held at the call of the chairperson or when a majority of the members so request. The members of the board shall not receive compensation by reason of their membership on the board.”.

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

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 19, Section 8.550, Line 22, by deleting the term “**two hundred million dollars**” and inserting in lieu thereof the following: “**one hundred seventy-five million dollars.**”; and

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

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

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

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

“Notwithstanding any other provisions of law to the contrary, prior to any appropriation of securitized tobacco funds, \$20 million per year for three years shall be transferred to the Healthy Families Trust Fund, Tobacco Prevention Account and \$20 million per year for three years to the Healthy Families Trust Fund, Life Sciences Account.”; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Hosmer 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 No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

“Notwithstanding any other provisions of law to the contrary, prior to any appropriation of securitized tobacco funds, 25 percent shall be transferred to the Healthy Families Trust Fund, Tobacco Prevention Account”; and

Further amend title, enacting clause and intersectional references accordingly.

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

Which motion was defeated by the following vote:

AYES: 011

Baker	Bartelsmeyer	Champion	Gaskill	Hosmer
Kelly 36	May 149	Portwood	Townley	Whorton
Wright				

NOES: 135

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	King	Koller

Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 003

Bartle	Bearden	Monaco
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ABSENT WITH LEAVE: 013

Ballard	Bray 84	Campbell	Crump	Harlan
Hohulin	Hollingsworth	Kelly 27	Linton	Long
Marsh	Purgason	Van Zandt		

VACANCIES: 001

Representative Bearden moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Johnson (61) offered **House Amendment No. 8**.

Representative Froelker offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

House Substitute Amendment No. 1 for House Amendment No. 8 was withdrawn.

House Amendment No. 8 was withdrawn.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 20, Section 8.550, Line 3, by inserting after the end of said line the following:

“**Section 1. No money from the tobacco securitization settlement trust fund may be used to fund any publicly or privately owned sports facilities**”; and

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

Representative Luetkemeyer moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 21, Section 8.570, Line 25, by deleting the phrase “The net proceeds of bonds issued to implement Sections 8.500 to 8.565 shall not exceed six hundred million dollars”.

On motion of Representative Byrd, **House Amendment No. 9** was adopted.

On motion of Representative Graham, **HS HCS SS#2 SB 1191, as amended**, was adopted by the following vote:

AYES: 114

Abel	Baker	Barnett	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Jetton
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Legan	Liese	Luetkemeyer	Luetkenhaus	Marble
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Ward
Williams	Willoughby	Wilson 42	Mr. Speaker	

NOES: 033

Barnitz	Bartelsmeyer	Behnen	Boatright	Bray 84
Campbell	Cierpiot	Daus	Dempsey	Froelker
Gaskill	Green 15	Hendrickson	Hohulin	Hosmer
Hunter	Johnson 61	Johnson 90	Kelly 36	King
May 149	Quinn	Rector	Roark	Schwab
St. Onge	Surface	Townley	Van Zandt	Walton
Whorton	Wilson 25	Wright		

PRESENT: 002

Bartle	Lowe
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ABSENT WITH LEAVE: 013

Ballard	Green 73	Harlan	Hoppe	Koller
Lawson	Linton	Lograsso	Long	Marsh
Purgason	Reid	Scheve		

VACANCIES: 001

HS HCS SS#2 SB 1191, as amended, was laid over.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 74 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 65**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 69**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Liese is no longer a member of the Fiscal Review and Government Reform Committee.

Representative Lawson has been appointed a member of the Fiscal Review and Government Reform Committee.

COMMUNICATION

May 16, 2002

Chief Clerk,

I respectfully request that the Journal reflect that House Amendment No. 6 to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 923, 828, 876, 694 & 736, regarding mandatory Child Abuse Reporters, was Jointly sponsored by Representative Reid (78) and Representative Willoughby (33).

