

JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-FOURTH DAY, MONDAY, MAY 5, 2003

Speaker Hanaway in the Chair.

Prayer by Father David Buescher.

God, the minds and hearts of our representatives surely reach out in prayer for those Missourians and our neighbors from other states who lost their lives in the terrible tornados and storms last night. We pray also for their relatives and friends and all who mourn their spiritual and material losses. May those who remain discover strength to go on through the wreckage and the ashes towards new beginnings.

We pray also for those in this admirable House who begin this new week today amid much debate, perhaps even some rancor. Let Your good and decent Spirit help all of us this Monday, that good and decent results may accrue this day and throughout this week. 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: Anna Danielle Henley, Brady Pry and Emily Pry.

The Journal of the sixty-third day was approved as corrected by the following vote:

AYES: 088

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Green	Guest
Hobbs	Holand	Hunter	Iceet	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Walton	Ward
Wasson	Whorton	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

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NOES: 049

Barnitz	Bishop	Bringer	Burnett	Campbell
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Graham	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Johnson 90	Jolly	Jones
Kratky	Kuessner	LeVota	Liese	Lowe
Meiners	Merideth	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Thompson	Villa
Vogt	Walker	Walsh	Wildberger	Wilson 25
Witte	Yaeger	Young	Zweifel	

PRESENT: 013

Bland	Boykins	Brooks	Carnahan	El-Amin
Fraser	George	Hampton	Kelly 36	Lawson
McKenna	Wagner	Wilson 42		

ABSENT WITH LEAVE: 013

Abel	Adams	Cooper 155	Goodman	Haywood
Hubbard	Johnson 61	Miller	Purgason	Reinhart
Schneider	Shoemaker	Willoughby		

MOTION

Representative Byrd moved that Rule 113 be suspended in order to receive a guest for special recognition.

Which motion was adopted by the following vote:

AYES: 131

Angst	Avery	Baker	Barnitz	Bean
Bearden	Behnen	Black	Bland	Bough
Boykins	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberger	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Graham	Guest	Hampton	Harris 110
Harris 23	Henke	Hobbs	Holand	Hoskins
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schoemehl	Selby	Self	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson

Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walton	Ward	Wasson	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 005

Bishop	Green	Haywood	Hilgemann	Merideth
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PRESENT: 011

Bringer	Corcoran	Kuessner	Liese	Muckler
Ransdall	Sager	Seigfreid	Skaggs	Walsh
Whorton				

ABSENT WITH LEAVE: 016

Abel	Adams	Bivins	Burnett	Cooper 155
Goodman	Hubbard	Johnson 61	Lowe	Miller
Purgason	Reinhart	Schneider	Shoemaker	Wildberger
Willoughby				

SPECIAL RECOGNITION

Mike Swoboda was introduced by Representative Byrd and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2426 - Representative Munzlinger
House Resolution No. 2427 - Representative Davis (19)
House Resolution No. 2428 - Representative Byrd
House Resolution No. 2429 - Representative Whorton
House Resolution No. 2430
through
House Resolution No. 2443 - Representative Hanaway
House Resolution No. 2444 - Representative Lager
House Resolution No. 2445 - Representative May
House Resolution No. 2446 - Representative Moore
House Resolution No. 2447
and
House Resolution No. 2448 - Representative Bean
House Resolution No. 2449
through
House Resolution No. 2457 - Representative Cunningham (145)
House Resolution No. 2458 - Representative Miller
House Resolution No. 2459 - Representative Hanaway
House Resolution No. 2460 - Representatives Wildberger and Lawson
House Resolution No. 2461 - Representative Reinhart

House Resolution No. 2462
through
House Resolution No. 2465 - Representative Kelly (36)
House Resolution No. 2466
through
House Resolution No. 2469 - Representatives Luetkemeyer and Cooper (155)
House Resolution No. 2470 - Representative Ervin
House Resolution No. 2471
and
House Resolution No. 2472 - Representative Cunningham (145)
House Resolution No. 2473 - Representative Lawson
House Resolution No. 2474 - Representative Shoemyer (9)
House Resolution No. 2475
and
House Resolution No. 2476 - Representative Haywood
House Resolution No. 2477
and
House Resolution No. 2478 - Representative Angst
House Resolution No. 2479 - Representative Cooper (155)
House Resolution No. 2480
through
House Resolution No. 2482 - Representative Dethrow

SECOND READING OF SENATE BILLS

SS SB 242 and **SS#2 SB 695, as amended**, were read the second time.

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 655, as amended, relating to special education, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 655, as amended**, was ordered perfected and printed.

HCS HB 702, relating to commercial driver's license, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS HB 702** was adopted.

On motion of Representative Schlottach, **HCS HB 702** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 122 & 80**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HBs 349, 120, 136 & 328**, entitled:

An act to repeal section 571.030, RSMo, and to enact in lieu thereof three new sections relating to concealable weapons, with penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 2.

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

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 349, 120, 136 & 328, Page 7, Section 571.094, Line 29, by striking “twenty-one” and inserting in lieu thereof “**twenty-three**”; and

Further amend said section, Page 10, Lines 2-3, by striking “twenty-one” and inserting in lieu thereof “**twenty-three**”; and

Further amend said section, Page 35, Line 5, by striking “twenty-one” and inserting in lieu thereof “**twenty-three**”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 236**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to memorial for workers.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS HS HCS HBs 349, 120, 136 & 328, as amended, relating to concealable weapons, was taken up by Representative Crawford.

Representative Wright moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford

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Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Merideth	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Adams	Goodman	Hubbard	Johnson 61	Miller
Schneider	Willoughby			

On motion of Representative Crawford, **SS HS HCS HBs 349, 120, 136 & 328, as amended,** was adopted by the following vote:

AYES: 111

Angst	Avery	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Bringer	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Green	Guest	Hampton
Harris 110	Henke	Hobbs	Holand	Hunter
Ice	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Merideth

Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schlottach	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wagner	Wallace
Ward	Wasson	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Young
Madam Speaker				

NOES: 041

Bishop	Bland	Boykins	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Graham	Haywood	Hilgemann	Hoskins	Johnson 90
Jolly	Jones	Kratky	Lowe	Meiners
Muckler	Page	Schoemehl	Skaggs	Spreng
Thompson	Villa	Vogt	Walker	Walsh
Walton	Wildberger	Wilson 25	Wilson 42	Yaeger
Zweifel				

PRESENT: 001

Schaaf

ABSENT WITH LEAVE: 010

Abel	Adams	Goodman	Harris 23	Hubbard
Johnson 61	Lawson	Miller	Schneider	Willoughby

Representative Wright moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

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NOES: 064

Abel	Barnitz	Bishop	Boykins	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	El-Amin
Fraser	George	Graham	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meiners	Merideth	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 013

Adams	Avery	Bland	Brooks	Goodman
Green	Hubbard	Johnson 61	Lawson	Miller
Schneider	Viebrock	Willoughby		

Representative Johnson (90) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Crawford, **SS HS HCS HBs 349, 120, 136 & 328, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 111

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bough	Bringer	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Green	Guest	Hampton
Harris 110	Henke	Hobbs	Holand	Hunter
Ice	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Merideth
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schlottach	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wagner	Wallace
Ward	Wasson	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Young
Madam Speaker				

NOES: 043

Bishop	Bland	Boykins	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fares	Fraser
George	Graham	Harris 23	Haywood	Hilgemann
Hoskins	Johnson 90	Jolly	Jones	Kratky
Lowe	Meiners	Muckler	Page	Schoemehl
Skaggs	Spreng	Thompson	Villa	Vogt
Walker	Walsh	Walton	Wildberger	Wilson 25
Wilson 42	Yaeger	Zweifel		

PRESENT: 001

Schaaf

ABSENT WITH LEAVE: 008

Adams	Goodman	Hubbard	Johnson 61	Lawson
Miller	Schneider	Willoughby		

Speaker Hanaway declared the bill passed.

HOUSE CONCURRENT RESOLUTIONS

HCR 3, relating to electronic identification of meat, was taken up by Representative Townley.

Representative Behnen assumed the Chair.

Speaker Hanaway resumed the Chair.

On motion of Representative Townley, **HCR 3** was adopted.

HCR 5, relating to a biosafety lab at University of Missouri-Columbia, was taken up by Representative Townley.

