

JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 17, 2003

Speaker Hanaway in the Chair.

Prayer by Reverend Mark Kiekhaefer, Grace Evangelical Free Church.

Most High God.

Your dominion is eternal, Your kingdom endures from generation to generation. We, the people of the earth, are regarded as nothing before You. You do as You please with the powers of heaven and the peoples of the earth. (Daniel 4:34-35)

I come before You this day to pray for these elected representatives of Missouri...

- 1) May they be examples of righteousness for the people of our state.
- 2) Grant them divine wisdom for their deliberations this day.
- 3) May Your justice be advanced in our communities as a result of their work.
- 4) May we all be restrained from doing anything that would hinder Your purposes.
- 5) May there be humility, respect and peace in working toward solutions for the issues before this body.

We bring before Your throne the physical needs of those we care about, and especially remember Your servant David Buescher and ask You to extend Your healing hand to him.

We are mindful too of the clouds of war that are on the horizon for our nation. We ask You, the Prince of Peace, to bring about a lasting peace in our days. Even now we lift our voices and plead for a resolution that avoids armed conflict. If the fighting begins, we ask for Your protection over - all American and allied soldiers and the people in Iraq. May the unjust be removed, the wicked brought to judgment. (Psalm 10:15 paraphrase) and may peace and liberty be established in that land we pray.

And so, I commit these requests to You and ask for Your favor upon us this day.

In the name of my Lord, Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

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

The Journal of the thirty-seventh day was approved as corrected.

The Journal of the thirty-eighth day was approved as printed.

HOUSE RESOLUTION

Representative St. Onge offered House Resolution No. 887.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 854	-	Representative Moore
House Resolution No. 855	-	Representative Salva
House Resolution No. 856	-	Representative Vogt
House Resolution No. 857	-	Representative Henke
House Resolution No. 858	-	Representative Haywood
House Resolution No. 859	-	Representative Angst
House Resolution No. 860	-	Representative Liese
House Resolution No. 861		
and		
House Resolution No. 862	-	Representative Cooper (120)
House Resolution No. 863	-	Representative Munzlinger
House Resolution No. 864		
through		
House Resolution No. 866	-	Representative Luetkemeyer
House Resolution No. 867	-	Representative Johnson (90)
House Resolution No. 868		
through		
House Resolution No. 870	-	Representative Moore
House Resolution No. 871		
through		
House Resolution No. 873	-	Representative Deeken
House Resolution No. 874		
through		
House Resolution No. 878	-	Representative Graham
House Resolution No. 879		
and		
House Resolution No. 880	-	Representative Bruns
House Resolution No. 881	-	Representative Harris (23)
House Resolution No. 882	-	Representative Lembke
House Resolution No. 883	-	Representative Wallace
House Resolution No. 884		
and		
House Resolution No. 885	-	Representative Dougherty
House Resolution No. 886	-	Representative Wildberger
House Resolution No. 888	-	Representative Hanaway
House Resolution No. 889		
through		
House Resolution No. 892	-	Representative Jones

House Resolution No. 893
through
House Resolution No. 896 - Representative Jackson

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 682, introduced by Representative Sager, et al, relating to public holidays.

HB 683, introduced by Representatives Sager and Walker, et al, relating to the designation of the month of March of each year for commemoration of Irish history.

HB 684, introduced by Representatives Jones and Crawford, relating to the operation of motor vehicles.

HB 685, introduced by Representatives Jones and Haywood, relating to cancellation or nonrenewal of insurance policies.

HB 686, introduced by Representatives Jones and Haywood, relating to election of school board members.

SECOND READING OF HOUSE BILL

HB 681 was read the second time.

PERFECTION OF HOUSE BILL

HCS HB 600, relating to the collection of taxes, was taken up by Representative Cooper (120).