Thank you,

Philip Willoughby, 33rd District

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1270
AND
HOUSE BILL NO. 2032**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, as amended;
2. That the House recede from its position on House Bill No. 1270 and House Bill No. 2032;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Bill Foster
/s/ Sen. Betty Sims
/s/ Sen. Harold Caskey
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. William Gratz
/s/ Rep. Randall Relford
/s/ Rep. Deleta Williams
/s/ Rep. Kenneth Legan
/s/ Rep. Tom Burcham

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1898**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1898;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Russell
/s/ Sen. Michael Gibbons
/s/ Sen. Wayne Goode
/s/ Sen. James Mathewson

FOR THE HOUSE:

/s/ Rep. Marsha Campbell
/s/ Rep. James Foley
/s/ Rep. Tim Harlan
/s/ Rep. Patrick Naeger
/s/ Rep. Steve Hunter

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 1248**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 1248;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ James Mathewson
/s/ Ed Quick
/s/ Chuck Gross
/s/ David Klarich
/s/ Michael Gibbons

FOR THE HOUSE:

/s/ James Foley
/s/ Jim Kreider
/s/ Chuck Graham
/s/ Catherine Hanaway
/s/ Shannon Cooper

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1446**

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate

Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 18, and Senate Amendment No. 19, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, as amended;
2. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Kenney
/s/ Sen. Larry Rohrbach
/s/ Sen. David Klindt
/s/ Sen. Sidney Johnson
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Bill Luetkenhaus
/s/ Rep. Dan Ward
/s/ Rep. Gary Burton
/s/ Rep. Blaine Luetkemeyer

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE SUBSTITUTE
FOR
SENATE BILL NO. 1220**

The Conference Committee appointed on House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on the House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV;
2. That the Senate recede from its position on Senate Bill No. 1220;
3. That the attached Conference Committee Substitute No. 2 for House Substitute for Senate Bill No. 1220, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Betty Sims
/s/ Bill Kenney
/s/ Pat Dougherty
/s/ Harry Wiggins
/s/ Anita Yeckel

FOR THE HOUSE:

/s/ Jim O'Toole
/s/ Jim Foley
/s/ Wayne Crump
/s/ Mark Richardson

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 9:00 a.m., Friday, May 17, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-second Day, Wednesday, May 15, 2002, page 2104, lines 7 through 27, by deleting all of said lines and inserting in lieu thereof the following:

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.159, Page 33, Line 8, by deleting "**115.247**" and inserting in lieu thereof "**115.427**"; and

Further amend said substitute, Section 115.126, Page 22, Lines 16-19, by deleting the following:

"Not later than August first of each year thereafter, each election authority shall submit to the secretary of state a plan and funding request to implement the provisions of this section."

Page 2109, lines 16 through 24, by deleting all of said lines and inserting in lieu thereof the following:

*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 No. 675, Section 115.074, Page 9, Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

"upgrade or improve the voting process or equipment. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to"; and

Further amend said substitute, Section 115.076, Page 11, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

“Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and

Further amend said substitute, Section 115.098, Page 18, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

“dollars per hour. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may”.

Pages 2091 and 2092, roll call, by showing Representatives Ridgeway and Wagner voting "aye" rather than "absent with leave".

Pages 2091 and 2092, roll call, by showing Representative Graham voting "no" rather than "absent with leave".

Page 2093, roll call, by showing Representatives Champion, Graham, Ridgeway and Wagner voting "aye" rather than "absent with leave".

Pages 2093 and 2094, roll call, by showing Representatives Graham and Hunter voting "aye" rather than "absent with leave".

Pages 2094 and 2095, roll call, by showing Representatives Graham and Ridgeway voting "aye" rather than "absent with leave".

Pages 2095 and 2096, roll call, by showing Representatives Bartelsmeyer, Graham, Reinhart and Ridgeway voting "aye" rather than "absent with leave".

Pages 2096 and 2097, roll call, by showing Representatives Bartelsmeyer, Carnahan, Graham, Hunter, Ridgeway, Secrest and Scott voting "aye" rather than "absent with leave".