On motion of Representative Townley, **HCR 5** was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SS SCS HCS HB 600, as amended, relating to collection of taxes, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to adopt **SS SS SCS HCS HB 600, 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 by the following vote:

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AYES: 141

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bough	Boykins	Bringer	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
Green	Guest	Hampton	Harris 110	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Merideth	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schoemehl	Selby	Self	Shoemaker	Shoemyer
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Yaeger	Yates	Young
Madam Speaker				

NOES: 006

Bishop	Sager	Seigfreid	Skaggs	Wildberger
Zweifel				

PRESENT: 002

Brooks	Johnson 90
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ABSENT WITH LEAVE: 014

Adams	George	Goodman	Graham	Harris 23
Hubbard	Johnson 61	Lembke	Miller	Portwood
Schneider	Wagner	Willoughby	Wright	

SCS HS HB 1, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **SCS HS HB 1** was adopted by the following vote:

AYES: 153

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	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	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hunter	Iceet	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Merideth	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Adams	Goodman	Hubbard	Johnson 61	Lembke
Miller	Portwood	Schneider	Willoughby	Wright

On motion of Representative Bearden, **SCS HS HB 1** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
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	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hunter
Iceet	Jackson	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson

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LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Merideth	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Adams	Campbell	Goodman	Hubbard	Johnson 61
Lembke	Miller	Portwood	Schneider	Willoughby
Wright				

Speaker Hanaway declared the bill passed.

SCS HS HB 2, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 2, 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.

SCS HS HB 3, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 3, 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.

SCS HS HB 4, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 4, 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.

SCS HS HB 5, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 5, 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.

SCS HS HB 6, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 6, 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.

SCS HS HB 7, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 7** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HB 8, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 8, 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.

SCS HS HB 9, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 9, 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.

SCS HS HB 10, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 10, 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.

SCS HS HB 11, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 11, 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.

SCS HS HB 12, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HB 12, 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.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SS SCS HCS HB 600, as amended**, and grants the House a conference thereon.

Madam 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 SS SCS HCS HB 600, as amended**: Senators Shields, Vogel, Gross, Mathewson and Goode.

Madam 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 **HCS SB 401**: Senators Dolan, Bartle, Nodler, Bray and Coleman.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 2, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 3, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 4, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 5, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 6, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 7**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 8, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

MOTION

Representative Crowell moved that Rule 29 be suspended for the purpose and to the end that the House Budget conferees be allowed to meet on **SCS HS HB 2, as amended, SCS HS HB 3, as amended, SCS HS HB 4, as amended, SCS HS HB 5, as amended, SCS HS HB 6, as amended, SCS HS HB 7, SCS HS HB 8, as amended, SCS HS HB 9, as amended, SCS HS HB 10, as amended, SCS HS HB 11, as amended and SCS HS HB 12, as amended**, at 8:00 a.m., Tuesday, May 6, 2003.

Which motion was adopted by the following vote:

AYES: 132

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	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	Green	Guest
Hampton	Harris 110	Harris 23	Hilgemann	Hobbs
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Madam Speaker			

NOES: 014

Bishop	Burnett	Carnahan	Corcoran	Henke
Johnson 90	Kuessner	LeVota	Merideth	Salva
Selby	Skaggs	Walker	Zweifel	

PRESENT: 002

George	Sager
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ABSENT WITH LEAVE: 015

Adams	Goodman	Graham	Haywood	Holand
Hubbard	Johnson 61	Lawson	Lembke	Miller

Portwood

Schneider

Wagner

Willoughby

Wright

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS SS SCS HCS HB 600: Representatives Cooper (120), Sutherland, Icet, Hilgemann and Riback Wilson (25)

SCS HS HB 2: Representatives Bearden, Lager, Fares, Wilson (42) and Graham

SCS HS HB 3: Representatives Bearden, Lager, Fares, Harris (23) and Fraser

SCS SH HB 4: Representatives Bearden, Lager, Roark, Merideth and Jones

SCS HS HB 5: Representatives Bearden, Lager, Roark, Villa and Walton

SCS HS HB 6: Representatives Bearden, Lager, Quinn, Whorton and Shoemyer (9)

SCS HS HB 7: Representatives Bearden, Lager, Black, Boykins and Lowe

SCS HS HB 8: Representatives Bearden, Lager, Moore, Barnitz and Wildberger

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1848 - Homeland Security and Veterans Affairs

HR 2124 - Rules

HR 2151 - Rules

REFERRAL OF SENATE CONCURRENT RESOLUTION

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

SS SCR 7 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 39 - Budget (Fiscal Note)

SS SB 219 - Budget (Fiscal Note)

SS SB 242 - Judiciary

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **SB 668**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **SS SCS SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Concurrent Resolution No. 13, Page 686 of the Journal of the Senate, Lines 25 to 28, by deleting all of said lines and inserting in lieu thereof the following:

"Senate of which at least two shall be members of the minority party, four shall be members of the House of Representatives of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader with approval of the Speaker of the House of Representatives, four shall be representatives"; and

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

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SCS SB 11**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SS#2 SCS SB 481**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 186**, and requests the House to recede from its position, and failing to do so, grant the Senate a conference thereon.

Madam 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 289**, entitled:

An act to repeal sections 99.845, 100.710, 100.840, 100.850, 135.207 and 178.892, RSMo, and to enact in lieu thereof fifty-five new sections relating to tax incentives for economic development, with an expiration date for certain sections and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, 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. 16, Senate Amendment No. 17, Senate Amendment No. 18 and Senate Amendment No. 19.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 142, Section B, Line 1 of said page, by striking the numerals “100.840, 100.850,”; and

Further amend Line 8 of said page, by striking the numerals “99.845, 100.840, 100.850,”; and

Further amend said bill, Page 142, Section C, Line 19 of said page, by striking the following: “99.845,”.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 56, Section 99.960, Line 28 of said page, by inserting at the end of said line the following:

“the department of economic development for review and submission of an analysis and recommendation to”; and

Further amend Line 29 of said page, by inserting after the word “for” the following: **“a determination as to”**; and

Further amend said bill, Page 57, Section 99.918, Line 7 of said page, by striking the words “Missouri development finance board” and inserting in lieu thereof the following: **“department of economic development”**; and

Further amend said bill, Page 58, Section 99.918, Line 18 of said page, by inserting at the end of said line the following: **“department of economic development and”**; and

Further amend Line 20 of said page, by striking the words “Missouri development finance board” and inserting in lieu thereof the following: **“department of economic development”**; and

Further amend said bill, Page 60, Section 99.918, Lines 17-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

“9. The department of economic development, in conjunction with the Missouri development finance board, may establish the procedures and standards for the determination and approval of applications by the promulgation of rules and regulations and publish forms to implement the provisions of this section and section 99.963.”; and

Further amend said bill, Page 61, Section 99.960, Line 2 of said page, by inserting after all of said line the following:

“11. The Missouri development finance board shall consider parity based on population and geography of the state among the regions of the state in making determinations on applications pursuant to this section.”.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 138, Section 135.283, Line 26, by inserting after all of said line the following:

“135.500. 1. Sections 135.500 to 135.529 shall be known and may be cited as the “Missouri Certified Capital Company Law”.

2. As used in sections 135.500 to 135.529, the following terms mean:

(1) “Affiliate of a certified company”:

(a) Any person, directly or indirectly owning, controlling or holding power to vote ten percent or more of the outstanding voting securities or other ownership interests of the Missouri certified capital company;

(b) Any person ten percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled or held with power to vote by the Missouri certified capital company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri certified capital company;

(d) A partnership in which the Missouri certified capital company is a general partner;

(e) Any person who is an officer, director or agent of the Missouri certified capital company or an immediate family member of such officer, director or agent;

(2) "Applicable percentage", one hundred percent;

(3) "Capital in a qualified Missouri business", any debt, equity or hybrid security, of any nature and description whatsoever, including a debt instrument or security which has the characteristics of debt but which provides for conversion into equity or equity participation instruments such as options or warrants which are acquired by a Missouri certified capital company **or a qualified investing entity** as a result of a transfer of cash to a business[. Capital in a qualified Missouri business shall not include secured debt instruments];

(4) "Certified capital", an investment of cash by an investor in a Missouri certified capital company;

(5) "Certified capital company", any partnership, corporation, trust or limited liability company, whether organized on a profit or not-for-profit basis, that is located, headquartered and registered to conduct business in Missouri that has as its primary business activity, the investment of cash in qualified Missouri businesses, and which is certified by the department as meeting the criteria of sections 135.500 to 135.529;

(6) "Department", the Missouri department of economic development;

(7) "Director", the director of the department of economic development or a person acting under the supervision of the director;

(8) "Investor", any insurance company that contributes cash;

(9) "Liquidating distribution", payments to investors or to the certified capital company from earnings;

(10) "Person", any natural person or entity, including a corporation, general or limited partnership, trust or limited liability company;

(11) "Qualified distribution", any distribution or payment to equity holders of a certified capital company in connection with the following:

(a) Reasonable costs and expenses of forming, syndicating, managing and operating the certified capital company;

(b) Management fees for managing and operating the certified capital company; and

(c) Any increase in federal or state taxes, penalties and interest, including those related to state and federal income taxes, of equity owners of a certified capital company which related to the ownership, management or operation of a certified capital company;

(12) "Qualified investing entity", any partnership, corporation, trust, or limited liability company, whether organized on a for profit or not-for-profit basis, that:

(a) Is registered to do business in this state;

(b) Is a wholly owned subsidiary of a certified capital company or otherwise affiliated with and under common control with a certified capital company; and

(c) Has been designated as a qualified investing entity by such certified capital company.