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 600, Page 9, Section 144.025, Line 37, by deleting the word “**primarily**”; and

Further amend said bill, Page 9, Section 144.025, Line 41, by inserting after said line the following:

“144.081. 1. The director of revenue, by regulation, may require a seller to timely remit the unpaid state sales tax for each quarter-monthly period, only if the seller's aggregate state sales tax was ten thousand dollars or more in each of at least six months during the prior twelve months. The term "state sales tax" as used in this section means the tax imposed by sections 144.010 to 144.510 and the additional sales tax imposed by sections 43(a) to 43(c) and 47(a) to 47(c) of article IV of the Missouri Constitution and does not include any sales taxes imposed by political subdivisions of the state pursuant to other provisions of law.

2. The director may increase the monthly requirement to more than ten thousand dollars or otherwise narrow the application of the quarter-monthly remittance system authorized by this section. The director may not require the remittance of state sales taxes more often than monthly unless authorized by this section.

3. A remittance shall be timely if mailed as provided in section 143.851, RSMo, within three banking days after the end of the quarter-monthly period or if received by the director or deposited in a depository designated by the director within four banking days after the end of the quarter-monthly period.

4. The unpaid amount shall be after a reduction for the compensation provided by section 144.140. The unpaid amount at the end of a quarter-monthly period shall not include unpaid amounts for a prior quarter-monthly period only if the seller made a remittance with respect to the prior quarter-monthly period. The excess, if any, of a remittance over the actual amount for a period shall be applied in order of time to each of the seller's succeeding remittances with respect to the same return period.

5. For purposes of this section, "quarter-monthly period" means:

- (1) The first seven days of a calendar month;
- (2) The eighth to fifteenth day of a calendar month;
- (3) The sixteenth to twenty-second day of a calendar month; and
- (4) The portion following the twenty-second of a calendar month.

6. (1) In the case of an underpayment of any amount required to be paid pursuant to this section, a seller shall be liable for a penalty in lieu of all other penalties, interest or additions to tax imposed by this chapter for violating this section. The penalty shall be five percent of the amount of the underpayment determined under subdivision (2) of this subsection.

(2) The amount of the underpayment shall be the excess of:

- (a) Ninety percent of the unpaid amount at the end of a quarter-monthly period, over
- (b) The amount, if any, of the timely remittance for the quarter-monthly period.

7. (1) The penalty with respect to any quarter-monthly period shall not be imposed if the seller's timely remittance for the quarter-monthly period equals or exceeds one-fourth of the average monthly state sales tax liability of the seller for the preceding calendar year. The month of highest liability and the month of lowest liability shall be excluded in computing the average. This subdivision shall apply only to a seller who had a state sales tax liability for at least six months of the previous calendar year.

(2) The penalty shall not be imposed if the seller establishes that the failure to make a timely remittance of at least ninety percent was due to reasonable cause, and not due to willful neglect.

(3) The penalty shall not be imposed against any seller for the first two months the seller is obligated to make quarter-monthly remittance of state sales taxes.

8. Tax amounts remitted under this section shall be treated as payments on the seller's monthly return required by sections 144.080 and 144.090. Tax amounts remitted under this section shall be deemed to have been paid on the last day prescribed for filing the return. The preceding sentence shall apply in computing compensation under section 144.140, interest, penalties and additions to tax and for purposes of all sections of this chapter, except this section.

9. The director of revenue may prescribe the use of an electronic funds payment system for the payment of sales and use taxes by any seller subject to the requirement of quarter-monthly remittance as provided in this section.”; and

Further amend said bill, Page 11, Section 2, Line 3, by deleting the words “**tax returns and pay all state taxes**” and inserting in lieu thereof the words “**income tax returns and pay all state income taxes**”; and

Further amend said bill, Page 11, Section 2, Line 8, by deleting the words “**tax returns have been filed and all state**” and inserting in lieu thereof the words “**income tax returns have been filed and all state income**”; and

Further amend said bill, Page 11, Section 2, Line 9, by inserting after the word “**state**” the word “**income**”; and

Further amend said bill, Page 11, Section 2, Line 18, by deleting the words “**tax returns have been filed and all state**” and inserting in lieu thereof the words “**income tax returns have been filed and all state income**”; and

Further amend said bill, Page 11, Section 2, Line 19, by inserting after the word “**state**” the word “**income**”; and