Pages 2098 and 2099, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Pages 2098 and 2099, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Page 2100, roll call, by showing Representatives Luetkenhaus and Ridgeway voting "aye" rather than "absent with leave".

Page 2100, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 2100 and 2101, roll call, by showing Representatives Barnett, Boykins, Crowell, Fraser, Luetkenhaus and Wright voting "aye" rather than "absent with leave".

Pages 2101 and 2102, roll call, by showing Representatives Boykins, Cooper, Cunningham, Luetkenhaus and Smith voting "aye" rather than "absent with leave".

Page 2103, roll call, by showing Representatives Luetkenhaus and Ward voting "aye" rather than "absent with leave".

Pages 2105 and 2106, roll call, by showing Representatives Graham and McKenna voting "aye" rather than "absent with leave".

Pages 2105 and 2106, roll call, by showing Representatives Kelley (47) and Luetkenhaus voting "no" rather than "absent with leave".

Page 2110, roll call, by showing Representatives Kelley (47), Luetkenhaus, Shoemaker (8) and Wagner voting "aye" rather than "absent with leave".

Page 2110, roll call, by showing Representatives Reynolds, Ward and Wright voting "no" rather than "absent with leave".

Pages 2116 and 2117, roll call, by showing Representatives Fraser and Ridgeway voting "aye" rather than "absent with leave".

Pages 2116 and 2117, roll call, by showing Representatives Enz, Hosmer and McKenna voting "no" rather than "absent with leave".

Page 2121, roll call, by showing Representatives Jolly, Ransdall and Wright voting "aye" rather than "absent with leave".

Page 2121, roll call, by showing Representatives Jolly, Ransdall and Wright voting "aye" rather than "absent with leave".

Pages 2124 and 2125, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Pages 2145 and 2146, roll call, by showing Representatives Abel, Bearden, Berkowitz, Boykins, Campbell, Clayton, Cooper, Cunningham, Enz, Froelker, Graham, Green (15), Hampton, Hanaway, Hoppe, Johnson (61), Koller, Kreider, Legan, Liese, Luetkenhaus, Naeger, Paone, Robirds, Ross, Schwab, Secrest, Shelton, Smith, Thompson, Van Zandt, Vogel, Wagner and Walton voting "aye" rather than "absent with leave".

Pages 2145 and 2146, roll call, by showing Representatives Griesheimer, Murphy and Nordwald voting "no" rather than "absent with leave".

Page 2158, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 2158, roll call, by showing Representatives Boykins and Hosmer voting "no" rather than "absent with leave".

Pages 2164 and 2165, roll call, by showing Representatives Boykins, Burcham, Champion, Graham and Ransdall voting "aye" rather than "absent with leave".

Page 2166, roll call, by showing Representatives Boykins, Champion, Kelly (27) and Ransdall voting "aye" rather than "absent with leave".

Page 2167, roll call, by showing Representatives Boykins, Graham, Hosmer and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2168 and 2169, roll call, by showing Representatives Boykins, Graham, Hosmer, Kelly (27), Secrest and Wilson (42) voting "aye" rather than "absent with leave".

Pages 2169 and 2170, roll call, by showing Representatives Johnson (90), Kelley (47) and Willoughby voting "aye" rather than "absent with leave".

Pages 2170 and 2171, roll call, by showing Representatives Barry, Boykins, Graham, Hunter, Kelly (27), Roark and Shields voting "aye" rather than "absent with leave".

Pages 2171 and 2172, roll call, by showing Representatives Barry, Boykins, Carnahan, Graham, Johnson (90) and McKenna voting "aye" rather than "absent with leave".

Pages 2171 and 2172, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 2172 and 2173, roll call, by showing Representatives Boykins, Campbell, Carnahan, Graham, Kelly (27), McKenna and Scott voting "aye" rather than "absent with leave".