Such designation shall be effective upon delivery by the certified capital company of written notice of the designation to the department. A qualified investing entity may raise debt or equity capital for investment, but such capital shall not be considered certified capital. Any qualified investment made by a qualified investing entity after the effective date of this act shall be deemed to have been made by a certified capital company that designated the qualified investing entity as such; provided that no qualified investment may be deemed to have been made by more than one certified capital company.

[(12)] **(13) "Qualified investment", the investment of cash by a Missouri certified capital company or a qualified investing entity in such a manner as to acquire capital in a qualified Missouri business;**

[(13)] (14) "Qualified Missouri business", an independently owned and operated business, which is headquartered and located in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business shall have no more than two hundred employees, eighty percent of which are employed in Missouri. Such business shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians. [If such business has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars.] At the time a certified capital company or qualified investing entity makes an initial investment in a business, such business shall be a small business concern that meets the requirements of the United States Small Business Administration's qualification size standards for

its venture capital program, as defined in Section 13 CFR 121.301 (c) of the Small Business Investment Act of 1958, as amended. Any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company **or qualified investing entity** shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company **or qualified investing entity** and such follow-on investments shall be qualified investments even though such business may not meet the other qualifications of this subsection at the time of such follow-on investments;

[(14)] **(15)** “State premium tax liability”, any liability incurred by an insurance company pursuant to the provisions of section 148.320, 148.340, 148.370 or 148.376, RSMo, and any other related provisions, which may impose a tax upon the premium income of insurance companies after January 1, 1997.

135.503. 1. Any investor that makes an investment of certified capital shall, in the year of investment, earn a vested credit against state premium tax liability equal to the applicable percentage of the investor's investment of certified capital. An investor shall be entitled to take up to ten percent of the vested credit in any taxable year of the investor. Any time after three years after August 28, 1996, the director, with the approval of the commissioner of administration, may reduce the applicable percentage on a prospective basis. Any such reduction in the applicable percentage by the director shall not have any effect on credits against state premium tax liability which have been claimed or will be claimed by any investor with respect to credits which have been earned and vested pursuant to an investment of certified capital prior to the effective date of any such change.

2. An insurance company claiming a state premium tax credit earned through an investment in a certified capital company shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916, RSMo, as a result of claiming such credit.

3. The credit against state premium tax liability which is described in subsection 1 of this section may not exceed the state premium tax liability of the investor for any taxable year. All such credits against state premium tax liability may be carried forward indefinitely until the credits are utilized. The maximum amount of certified capital in one or more certified capital companies for which earned and vested tax credits will be allowed in any year to any one investor or its affiliates shall be limited to ten million dollars.

4. Except as provided in subsection 5 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for all persons pursuant to sections 135.500 to 135.529 shall not exceed the following amounts: for calendar year 1996, \$0.00; for calendar year 1997, an amount which would entitle all Missouri certified capital company investors to take aggregate credits of five million dollars; and for any year thereafter, an additional amount to be determined by the director but not to exceed aggregate credits of ten million dollars for any year with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years to take them, pursuant to subsection 1 of this section. During any calendar year in which the limitation described in this subsection will limit the amount of certified capital for which earned and vested credits against state premium tax liability are allowed, certified capital for which credits are allowed will be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516. Certified capital limited in any calendar year by the application of the provisions of this subsection shall be allowed and allocated in the immediately succeeding calendar year in the order of priority set forth in this subsection. The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 5 of this section.

5. In addition to the maximum amount pursuant to subsection 4 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for persons pursuant to sections 135.500 to 135.529 shall be the following: for calendar year 1999 and for any year thereafter, an amount to be determined by the director which would entitle all Missouri certified capital company investors to take aggregate credits not to exceed four million dollars for any year with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years or pursuant to the provisions of subsection 4 of this section to take them, pursuant to subsection 1 of this section. For purposes of any requirement regarding the schedule of qualified investments for certified capital for which earned and vested credits against state premium tax liability are allowed pursuant to this subsection only, the definition of a “qualified Missouri business” as set forth in subdivision [(13)] **(14)** of subsection 2 of section 135.500 means a Missouri business that is located in a distressed community as defined in section 135.530, and meets all of the requirements of subdivision [(13)] **(14)** of subsection 2 of section 135.500], except that its gross sales during its most recent complete fiscal year shall not

have exceeded five million dollars]. During any calendar year in which the limitation described in this subsection limits the amount of additional certified capital for which earned and vested credits against state premium tax liability are allowed, additional certified capital for which credits are allowed shall be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516 with respect to such additional certified capital. The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 4 of this section. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to subsection 4 of this section shall limit the amount of certified capital for which credits are allowed pursuant to this subsection. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to this subsection shall limit the amount of certified capital for which credits are allowed pursuant to subsection 4 of this section.

6. The department shall advise any Missouri certified capital company, in writing, within fifteen days after receiving the filing described in subdivision (1) of subsection 5 of section 135.516 whether the limitations of subsection 3 of this section then in effect will be applicable with respect to the investments and credits described in such filing with the department.

135.516. 1. To continue to be certified, a Missouri certified capital company shall make qualified investments according to the following schedule:

(1) Within two years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least twenty-five percent of its certified capital shall be, or have been, placed in qualified investments;

(2) Within three years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least forty percent of its certified capital shall be, or have been, placed in qualified investments;

(3) Within four years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company, at least fifty percent of its total certified capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in an affiliate of the certified capital company. For the purposes of this subsection, if a legal entity is not an affiliate before a certified capital company initially invests in the entity, it will not be an affiliate if a certified capital company provides additional investment in such entity subsequent to its initial investment;

(4) A certified capital company, at least fifteen working days prior to making what it determines to be an initial qualified investment in a specific qualified Missouri business, shall certify to the department that the company in which **it or a qualified investing entity** proposes to invest [meets the definition of] **is** a qualified Missouri business [pursuant to subdivision (14) of subsection 2 of section 135.500]. The certified capital company shall state the amount of capital **it or a qualified investing entity** intends to invest and the name of the business in which **it or a qualified investing entity** intends to invest. The certified capital company shall also provide to the department an explanation of its determination that the business meets the definition of a qualified Missouri business. If the department determines that the business does not meet the definition of a qualified Missouri business, it shall, within the fifteen-working-day period prior to the making of the proposed investment, notify the certified capital company of its determination and an explanation thereof. If the department fails to notify the certified capital company with respect to the proposed investment within the fifteen-working-day period prior to the making of the proposed investment, the company in which the certified capital company **or a qualified investing entity** proposes to invest shall be deemed to be a qualified Missouri business. If a certified capital company fails to notify the department prior to making an initial investment in a business, the department may subsequently determine that the business in which the certified capital company **or a qualified investing entity** invested was not a qualified Missouri business even though the business, at the time of the investment, met the requirements of subdivision [(14)] **(15)** of subsection 2 of section 135.500;

(5) All certified capital which is not required to be placed in qualified investments or which has been placed in qualified investments and can be received by the company, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate. The proceeds of all certified capital which is received by a certified capital company after it was originally placed in qualified investments may be placed again in qualified investments and shall count toward any requirement in sections 135.500 to 135.529 with respect to placing certified capital in qualified investments.

2. A certified capital company may make qualified distributions at any time. In order to make distributions, other than qualified distributions, a certified capital company must have [placed] **made cumulative qualified investments, including those made through a qualified investing entity, in** an amount cumulatively equal to **at least** one hundred percent of its certified capital [in qualified investments]. Cumulative distributions to equity holders, other than qualified

distributions, in excess of the certified capital company's original certified capital and any additional capital contributions to the certified capital company shall be subject to audit by a nationally recognized certified public accounting firm acceptable to the department, at the expense of the certified capital company. The audit shall determine whether aggregate cumulative distributions to all investors and equity holders, other than qualified distributions, when combined with all tax credits utilized by investors pursuant to sections 135.500 to 135.529, have resulted in an annual internal rate of return of fifteen percent computed on the sum of total original certified capital of the certified capital company and any additional capital contributions to the certified capital company. Twenty-five percent of distributions made, other than qualified distributions, in excess of the amount required to produce a fifteen percent annual internal rate of return, as determined by the audit, shall be payable by the certified capital company to the Missouri development finance board. Distributions or payments to debt holders of a certified capital company, however, may be made without restriction with respect to debt owed to them by a certified capital company. A debt holder that is also an investor or equity holder of a certified capital company may receive distributions or payments with respect to such debt without restriction.

3. No qualified investment may be made at a cost to a Missouri certified capital company greater than fifteen percent of the total certified capital under management of the Missouri certified capital company at the time of investment.

4. Documents and other materials submitted by Missouri certified capital companies or by businesses for purposes of the continuance of certification may be deemed "closed records" pursuant to the provisions of section 620.014, RSMo.