Further amend said bill, Page 12, Section 2, Line 29, by deleting the words “**tax returns have been filed and all state**” and inserting in lieu thereof the words “**income tax returns have been filed and all state income**”; and

Further amend said bill, Page 12, Section 2, Line 30, by inserting after the word “**state**” the word “**income**”; and

Further amend said bill, Page 12, Section 2, Line 39, by deleting the words “**tax returns have been filed and all state**” and inserting lieu thereof the words “**income tax returns have been filed and all state income**”; and

Further amend said bill, Page 12, Section 2, Line 40, by inserting after the word “**state**” the word “**income**”; and

Further amend said bill, Page 12, Section 3, Line 3, by inserting after the first occurrence of the word “**state**” the word “**income**”; and

Further amend said bill, Page 12, Section B, Line 5, by inserting after the word “approval” the word “or on July 1, 2003, whichever later occurs”; and

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

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Johnson (47) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 600, by inserting in the appropriate location the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, RSMo, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. **If any tax was paid more than once, or was incorrectly collected or computed, such sum shall be credited on any taxes due from the person legally obligated to remit the tax pursuant to this chapter, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax if duplicate copies of a claim for refund are filed within three years from the date of overpayment and:**

(1) **The person legally obligated to remit the tax demonstrates to the satisfaction of the director of revenue that all incorrectly collected or computed amounts were or will be refunded or credited to every purchaser that originally paid the tax; or**

(2) **The person legally obligated to remit the tax submits to the director amended sales tax returns showing the correct amount of gross receipts for each reporting period originally filed and proves to the director's satisfaction that the tax originally reported and remitted to the director was paid by such person claiming the refund or credit and was not collected from purchasers; or**

(3) **The person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to the person's future customers by a mutually agreed to distribution of a fixed value coupon to the customers.**

4. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

[4.] 5. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644, RSMo, shall be remitted based upon the location

of the place of business of the purchaser.

[5.] 6. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer."; and

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

Speaker Pro Tem Jetton assumed the Chair.

Representative Shoemyer (9) offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

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

AMEND House Committee Substitute for House Bill No. 600, Page 9, Section 144.025, Line 41, by inserting after said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, and the balance, with interest as determined by section 32.065, RSMo, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Except as provided in subsection 6 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and:

(1) Where the claim for refund is over one thousand dollars, the person legally obligated to remit the tax demonstrates to the satisfaction of the director of revenue that all incorrectly collected or incorrectly computed amounts were or will be refunded or credited to every purchaser that originally paid the tax;

(2) Refunds under one thousand dollars may not exceed one thousand dollars in the aggregate over any

five year time frame; or

(3) In lieu of subdivisions (1) and (2) of this subsection and regardless of the amount of refund claimed, the person legally obligated to remit the tax submits to the director amended sales tax returns showing the correct amount of gross receipts for each reporting period originally filed and proves to the director's satisfaction that the tax originally reported and remitted to the director was paid by such person claiming the refund or credit and was not collected from purchasers.

4. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

[4.] 5. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 92 and 94, RSMo, shall be remitted based upon the location of the place of business of the purchaser.

6. All new revenues resulting from the enactment of this section shall be deposited in the state school moneys trust fund as provided in section 163.031, RSMo.

7. In lieu of subsection 3 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and the person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to future customers of the person by mutually agreed to distribution of a fixed value coupon to such customers.”; and

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

Representative Seigfreid offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2.**

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

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 600, Page 3, Section 144.190, Subsection 7, by deleting all of Subsection 7.

Representative Johnson (47) raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** is in the third degree.

The Chair ruled the point of order not well taken.

Representative Seigfreid moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Hanaway resumed the Chair.

Representative Shoemyer (9) moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Barnitz	Behnen	Bishop	Bland
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kuessner
LeVota	Liese	Lowe	McKenna	Meiners
Merideth	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young			

NOES: 090

Angst	Avery	Baker	Bean	Bearden
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Kelly 36	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Zweifel	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Adams	Boykins	Green	Kelly 144	Kratky
Lawson				

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

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 600, Page 5, Section 143.124, Line 83, by inserting after the word “income”, the following:

“This section shall not apply to any individual who qualifies under federal guidelines to be 100% disabled.”.