Pages 2175 and 2176, roll call, by showing Representative Ridgeway voting "no" rather than "absent with leave".

COMMITTEE MEETING

FISCAL REVIEW AND GOVERNMENT REFORM

Friday, May 17, 2002, 8:00 a.m. Hearing Room 3.

Executive Session.

Public Hearing to be held on: SB 1279

HOUSE CALENDAR

SEVENTY-FOURTH DAY, FRIDAY, MAY 17, 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 BILL FOR PERFECTION - INFORMAL

HB 1916 - Franklin

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

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 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 77

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 65, (Loudon) (5-1-02, Page 1542) - Liese
- 3 SCR 69, (Schneider) (5-8-02, Page 1781) - O'Toole
- 4 SCS SCR 57, (Steelman) (5-8-02, Page 1784) - Willoughby

SENATE BILL FOR THIRD READING - CONSENT

SCS SB 988, (Caskey) - Hartzler

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 894, 975 & 927, E.C. (Kinder) - O'Toole
- 2 HCS SS SCS SB 931, (Klarich) - Monaco
- 3 HCS SB 1186, (Kenney) - Hoppe
- 4 HCS SS SB 665, (Kenney) - Hoppe
- 5 HCS SCS SB 1060, (Westfall) - Hoppe
- 6 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 7 SCS SB 642, (Russell) - Reid
- 8 HCS SCS SB 739, (Wiggins) - Monaco
- 9 HCS SB 989, as amended (Caskey) 5-14-02) - Hartzler
- 10 HCS SCS SB 1137, (Bentley) - Hosmer

- 11 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 12 SCS SB 878, (Sims) - Harding
- 13 HCS SCS SB 916, (Dougherty) - Smith
- 14 SCS SB 1203, (Yeckel) - Hilgemann
- 15 SB 896, (Yeckel) - Johnson (90)
- 16 HCS SS#2 SCS SB 1279, 1162 & 1164, (Kinder) (Fiscal Review 5-15-02) - Foley
- 17 SCS SB 1112 & 854, E.C. (Caskey) - O'Toole
- 18 HS HCS SS#2 SB 1191, E.C., as amended, (Jacob) - Graham

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1701 - Luetkenhaus
- 2 SS SCS HCS HB 1143, as amended - Rizzo

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt
- 2 HCS SS SCS SB 837, 866, 972 & 990, as amended (request House
recede/grant conference) - Berkowitz
- 3 HS HCS SS SCS SB 923, 828, 876, 694 & 736, as amended (request House
recede/grant conference) - Barry

BILLS IN CONFERENCE

- 1 CCR HS HCS SS SB 1248, as amended - Foley
- 2 CCR HCS SCS SB 1086 & 1126 - Hoppe
- 3 CCR#2 HS SB 1220, as amended - O'Toole
- 4 SS SCS HB 1712, as amended - Monaco
- 5 CCR SS#2 SCS HB 1446, as amended - Luetkenhaus
- 6 HS HCS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller
- 7 HS SCS SB 915, 710 & 907, as amended - Koller
- 8 HS#2 HCS SS SCS SB 969, 673 & 855, as amended, E.C. - Smith
- 9 HS HCS SCS SB 1061 & 1062, as amended - Harlan
- 10 SS SCS HS HCS HB 1962, as amended - Monaco
- 11 CCR SS SCS HB 1270 & HB 2032, as amended, E.C. - Gratz
- 12 SS HB 1748, as amended, E.C. - Ransdall
- 13 HS HCS SCS SB 680, as amended - Barry
- 14 CCR SS SCS HCS HB 1898, E.C. - Campbell
- 15 HS HCS SS SCS SB 670 & 684, as amended - Harlan
- 16 SS#2 SCS HB 1348, as amended - Myers
- 17 HS SS#2 SCS SB 984 & 985, as amended - Merideth

HOUSE RESOLUTION

- HR 1864, (5-15-02) - Shoemyer (9)