5. Each Missouri certified capital company shall report the following to the department:

(1) As soon as practicable after the receipt of certified capital, the name of each investor from which the certified capital was received, the amount of each investor's investment of certified capital and tax credits computed without regard to any limitations under subsection 3 of section 135.503, and the date on which the certified capital was received;

(2) On a quarterly basis, the amount of the Missouri certified capital company's certified capital at the end of the quarter, whether or not the Missouri certified capital company has invested, **together with any investments made by a qualified investing entity that are deemed to have been made by the certified capital company**, more than fifteen percent of the total certified capital under management in any one company, and all qualified investments that the Missouri certified capital company has made **or has been deemed to have been made through a qualified investing entity**;

(3) Each Missouri certified capital company shall provide annual audited financial statements to the department which include an opinion of an independent certified public accountant to the department within ninety days of the close of the fiscal year. **At the same time, the certified capital company shall also provide audited financial statements for any qualified investing entity that has made qualified investments on its behalf, unless the financial results of such qualified investing entity are included in the consolidated financial statements of the certified capital company.** The audit shall address the methods of operation and conduct of the business of the Missouri certified capital company to determine if the Missouri certified capital company is complying with the statutes and program rules and that the funds received by the Missouri certified capital company have been invested as required within the time limits provided by sections 135.500 to 135.529.

135.520. 1. The division of finance of the department of economic development shall conduct an annual review of each Missouri certified capital company **and any qualified investing entities designated by it** to determine if the Missouri certified capital company is abiding by the requirements of certifications, to advise the Missouri certified capital company as to the certification status of its qualified investments and to ensure that no investment has been made in violation of sections 135.500 to 135.529. The cost of the annual review shall be paid by each Missouri certified capital company according to a reasonable fee schedule adopted by the department. The division of finance shall report its findings to the department as soon as practicable following completion of the audit.

2. Any material violation of sections 135.500 to 135.529 shall be grounds for decertification under this section. If the department determines that a company is not in compliance with any requirements for continuing in certification, it shall, by written notice, inform the officers of the company and the board of directors, managers, trustees or general partners that they may be decertified in one hundred twenty days from the date of mailing of the notice, unless they correct the deficiencies and are again in compliance with the requirements for certification.

3. At the end of the one hundred twenty-day grace period, if the Missouri certified capital company is still not in compliance, the department may send a notice of decertification to the company and to the directors of the department of revenue and department of insurance. Decertification of a Missouri certified capital company prior to the certified capital company meeting all requirements of subdivisions (1) to (3) of subsection 1 of section 135.516 shall cause the recapture of all premium tax credits previously claimed by an investor and the forfeiture of all future credits to be claimed by an investor with respect to its investment in the certified capital company. Decertification of a Missouri certified capital company after it has met all requirements of subdivisions (1) to (3) of subsection 1 of section 135.516 shall cause

the forfeiture of premium tax credits for the taxable year of the investor in which the decertification arose and for future taxable years with no recapture of tax credits obtained by an investor with respect to the investor's tax years which ended before the decertification occurred. Once a certified capital company has [invested] **made cumulative qualified investments, including those made through a qualified investing entity and deemed to have been made by the certified capital company, in an amount equal to at least** one hundred percent of its certified capital [in qualified Missouri businesses], all future premium tax credits to be claimed by investors with respect to said certified capital company pursuant to sections 135.500 to 135.529 shall be nonforfeitable. Once a certified capital company has [invested] **made cumulative qualified investments, including those made through a qualified investing entity and deemed to have been made by the certified capital company, in an amount equal to at least** one hundred percent of its certified capital [in qualified Missouri businesses] and has met all other requirements under sections 135.500 to 135.529, it shall no longer be subject to regulation by the department except with respect to the payment of distributions to the Missouri development finance board.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 1, Section A, Line 11 of said page, by inserting after all of said line the following:

“71.620. 1. Hereafter no person following for a livelihood the profession or calling of minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, dentist, chiropractor, optometrist, chiropodist, or physician or surgeon in this state, shall be taxed or made liable to pay any municipal or other corporation tax or license fee of any description whatever for the privilege of following or carrying on such profession or calling, **and, after December 31, 2003, no investment funds service corporation as defined in section 143.451, RSMo, may be required to pay any such license fee in excess of twenty-five thousand dollars annually,** any law, ordinance or charter to the contrary notwithstanding.

2. No person following for a livelihood the profession of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this state, shall be taxed or made liable to pay any municipal or other corporation tax or license fee for the privilege of following or carrying on his profession by a municipality unless that person maintains a business office within that municipality.

3. Notwithstanding any other provision of law to the contrary, no village or city of the fourth classification shall impose a license tax in excess of ten thousand dollars per license.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 12, Section 99.845, Line 28 of said page, by inserting after all of said line the following:

“14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.”.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 22, Section 99.915, Line 5, by inserting after the words “tax increment”, the following:

“fifty percent of”; and

Further amend said page, Lines 12 and 13, by striking all of said lines and inserting in lieu thereof “overall taxable income.”; and

Further amend said page, Line 14, by inserting after the words “tax increment”, the following: “**one-half of**”.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 126, Section 135.207, Line 15 of said page, by inserting after all of said line the following:

"(5) In addition to all other satellite zones authorized in this section, any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants, which includes an existing state designated enterprise zone within the corporate limits of the city, may, upon approval of the local governing authority of the city and director of the department of economic development, designate a satellite zone within its corporate limits along the south-west corner of any intersection of two United States interstate highways. A prerequisite for the designation of a satellite zone pursuant to this subdivision shall be the approval by the director of the department of economic development of a plan submitted by the local governing authority of such city describing how the satellite zone corresponds to the city's overall enterprise zone strategy."

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 141, Section 178.892, Line 28 of said page, by inserting immediately after said line the following:

“348.015. As used in sections 348.005 to 348.225, the following terms shall mean:

(1) “Agricultural development loan”, a loan for the acquisition, construction, improvement, or rehabilitation of agricultural property;

(2) “Agricultural property”, any land and easements and real and personal property, including, but not limited to, buildings, structures, improvements, equipment, and livestock, which is used or is to be used in Missouri by Missouri residents for:

(a) The operation of a farm or ranch;

(b) Planting, cultivating, or harvesting cereals, natural fibers, fruits, vegetables, or trees;

(c) Grazing, feeding, or the care of livestock, poultry, or fish;

(d) Dairy production;

(e) Storing, transporting, or processing farm and ranch products, including, without limitation, facilities such as grain elevators, cotton gins, shipping heads, livestock pens, warehouses, wharfs, docks, creameries, or feed plants; and

(f) Supplying and conserving water, draining or irrigating land, collecting, treating, and disposing of liquid and solid waste, or controlling pollution, as needed for the operations set out in this subdivision;

(3) “Authority”, the Missouri agricultural and small business development authority organized pursuant to the provisions of sections 348.005 to 348.180;

(4) “Bonds”, any bonds, notes, debentures, interim certificates, bond, grant, or revenue anticipation notes, or any other evidences of indebtedness;

(5) “Borrower”, any individual, partnership, corporation, including a corporation or other entity organized pursuant to section 274.220, RSMo, firm, cooperative, association, trust, estate, political subdivision, state agency, or other legal entity or its representative executing a note or other evidence of a loan;

(6) “Eligible borrower”, a borrower qualifying for an agricultural development loan, a small business development loan, or a small business pollution control facility loan under such criteria and priorities as may be established in rules of the authority or in procedural manuals issued thereunder for the purpose of directing the use of available loan funds on the basis of need for and value of each loan for the maintenance of the agricultural economy or small business and on the meeting of pollution control objectives and assuring conformity with conditions established by insurers or guarantors of loans and the preservation of the security of bonds or notes issued to finance the loan;

(7) “Insurer” or “guarantor”, the Farmers Home Administration of the Department of Agriculture of the United States, the United States Small Business Administration, or any other or successor agency or instrumentality of the United States having power, or any insurance company qualified under Missouri law, to insure or guarantee the payment of

agricultural development loans, small business development loans, or small business pollution control facility loans and interest thereon, or any portion thereof;

(8) "Lender", any state or national bank, federal land bank, production credit association, bank for cooperatives, federal or state- chartered savings and loan association or building and loan association or small business investment company that is subject to credit examination by an agency of the state or federal government, or any other lending institution approved by the insurer or guarantor of an agricultural development loan, small business development loan, or small business pollution control facility loan which undertakes to make or service such a loan;

(9) "Pollution", any form of environmental pollution including, but not limited to, water pollution, air pollution, land pollution, solid waste pollution, thermal pollution, radiation contamination, or noise pollution;

(10) "Pollution control facility" or "facilities", any land, interest in land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, or any combination thereof, and all real and personal property deemed necessary therewith, having to do with, or the end purpose of which is, reducing, controlling, or preventing pollution;

(11) "Small business", those enterprises which, at the time of their application to the authority, meet the criteria, as interpreted and applied by the authority, for definition as a "small business" established for the Small Business Administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;

(12) "Small business development loan", a loan for the acquisition, construction, improvement, or rehabilitation of property owned or to be acquired by a small business as defined herein;

(13) "Small business pollution control facility loan", a loan for the acquisition, construction, improvement, or rehabilitation of a pollution control facility or facilities by a small business;

(14) "Value added agricultural products", any product or products that are the result of:

(a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;

(b) A change in the physical state or form of the original agricultural product;

(c) An agricultural product grown in this state whose value has been enhanced by special production methods such as organically-grown products; or

(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems."; 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. 289, Page 117, Section 99.1060, Line 4, by inserting 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.