Speaker Pro Tem Jetton resumed the Chair.

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

AYES: 153

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	King	Kingery
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Adams	Boykins	Graham	Green	Holand
Kelly 144	Kratky	Lawson	Ransdall	Sutherland

On motion of Representative Cooper (120), **HCS HB 600, as amended**, was adopted by the following vote:

AYES: 097

Angst	Avery	Baker	Barnitz	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	Goodman	Guest	Haywood
Hilgemann	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Merideth	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Self	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wilson 25	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 058

Abel	Bean	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Daus	Davis 122	Dougherty	El-Amin	George
Graham	Hampton	Harris 110	Harris 23	Henke
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	LeVota	Liese
Lowe	McKenna	Meiners	Muckler	Ransdall
Salva	Schoemehl	Seigfreid	Selby	Shoemaker
Shoemyer	Skaggs	Spreng	Thompson	Townley
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 42	Witte	Young		

PRESENT: 001

Wood

ABSENT WITH LEAVE: 007

Adams	Boykins	Green	Kelly 144	Kratky
Lawson	Ruestman			

On motion of Representative Cooper (120), **HCS HB 600, as amended**, was ordered perfected and printed by the following vote:

AYES: 098

Angst	Avery	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Darrough	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	Goodman	Guest
Hilgemann	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 36	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Merideth	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Self
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Viebrock	Wallace	Wasson
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wright
Yates	Zweifel	Madam Speaker		

NOES: 057

Abel	Bishop	Bland	Bringer	Brooks
Burnett	Carnahan	Corcoran	Curls	Daus
Davis 122	Dougherty	El-Amin	George	Graham
Hampton	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kuessner	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Ransdall	Salva
Schoemehl	Seigfreid	Selby	Shoemaker	Shoemyer
Skaggs	Spreng	Thompson	Townley	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Willoughby	Wilson 42	Witte
Yaeger	Young			

PRESENT: 001

Wood

ABSENT WITH LEAVE: 007

Adams	Boykins	Green	Kelly 144	Kratky
Lawson	Smith 118			

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 647 - Tax Policy

COMMITTEE REPORT

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred the **Joint Irish Caucus**, begs leave to report it has examined the same and approves it pursuant to 105.473.3(2)(c)d RSMo.

TO: Representative Jason Crowell, Chairman

FROM: Representative Mike Sager

DATE: March 11, 2003

RE: Joint Irish Caucus

In accordance with Section 105.473.3(2)(c)d and the Rules of the Missouri House of Representatives, a listing of the members of the 92nd General Assembly's Joint Irish Caucus is attached.

Please consider this letter a formal application to your Committee to review this caucus.

House Members	District
/s/ Representative Mike Sager	48
/s/ Representative John Burnett	40
/s/ Representative Russ Carnahan	59
/s/ Representative Mike Corcoran	77
/s/ Representative Curt Dougherty	53
/s/ Representative Tom George	74
/s/ Representative Tom Green	15
/s/ Representative Gary Kelly	36
/s/ Representative Albert Liese	79
/s/ Representative Sam Page	82
/s/ Representative Dan Ward	107
/s/ Representative Bruce Darrough	75
/s/ Representative Ryan McKenna	102
/s/ Representative Michael Spreng	76
/s/ Representative Margaret Donnelly	73
/s/ Representative Gina Walsh	69
/s/ Representative Barbara Fraser	83
/s/ Representative Sue Schoemehl	100
/s/ Representative Jack Jackson	89
/s/ Representative Catherine Hanaway	87
/s/ Representative Paul LeVota	52
/s/ Representative Patricia Yaeger	96
/s/ Representative Richard Byrd	94
/s/ Representative Bryan Pratt	55
/s/ Representative Belinda Harris	110

Senate Members	District
/s/ Senator Norma Champion	30
/s/ Senator Jon Dolan	2
/s/ Senator Patrick Dougherty	4
/s/ Senator Michael Gibbons	15
/s/ Senator Wayne Goode	13
/s/ Senator Harry Kennedy	3
/s/ Senator Sarah Steelman	16

/s/ Senator Charles Wheeler 10
/s/ Senator Anita Yeckel 1

Speaker Hanaway resumed the Chair.