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, 2003, 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 school district, county, or city affected by such project except property assessed by the state tax commission pursuant to chapters 151 and 153, RSMo;
- (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 school district, county, or city; and
- (4) Identification of any payments in lieu of taxes 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, 2003, any payments in lieu of taxes 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 school district, county, or city in proportion to the current ad valorem tax levy of each school district, county, or city.

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 before 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 school district, county, or city. 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 school districts, counties, or cities to submit comments to the governing body and the comments shall be fairly and duly considered.

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. Notwithstanding any other provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to section 26(b), article VI, Constitution of Missouri, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

4. The county assessor shall include the current assessed value of all property within the school district, county, or city in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, RSMo, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to section 26(b), article VI, Constitution of Missouri.

5. This section is applicable only if the plan for the project is approved after August 28, 2003.

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 the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 10, Section 99.845, Line 17 of said page, by inserting after all of said line the following:

“(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the

development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this act is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without of the State, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan.”.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 57, Section 99.960, Line 2, by inserting at the end of said line the following:

“The department of economic development shall forward the application to the Missouri development finance board with the analysis and recommendation.”.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 138, Section 135.283, Line 26 of said page, by inserting after all of said line the following:

“162.1100. 1. There is hereby established within each city not within a county a school district to be known as the “Transitional School District of (name of city)”, which shall be a body corporate and politic and a subdivision of the state. The transitional school district shall be coterminous with the boundaries of the city in which the district is located. Except as otherwise provided in this section and section 162.621, the transitional school district shall be subject to all laws pertaining to “seven-director districts”, as defined in section 160.011, RSMo. The transitional school district shall have the responsibility for educational programs and policies determined by a final judgment of a federal school desegregation case to be needed in providing for a transition of the educational system of the city from control and jurisdiction of a federal court school desegregation order, decree or agreement and such other programs and policies as designated by the governing body of the school district.

2. (1) The governing board of the transitional school district shall consist of three residents of the district: one shall be appointed by the governing body of the district, one shall be appointed by the mayor of the city not within a county and one shall be appointed by the president of the board of aldermen of the city not within a county. The members of the governing board shall serve without compensation for a term of three years, or until their successors have been appointed, or until the transitional district is dissolved or terminated. Any tax approved for the transitional district shall be assigned to the governing body of the school district in a city not within a county after dissolution or termination of the transitional district.

(2) In the event that the state board of education shall declare the school district of a city not within a county to be unaccredited, the member of the governing board of the transitional district appointed by the governing body of the district as provided in subdivision (1) of this subsection shall, within ninety days, be replaced by a chief executive officer nominated by the state board of education and appointed by the governor with the advice and consent of the senate. The chief executive officer need not be a resident of the district but shall be a person of recognized administrative ability, shall be paid in whole or in part with funds from the district, and shall have all other powers and duties of any other general superintendent of schools, including appointment of staff. The chief executive officer shall serve for a term of three years or until his successor is appointed or until the transitional district is dissolved or terminated. His salary shall be set by the state board of education.

3. In the event that the school district loses its accreditation, upon the appointment of a chief executive officer, any powers granted to any existing school board in a city not within a county on or before August 28, 1998, shall be

vested with the special administrative board of the transitional school district containing such school district so long as the transitional school district exists, except as otherwise provided in section 162.621.

4. The special administrative board's powers and duties shall include:

(1) Creating an academic accountability plan, taking corrective action in underperforming schools, and seeking relief from state-mandated programs;

(2) Exploration of alternative forms of governance for the district;

(3) Authority to contract with nonprofit corporations to provide for the operation of schools;

(4) Oversight of facility planning, construction, improvement, repair, maintenance and rehabilitation;

(5) Authority to establish school site councils to facilitate site-based school management and to improve the responsiveness of the schools to the needs of the local geographic attendance region of the school;

(6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding establishment of neighborhood schools.

5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a school desegregation case which subjects a district in which a transitional district is located in this state to a federal court's jurisdiction may authorize or require the governing body of a transitional school district established under this section to establish the transitional district's operating levy for school purposes, as defined pursuant to section 163.011, RSMo, at a level not to exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as determined by the department of elementary and secondary education which may be substituted for all or part of such property tax. [The transitional school district,]

(2) Any other statute to the contrary notwithstanding, **no tax authorized pursuant to this subsection** shall [not]:

(a) Be subject to any certificate of tax abatement issued **after August 28, 1998**, pursuant to sections 99.700 to 99.715, RSMo. Any certificate of abatement issued after August 28, 1998, shall not be applicable to the transitional school district]; **and**

(b) **Effective January 1, 2002, be subject to any new or existing tax increment financing adopted by a city not within a county pursuant to sections 99.800 to 99.865, RSMo, except that any redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax increment financing.**

(3) The transitional school district shall not be subject to the provisions of section 162.081, sections 163.021 and 163.023, RSMo, with respect to any requirements to maintain a minimum value of operating levy or any consequences provided by law for failure to levy at least such minimum rate. No operating levy or increase in the operating levy or sales tax established pursuant to this section shall be collected for a transitional school district unless prior approval is obtained from a simple majority of the district's voters. The board of the transitional district shall place the matter before the voters prior to March 15, 1999.

6. (1) The special administrative board established in this section shall develop, implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to review and approval of the state board of education. The plan shall ensure that all students meet or exceed grade-level standards established by the state board of education pursuant to section 160.514, RSMo;

(2) The special administrative board shall establish student performance standards consistent with the standards established by the state board of education pursuant to section 160.514, RSMo, for preschool through grade twelve in all skill and subject areas, subject to review and approval of the state board of education for the purpose of determining whether the standards are consistent with standards established by the state board of education pursuant to section 160.514, RSMo;

(3) All students in the district who do not achieve grade-level standards shall be required to attend summer school; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(4) No student shall be promoted to a higher grade level unless that student has a reading ability at or above one grade level below the student's grade level; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(5) The special administrative board established in this section shall develop, implement and annually update a professional development plan for teachers and other support staff, subject to review and approval of the state board of education.

7. The school improvement plan established pursuant to this section shall ensure open enrollment and program access to all students in the district, and, consistent with the Missouri and United States Constitutions, shall give first priority to residents of the city for admission to magnet schools. The school board shall take all practicable and constitutionally permissible steps to ensure that all magnet schools operate at full capacity. Students who change

residence within the district shall be allowed to continue to attend the school in which they were initially enrolled for the remainder of their education at grade levels served by that school, and transportation shall be provided by the district to allow such students to continue to attend such school of initial enrollment.

8. To the extent practicable, the special administrative board shall ensure that per pupil expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given grade level.

9. The special administrative board shall ensure that early childhood education is available throughout the district.

10. The special administrative board shall ensure that vocational education instruction is provided within the district.

11. The special administrative board shall establish an accountability officer whose duty shall be to ensure that academically deficient schools within the district are raised to acceptable condition within two years.

12. The transitional school district in any city not within a county shall be dissolved on July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional district to continue to accomplish the purposes for which it was created. The state board of education may cause the termination of the transitional school district at any time upon a determination that the transitional district has accomplished the purposes for which it was established and is no longer needed. The state board of education may cause the reestablishment of the transitional school district at any time upon a determination that it is necessary for the transitional district to be reestablished to accomplish the purposes established in this section. The state board of education shall provide notice to the governor and general assembly of the termination or reestablishment of the transitional school district and the termination or reestablishment shall become effective thirty days following such determination. Upon dissolution of a transitional school district pursuant to this section, nothing in this section shall be construed to reduce or eliminate any power or duty of any school district or districts containing the territory of the dissolved transitional school district unless such transitional school district is reestablished by the state board of education pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 126, Section 135.207, Line 15, by inserting after all of said line the following:

“(5) In addition to all other satellite zones authorized in this section, any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants which includes an existing state designated enterprise zone with the corporate limits of the city may, upon approval of the governing authority of the city and the director of the department of economic development, designate one satellite zone within its corporate limits. No satellite zone shall be designated pursuant to this subdivision until the governing authority of the city submits a plan describing how the satellite zone corresponds to the city’s overall enterprise zone strategy and the director approves the plan.”.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 138, Section 135.283, Line 26, by inserting after all of said line the following:

“135.400. As used in sections 135.400 to 135.430, the following terms mean:

(1) “Certificate”, a tax credit certificate issued by the department of economic development in accordance with sections 135.400 to 135.430;

(2) “Community bank”, either a bank community development corporation or development bank, which are financial organizations which receive investments from commercial financial institutions regulated by the federal reserve, the office of the comptroller of the currency, the office of thrift supervision, or the Missouri division of finance. Community banks, in addition to their other privileges, shall be allowed to make loans to businesses or equity investments in businesses or in real estate provided that such transactions have associated public benefits;

(3) “Community development corporation”, a not-for-profit corporation [and a recipient of Community Development Block Grant (CDBG) funds pursuant to the Housing Community Development Act of 1974. Such corporations design specific, comprehensive programs to stimulate economic development, housing or other public benefits leading to the development of economically sustainable neighborhoods or communities] **whose board of**

directors is composed of businesses, civic, and community leaders, and whose primary purpose is to encourage and promote the industrial, economic, entrepreneurial, commercial, and civic development or redevelopment of a community or area, including the provision of housing and community development projects that benefit low-income individuals and communities;

(4) “Department”, the Missouri department of economic development;

(5) “Director”, the director of the department of economic development, or a person acting under the supervision of the director;

(6) “Investment”, a transaction in which a Missouri small business or a community bank receives a monetary benefit from an investor pursuant to the provisions of sections 135.403 to 135.414;

(7) “Investor”, an individual, partnership, financial institution, trust or corporation meeting the eligibility requirements of sections 135.403 to 135.414. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors;

(8) “Missouri small business”, an independently owned and operated business as defined in Title 15 U.S.C. Section 632(a) and as described by Title 13 CFR Part 121, which is headquartered in Missouri and which employs at least eighty percent of its employees in Missouri, except that no such small business shall employ more than one hundred employees. Such businesses must be involved in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, insurance or professional services. For the purpose of qualifying for the tax credit pursuant to sections 135.400 to 135.430, “Missouri small business” shall include cooperative marketing associations organized pursuant to chapter 274, RSMo, which are engaged in the business of producing and marketing fuels derived from agriculture commodities, without regard for whether a cooperative marketing association has more than one hundred employees. Cooperative marketing associations organized pursuant to chapter 274, RSMo, shall not be required to comply with the requirements of section 135.414;

(9) “Primary employment”, work which pays at least the minimum wage and which is not seasonal or part-time;

(10) “Principal owners”, one or more persons who own an aggregate of fifty percent or more of the Missouri small business and who are involved in the operation of the business as a full-time professional activity;

(11) “Project”, any commercial or industrial business or other economic development activity undertaken in a target area, designed to reduce conditions of blight, unemployment or widespread reliance on public assistance which creates permanent primary employment opportunities;

(12) “State tax liability”, any liability incurred by a taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, section 375.916, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions;

(13) “Target area”, a group of blocks or a self-defined neighborhood where the rate of poverty in the area is greater than twice the national poverty rate and as defined by the department of social services in conjunction with the department of economic development. Areas of the state satisfying the criteria of this subdivision may be designated as a “target area” following appropriate findings made and certified by the departments of economic development and social services. In making such findings, the departments of economic development and social services may use any commonly recognized records and statistical indices published or made available by any agency or instrumentality of the federal or state government. No area of the state shall be a target area until so certified by the department of social services and the revitalization plan submitted pursuant to section 208.335, RSMo, has received approval.

135.431. 1. The department of economic development shall identify active community development corporations operating within the state and assist them in the formation of a Missouri community development corporation association. [With the assistance of the department,] **The department shall assist the community development corporation association in an amount up to ten percent of its total appropriation for community development corporations to cover the cost associated with the activities of the association.** The association shall serve as a clearinghouse for information for community development corporations. The association shall help staff members of community development corporations develop administrative skills in such areas as entrepreneurial development, grant writing, real estate analysis, financial deals structuring, negotiations, human resource development, strategic planning and community needs assessment. The association shall sponsor conferences which allow community development corporations to learn about community development activities statewide and at the federal level.

2. The Missouri community development corporation association shall be funded by dues assessed against participating community development corporations. The association shall adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted; elect officers; make expenditures which are incidental and necessary to carry out its purposes and powers; and do all things necessary to ensure full participation by Missouri community development corporations in any federal program relating to community development needs.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 13, Section 99.915, Line 5, by striking all of said line and inserting in lieu thereof the following:

“operation of any sports stadium, arena or related facility which has as its intended purpose use for spectator events which seats over ten thousand persons”.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 68, Section 99.980, Line 8 of said page, by inserting after all of said line the following:

“3. The report shall include an analysis of the distribution of state supplemental downtown development financing by municipality and by economic development region, as defined by the department of economic development.”; and further amend by renumbering the remaining subsections accordingly.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 35, Section 99.933, Line 4, by deleting all of said line and replacing it with the following:

“disadvantaged business enterprise program to be”; and

Further amend said section, Line 10, by adding after the word “specific” the words “worker ethnicity”.

Senate Amendment No. 19

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 289, Page 138, Section 135.276, Line 26, by inserting after all of said line, the following:

“135.517. In order for investments of a qualifying investing entity to be counted as qualified investments pursuant to sections 135.500 through 135.529, each such investment of a qualifying investing entity must have received prior approval from the department.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 511**, entitled:

An act to repeal sections 115.027, 115.073, 115.074, 115.076, 115.085, 115.098, 115.103, 115.105, 115.107, 115.115, 115.125, 115.127, 115.133, 115.135, 115.155, 115.157, 115.158, 115.159, 115.165, 115.275, 115.277, 115.279, 115.283, 115.284, 115.287, 115.292, 115.417, 115.430, 115.436, 115.761, 115.801, 116.175, and 116.190, RSMo, and to enact in lieu thereof thirty-six new sections relating to elections, with a penalty provision in a certain section and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 9, Senate Amendment No. 11 and Senate Amendment No. 14.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 61, Section 115.430, Line 27 of said page, by inserting immediately after “section 115.427” the following:

“, or may vote at a central polling place as established in section 115.115 where they may vote their appropriate ballot upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 7, Section 115.076, Line 17 of said page, by inserting after all of said line the following:

“115.077. 1. Special districts, cities, townships in township organization counties, villages and the state shall pay the election costs required by this subchapter to each election authority conducting its elections.

2. Not later than the fifth Tuesday prior to any election to be conducted for the state, a special district or political subdivision, the election authority shall estimate the cost of conducting the election for the state and each political subdivision and special district submitting a candidate or question at the election. Not later than the third Tuesday prior to the election, the state, each special district and political subdivision submitting a candidate or question at the election, except the county, shall deposit with the election authority an amount equal to the estimated cost of conducting the election for the state, the political subdivision or special district. All payments of election costs received by an election authority under the provisions of this subsection shall be placed by the election authority in a special account and used by the election authority only to pay the costs incurred in conducting the election. If the amount paid to an election authority by the state or any political subdivision or special district exceeds the cost of conducting the election for the state, political subdivision or special district, the election authority shall promptly refund to the state, political subdivision or special district the difference between the amount deposited with it and the cost of conducting the election. If the amount deposited with an election authority by the state or any political subdivision or special district is less than the cost of conducting the election for the state, political subdivision or special district, the state, political subdivision or special district shall, not later than the fifth Tuesday after the election, pay to the election authority the difference between the amount deposited and the cost of conducting the election.

3. Except as provided in section 115.061, all payments of election costs received by an election authority under the provisions of this section shall be placed by the election authority in a special account and used by the election authority only to pay the costs incurred in conducting elections.

4. When the state or any political subdivision or special district willfully fails to make payment of an election cost required by this subchapter by the time provided in this subchapter, it shall pay a penalty of fifty dollars for each day after the time provided in this subchapter proper payment is not made. Any such penalty shall be payable to the election authority authorized to receive payment of the election cost and shall be deposited in the general revenue fund of such election authority's city or county.

5. There is hereby created the “State Election Subsidy Fund” in the state treasury which shall be funded by appropriations from the general assembly for the purpose of the state making advance payments of election costs as required by this section. **To meet the state's funding obligation to maintain expenditures pursuant to section 254(a)(7) of the Help America Vote Act of 2002, the commissioner of the office of administration shall annually transfer from general revenue to the state election subsidy fund an amount not less than the amount expended in the fiscal year that ended June 30, 2000. At the end of each fiscal year, any amounts in the state election subsidy fund not expended or obligated to meet the state's obligations pursuant to section 115.065 and this section shall be transferred to the election administration improvements fund authorized pursuant to section 115.078 and used to meet the maintenance of effort funding requirements of section 254(a)(7) of the Help America Vote Act of 2002. Any other law to the contrary notwithstanding, the funds received pursuant to sections 251 and 252 of the Help America Vote Act of 2002 shall be expended according to the state plan developed pursuant to the provisions of section 254 of said act. The secretary of state shall develop the state plan through the committee appointed by the**

secretary of state under the provisions of section 255 of the Help America Vote Act of 2002.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 72, Section 116.190, Line 5 of said page, by inserting after all of said line the following:

“247.170. 1. Whenever any city owning a waterworks or water supply system extends its corporate limits to include any part of the area in a public water supply district, and the city and the board of directors of the district are unable to agree upon a service, lease or sale agreement, or are unable to proceed under section 247.160, then upon the expiration of ninety days after the effective date of the extension of the city limits, that part of the area of the district included within the corporate limits of the city may be detached and excluded from the district in the following manner:

(1) A petition to detach and exclude that part of the public water supply district lying within the corporate limits of the city as such limits have been extended, signed by not less than [twenty-five voters within the water supply district,] **one fourth of the registered voters from each subdistrict within the water supply district, or fifty registered voters from each subdistrict, whichever is less**, shall be filed in the circuit court of the county in which the district was originally organized.