On motion of Representative Crowell, the House recessed until all House Substitutes to the appropriation bills have been distributed.

The hour of recess having expired, the House was called to order by Representative Crowell.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, March 18, 2003.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my vote as recorded on Page 688 of the House Journal for Thursday, March 13, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2003.

/s/ Kathlyn Fares
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Sager, District 48, hereby state and affirm that my vote as recorded on Page 678 of the House Journal for Thursday, March 13, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2003.

/s/ Mike Sager
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 1.
Possible Executive Session.
Public Hearing to be held on: HB 457, HB 494, HB 555

BUDGET

Tuesday, March 18, 2003, 8:00 a.m. Hearing Room 3.
Fiscal Review. Executive Session may follow.
Public Testimony will not be taken.
Public Hearing to be held on: HB 222, HB 228, HB 517

CHILDREN AND FAMILIES

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 1. AMENDED NOTICE
Executive Session may follow.
Public Hearing to be held on: HB 679

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 5.
Possible Executive Session.
Public Hearing to be held on: SB 297

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 19, 2003, 12:00 p.m. Hearing Room 5.
Executive Session may follow.
Public Hearing to be held on: HB 447, HJR 20

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 3.
Executive Session may follow.
Public Hearing to be held on: HB 227, HB 411, HB 538, HB 539, HB 567, HB 656
Executive Session to be held on: HB 471

EDUCATION

Wednesday, March 19, 2003, 5:00 p.m. Hearing Room 3.
Possible Executive Session.
Public Hearing to be held on: HB 45, HB 262, HB 384, HB 423

ELECTIONS

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 7.
Executive Session will precede the hearing.
Public Hearing to be held on: HB 544, HB 577, HB 657
Executive Session to be held on: HB 537, SB 29, SB 50

ETHICS

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 4.
Executive Session may follow. Approval of Caucuses.

FINANCIAL SERVICES

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 6.
Possible Executive Session on HB 559.
Public Hearing to be held on: HB 259, HB 460, HB 532, HB 560, HB 616

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 5. AMENDED NOTICE
Executive Session may follow.
Public Hearing to be held on: HB 632, HCR 19, SB 325

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 19, 2003, 12:00 p.m. Hearing Room 6.
Public Hearing to be held on: HB 569
Executive Session to be held on: HCR 9

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, March 19, 2003, 8:00 a.m. Hearing Room 5.
Testimony from witnesses regarding agency directives.
Witnesses will be posted Monday, March 17, 2003.

JUDICIARY

Wednesday, March 19, 2003, 12:00 p.m. Hearing Room 1.
Public Hearing to be held on: HB 105, HB 500, HB 547, HB 593, HJR 11

LOCAL GOVERNMENT

Thursday, March 20, 2003, 8:30 a.m. Hearing Room 6.
Executive Session may follow.
Public Hearing to be held on: HB 578, HB 627, SB 235, SB 239

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 4.
Public Hearing to be held on: HB 562, HB 596

SENIOR SECURITY

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 6.
Executive Session may follow.
Public Hearing to be held on: HB 540, SB 391

SMALL BUSINESS

Wednesday, March 19, 2003, 12:00 p.m. Hearing Room 4.
Executive Session may follow.
Public Hearing to be held on: HB 549, SB 194

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 19, 2003, 8:00 a.m. Hearing Room 7. AMENDED NOTICE
Public Hearing to be held on: HB 628, SB 296

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 18, 2003, 5:00 p.m. Hearing Room 2.
Executive Session may follow.
Public Hearing to be held on: HB 340, HB 607, HB 640

TAX POLICY

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 7.
Executive Session may follow. AMENDED NOTICE
Public Hearing to be held on: HB 110, HB 306, HB 449, HB 595, HJR 15, HJR 16

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 18, 2003, 12:00 p.m. Hearing Room 3.
Executive Session may follow.
Public Hearing to be held on: HB 631