(2) The court, being satisfied as to the sufficiency of the petition, shall call a special election of the voters of the district at which election the proposal to detach and exclude the part of the district lying within the corporate limits of the city shall be submitted to the voters in the entire district for a vote thereon. The election shall be conducted within the district by the election authority.

(3) The ballot shall briefly state the question to be voted on.

(4) In order to approve the detachment and exclusion of any part of the area in a public water supply district, the proposal shall require the approval of not less than a majority of the voters voting thereon.

(5) The election authorities shall thereafter promptly certify the result to the circuit court. The court, acting as a court of equity, shall thereupon without delay enter a decree detaching and excluding the area in question located within the corporate limits of the city from the public water supply district; except that before the decree detaching and excluding the area becomes final or effective, the city shall show to the court that it has assumed and agreed to pay in lump sum or in installments not less than that proportion of the sum of all existing liquidated general obligations and of all unpaid revenue bonds and interest thereon to date, of the water supply district as the assessed valuation of the real and tangible personal property within the area sought to be detached and excluded bears to the assessed valuation of all of the real and tangible personal property within the entire area of the district, according to the official county assessment of property as of December thirty-first of the calendar year next preceding the date of the election, and in addition thereto that the city has assumed and agreed to assume or pay in a lump sum all contractual obligations of the water district that are greater than twenty-five thousand dollars for debt that pertains to infrastructure, fixed assets or obligations for the purchase of water, and to pay the court costs.

(6) The decree shall thereupon vest in the city the absolute title, free and clear of all liens or encumbrances of every kind and character, to all tangible real and personal property of the public water supply district located within the part of the district situated within the corporate limits of the city with full power in the city to use and dispose of the tangible real and personal property as it deems best in the public interest.

(7) If the proposal fails to receive the approval of the voters the question may be again presented by another petition and again voted on, but not sooner than six months.

(8) Any and all sums paid out by the city under this section, other than the costs of the election, shall be administered by the circuit court for the benefit of the holders of the then existing and outstanding bonds of the district, and the remainder of such sums, if any, shall be delivered to the district to be expended in the operation, maintenance and improvement of its water distribution system.

2. Upon the effective date of any final order detaching and excluding any part of the area of any public water supply district, or leasing, selling or conveying any of the water mains, plant or equipment therein, the circuit court may, in the public interest, change the boundaries of the public water supply district and again divide or redive the district into subdistricts for the election of directors in conformity with the provisions of section 247.040, without further petition being filed with the court so to do.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 72, Section 116.190, Line 5, by inserting after all of said line the following:

“162.601. 1. Elected members of the board in office on August 28, 1998, shall hold office for the length of term for which they were elected, and any members appointed pursuant to section 162.611 to fill vacancies left by elected members in office on August 28, 1998, shall serve for the remainder of the term to which the replaced member was elected.

2. No board members shall be elected at the first municipal election in an odd-numbered year next following August 28, 1998.

3. Three board members shall be elected at the second municipal election in an odd-numbered year next following August 28, 1998, to serve four-year terms.

4. Four board members shall be elected at the third municipal election in an odd-numbered year next following August 28, 1998, and two of such members shall be elected to four-year terms and two of such members shall be elected to three-year terms.

5. Beginning with the fourth municipal election in an odd-numbered year next following August 28, 1998, and at each succeeding municipal election in a year during which board member terms expire, there shall be elected members of the board of education, who shall assume the duties of their office at the first regular meeting of the board of education after their election, and who shall hold office for four years, and until their successors are elected and qualified.

6. Members of the board of directors shall be elected to represent seven subdistricts. The subdistricts shall be established by the state board of education to be compact, contiguous and as nearly equal in population as practicable. The subdistricts shall be revised by the state board of education after each decennial census and at any other time the state board determines that the district's demographics have changed sufficiently to warrant redistricting.

7. A member shall reside in and be elected in the subdistrict which the member is elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27. Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of wards 18, 19, 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13, 14, 16 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.

[8. No one may run for school board who is employed by the school district or who is related to an employee of the school district within the second degree of affinity or consanguinity.]”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 72, Section 116.190, Line 5 of said page, by inserting immediately after said line the following:

“321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES ☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT

Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.)

ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.)

FOR BOARD OF DIRECTORS ☐ ☐

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified. The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the (Insert name of district) Fire Protection District be increased to five members?

☐ YES ☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of [three] **four** years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified.

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 3, Section 115.027, Lines 20-23 of said page, by striking all of said lines and inserting in lieu thereof the following:

“advice and consent of the senate. Two commissioners on each board shall be”.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 60, Section 115.417, Line 23 of said page, by inserting after the word “post” the following:

“during the period of time in which a person may cast an absentee ballot and”.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 72, Section 116.190, Line 5 of said page, by inserting after all of said line the following:

“162.1100. 1. There is hereby established within each city not within a county a school district to be known as the “Transitional School District of (name of city)”, which shall be a body corporate and politic and a subdivision of the state. The transitional school district shall be coterminous with the boundaries of the city in which the district is located. Except as otherwise provided in this section and section 162.621, the transitional school district shall be subject to all laws pertaining to “seven-director districts”, as defined in section 160.011, RSMo. The transitional school district shall have the responsibility for educational programs and policies determined by a final judgment of a federal school desegregation case to be needed in providing for a transition of the educational system of the city from control and jurisdiction of a federal court school desegregation order, decree or agreement and such other programs and policies as designated by the governing body of the school district.

2. (1) The governing board of the transitional school district shall consist of three residents of the district: one shall be appointed by the governing body of the district, one shall be appointed by the mayor of the city not within a county and one shall be appointed by the president of the board of aldermen of the city not within a county. The members of the governing board shall serve without compensation for a term of three years, or until their successors have been appointed, or until the transitional district is dissolved or terminated. Any tax approved for the transitional district shall be assigned to the governing body of the school district in a city not within a county after dissolution or termination of the transitional district.

(2) In the event that the state board of education shall declare the school district of a city not within a county to be unaccredited, the member of the governing board of the transitional district appointed by the governing body of the district as provided in subdivision (1) of this subsection shall, within ninety days, be replaced by a chief executive officer nominated by the state board of education and appointed by the governor with the advice and consent of the senate. The chief executive officer need not be a resident of the district but shall be a person of recognized administrative ability, shall be paid in whole or in part with funds from the district, and shall have all other powers and duties of any other general superintendent of schools, including appointment of staff. The chief executive officer shall serve for a term of three years or until his successor is appointed or until the transitional district is dissolved or terminated. His salary shall be set by the state board of education.

3. In the event that the school district loses its accreditation, upon the appointment of a chief executive officer, any powers granted to any existing school board in a city not within a county on or before August 28, 1998, shall be vested with the special administrative board of the transitional school district containing such school district so long as the transitional school district exists, except as otherwise provided in section 162.621.

4. The special administrative board's powers and duties shall include:

(1) Creating an academic accountability plan, taking corrective action in underperforming schools, and seeking relief from state-mandated programs;

(2) Exploration of alternative forms of governance for the district;

(3) Authority to contract with nonprofit corporations to provide for the operation of schools;

(4) Oversight of facility planning, construction, improvement, repair, maintenance and rehabilitation;

(5) Authority to establish school site councils to facilitate site-based school management and to improve the responsiveness of the schools to the needs of the local geographic attendance region of the school;

(6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding establishment of neighborhood schools.

5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a school desegregation case which subjects a district in which a transitional district is located in this state to a federal court's jurisdiction may authorize or require the governing body of a transitional school district established under this section to establish the transitional district's operating levy for school purposes, as defined pursuant to section 163.011, RSMo, at a level not to exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as determined by the department of elementary and secondary education which may be substituted for all or part of such property tax. [The transitional school district,]

(2) Any other statute to the contrary notwithstanding, **no tax authorized pursuant to this subsection shall [not]:**

(a) Be subject to any certificate of tax abatement issued **after August 28, 1998**, pursuant to sections 99.700 to 99.715, RSMo]. Any certificate of abatement issued after August 28, 1998, shall not be applicable to the transitional school district]; **and**

(b) Effective January 1, 2002, be subject to any new or existing tax increment financing adopted by a city not within a county pursuant to sections 99.800 to 99.865, RSMo, except that any redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax increment financing.