TRANSPORTATION AND MOTOR VEHICLES

Tuesday, March 18, 2003, 8:00 a.m. Hearing Room 6.
Public Hearing to be held on: HB 668, HJR 24, SB 117

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 19, 2003, 8:00 a.m. Hearing Room 6.
Possible Executive Session. AMENDED NOTICE
Public Hearing to be held on: HB 611, HB 625, HB 626, HB 634, HB 668,
HJR 24, SB 4, SB 117, SB 216

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 18, 2003

HOUSE BILLS FOR SECOND READING

HB 682 through HB 686

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 - Bearden

HOUSE BILLS FOR PERFECTION

HCS HB 132, 173, 117 & 48 - Wright

HCS HB 346 & 174 - Dempsey

HB 511 - Deeken

HB 267 - Smith (118)

HCS HB 215, 218, 115 & 83 - Myers

HCS HB 190 & 214 - Fares

HCS HB 51 - Mayer

HCS HB 387 - Pearce

HCS HB 109 & 34 - Fares

HCS HB 380 - Luetkemeyer

HCS HB 404, 324, 403, 344, 426 & 541 - Rector

HB 263 - Cooper (120)

HOUSE BILLS FOR PERFECTION - CONSENT

(3-12-03)

HB 189 - Parker

HB 244 - Baker

HB 326 - Wagner

HB 351 - Quinn

HB 375 - Cooper (120)

HB 388 - Riback Wilson (25)

HB 463 - King

HB 465 - Hanaway

HCS HB 472 - Johnson (47)

HB 477 - Moore

HB 478, HCA 1 - Moore

HB 505 - Byrd

HB 512 - Cooper (120)

HB 464 - King

HB 60 - Sutherland

HB 57 - Riback Wilson (25)

(3-13-03)

HCS HB 318 - Baker

HCS HB 427 - Byrd

HB 430 - Stevenson

HB 445 - Portwood

HB 491, HCA 1 - Rupp

HCS HB 575 - Dethrow

HB 594 - Emery

HB 597 - Schlottach

HB 598 - Schlottach

HCS HB 356 - Smith (118)

HB 407 - Smith (118)

HB 523 - Dusenberg

HB 552 - Kingery

HB 599 - Burnett

HCS HB 613 - Byrd

HOUSE BILLS FOR THIRD READING

HCS HB 222, (Budget 3-04-03) - Luetkemeyer

HS HCS HB 517, 94, 149, 150 & 342, E.C. (Budget 3-10-03) - Portwood

HS HCS HB 228, (Budget 3-12-03) - Pearce

HS HB 197, (Budget 3-12-03) - Johnson (47)

HCS HB 322, (Budget 3-12-03) - Baker

HCS HB 600, E.C. - Cooper (120)

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HB 93, E.C. - Moore

HB 99 - Seigfreid

HCS HB 133 - Willoughby

HB 162 - Shoemaker (8)

HB 199 - Jolly

HB 246 - Bishop

HB 284 - Crawford

HB 307 - Merideth

HCS HB 332 - Portwood

HCS HB 348 & 347 - Dempsey

HB 358 - Boykins

HCS HB 431 - Stevenson

HB 440 - Portwood

HB 141 - Mayer

HB 249 - Seigfreid
HB 251 - Smith (118)
HB 261 - Whorton
HB 327 - Lipke
HCS HB 371 - Dusenberg
HB 376 - Cooper (120)
HCS HB 392 - Avery
HCS HB 394 - Byrd
HCS HB 493 - Bruns
HB 553 - Smith (14)
HB 574 - Jackson
HB 521 - Dethrow
HCS HB 97, E.C. - Johnson (90)

SENATE BILL FOR THIRD READING

SCS SB 299 & 40 - Bearden

BILL IN CONFERENCE

CCR SCS HCS HB 15 - Bearden

HOUSE RESOLUTIONS

HR 314, (3-13-03, Page 685) - Avery
HR 388, (3-13-03, Pages 685 & 686) - Lowe
HR 576, (3-13-03, Page 686) - Bivins
HR 580, (3-13-03, Page 686) - Deeken