(3) The transitional school district shall not be subject to the provisions of section 162.081, sections 163.021 and 163.023, RSMo, with respect to any requirements to maintain a minimum value of operating levy or any consequences provided by law for failure to levy at least such minimum rate. No operating levy or increase in the operating levy or sales tax established pursuant to this section shall be collected for a transitional school district unless prior approval is obtained from a simple majority of the district's voters. The board of the transitional district shall place the matter before the voters prior to March 15, 1999.

6. (1) The special administrative board established in this section shall develop, implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to review and approval of the state board of education. The plan shall ensure that all students meet or exceed grade-level standards established by the state board of education pursuant to section 160.514, RSMo;

(2) The special administrative board shall establish student performance standards consistent with the standards established by the state board of education pursuant to section 160.514, RSMo, for preschool through grade twelve in all skill and subject areas, subject to review and approval of the state board of education for the purpose of determining whether the standards are consistent with standards established by the state board of education pursuant to section 160.514, RSMo;

(3) All students in the district who do not achieve grade-level standards shall be required to attend summer school; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(4) No student shall be promoted to a higher grade level unless that student has a reading ability at or above one grade level below the student's grade level; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(5) The special administrative board established in this section shall develop, implement and annually update a professional development plan for teachers and other support staff, subject to review and approval of the state board of education.

7. The school improvement plan established pursuant to this section shall ensure open enrollment and program access to all students in the district, and, consistent with the Missouri and United States Constitutions, shall give first priority to residents of the city for admission to magnet schools. The school board shall take all practicable and constitutionally permissible steps to ensure that all magnet schools operate at full capacity. Students who change residence within the district shall be allowed to continue to attend the school in which they were initially enrolled for the remainder of their education at grade levels served by that school, and transportation shall be provided by the district to allow such students to continue to attend such school of initial enrollment.

8. To the extent practicable, the special administrative board shall ensure that per pupil expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given grade level.

9. The special administrative board shall ensure that early childhood education is available throughout the district.

10. The special administrative board shall ensure that vocational education instruction is provided within the district.

11. The special administrative board shall establish an accountability officer whose duty shall be to ensure that academically deficient schools within the district are raised to acceptable condition within two years.

12. The transitional school district in any city not within a county shall be dissolved on July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional district to continue to accomplish the purposes for which it was created. The state board of education may cause the termination of the transitional school district at any time upon a determination that the transitional district has accomplished the purposes for which it was established and is no longer needed. The state board of education may cause the reestablishment of the transitional school district at any time upon a determination that it is necessary for the transitional district to be reestablished to accomplish the purposes established in this section. The state board of education shall provide notice to the governor and general assembly of the termination or reestablishment of the transitional school district and the termination or reestablishment shall become effective thirty days following such determination. Upon dissolution of a transitional school district pursuant to this section, nothing in this section shall be construed to reduce or eliminate any power or duty of any school district or districts containing the territory of the dissolved transitional school district unless such transitional school district is reestablished by the state board of education pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 511, Page 66, Section 115.436, Line 13, by inserting after all of said line the following:

"115.637. The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:

(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he intends to vote; or to dispose of the received sample ballot;

(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;

(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;

(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his duties in making such canvass or willfully neglecting any duties lawfully assigned to him;

(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his name to any initiative, referendum, or recall petition, or any other petition circulated pursuant to law;

(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;

(9) Any person having in his possession any official ballot, except in the performance of his duty as an election authority or official, or in the act of exercising his individual voting privilege;

(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

(11) On the part of any election judge, willfully absenting himself from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;

(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;

(14) On the part of any voter, except as otherwise provided by law, allowing his ballot to be seen by any person with the intent of letting it be known how he is about to vote or has voted, or knowingly making a false statement as to his inability to mark his ballot;

(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;

(16) Interfering, or attempting to interfere, with any voter inside a polling place;

(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;

(18) Exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day inside the building in which a polling place is located or within twenty-five feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by him, any such election sign or literature located within such distance on such day after request for removal by any person;

(19) Stealing or willfully defacing, mutilating, removing or destroying any campaign yard sign on private property, except that this subdivision shall not be construed to interfere with the right of any private property owner to take any action with regard to campaign yard signs on the owner's property and this subdivision shall not be construed to interfere with the right of any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from the owner's private property after the election day."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 36, as amended**, and requests the House to recede from its position, and failing to do so, grant the Senate a conference thereon.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE BILL NO. 52**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 52 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 Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 52;
2. That the Senate recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 52;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 52, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields
/s/ Sen. Doyle Childers
/s/ Sen. Bill Foster
/s/ Sen. Maida Coleman
/s/ Sen. Joan Bray

FOR THE HOUSE:

/s/ Rep. Kathlyn Fares
/s/ Rep. Shannon Cooper
/s/ Rep. Robert Behnen
/s/ Rep. Clint Zweifel
/s/ Rep. Barbara Fraser

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, May 6, 2003.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 1474 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Mike Dethrow
State Representative

[illegible]

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Avery, District 95, hereby state and affirm that my vote as recorded on Page 1476 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Jim Avery
State Representative

[illegible]

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chris Shoemaker, District 8, hereby state and affirm that my vote as recorded on Page 1478 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Chris Shoemaker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Clint Zweifel, District 78, hereby state and affirm that my vote as recorded on Page 1479 of the House Journal for Thursday, May 1, 2003 showing that I voted no 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 5th day of May 2003.

/s/ Clint Zweifel
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rachel Bringer, District 6, hereby state and affirm that my vote as recorded on Page 1480 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Rachel Bringer
State Representative

1544 *Journal of the House*

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on Page 1486 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my vote as recorded on Page 1486 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jason Crowell, District 158, hereby state and affirm that my vote as recorded on Page 1487 of the House Journal for Thursday, May 1, 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 5th day of May 2003.

/s/ Jason Crowell
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, May 6, 2003, 8:30 a.m. Hearing Room 3.
Public hearing, fiscal review, possible Executive Session. HEARING CANCELLED
Public Hearing to be held on: HB 698, HB 741, HB 745, HJR 26

BUDGET

Wednesday, May 7, 2003, 8:30 a.m. Hearing Room 3.
Public hearing, fiscal review and possible Executive Session.
Public Hearing to be held on: HB 698, HB 741, HB 745, HJR 26

BUDGET

Thursday, May 8, 2003, 8:30 a.m. Hearing Room 3.
Public hearing, fiscal review, possible Executive Session.
Public Hearing to be held on: HB 698, HB 741, HB 745, HJR 26

BUDGET

Friday, May 9, 2003, 8:30 a.m. Hearing Room 3.
Public hearing, fiscal review, possible Executive Session.
Public Hearing to be held on: HB 698, HB 741, HB 745, HJR 26

CHILDREN AND FAMILIES

Wednesday, May 7, 2003. Hearing Room 5 upon morning recess.
Executive Session may follow.
Public Hearing to be held on: SCR 3

CONFERENCE COMMITTEE NOTICE

Tuesday, May 6, 2003, 8:00 a.m. Senate Lounge.
Appropriation Bills. SCS HS HBs 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, May 6, 2003. Hearing Room 3 upon afternoon adjournment.

Executive Session.

Executive Session to be held on: SB 5, SB 184

EDUCATION

Wednesday, May 7, 2003, 9:30 a.m. Side gallery.

Executive Session may follow.

Public Hearing to be held on: SCR 16

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, May 6, 2003, 5:00 p.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: HB 751, HR 1848, SCR 14

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, May 7, 2003. Hearing Room 3 upon noon adjournment.

JUDICIARY

Wednesday, May 7, 2003, 12:00 p.m. Hearing Room 1.

Executive Session will follow on HB 573, HB 619, SB 12, SS SB 242, SS SCR 7.

Public Hearing to be held on: SB 12, SB 242, SCR 7

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, May 6, 2003, 12:00 p.m. Hearing Room 4.

Executive Session to be held on: HB 717

HOUSE CALENDAR

SIXTY-FIFTH DAY, TUESDAY, MAY 6, 2003

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 132, 173, 117 & 48 - Wright
- 2 HCS HB 215, 218, 115 & 83 - Myers
- 3 HCS HB 190 & 214 - Fares
- 4 HCS HB 51 - Mayer
- 5 HCS HB 387 - Pearce
- 6 HCS HB 109 & 34 - Fares
- 7 HB 263 - Cooper (120)
- 8 HCS HB 468 - Byrd
- 9 HCS HB 233 - Holand
- 10 HB 471 - Jackson
- 11 HCS HB 47 - Portwood
- 12 HCS HB 507 - Hubbard

- 13 HB 293, HCA 1 - Johnson (47)
- 14 HCS HB 345 - Cunningham (86)
- 15 HCS HB 385 - Cunningham (86)
- 16 HCS HB 447 - Townley
- 17 HB 618 - Yates

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 404, 324, 403, 344, 426 & 541 - Rector
- 2 HS HCS HB 455 - Thompson
- 3 HCS HB 640 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 655 - Wilson (130)
- 2 HCS HB 702 - Schlottach

SENATE BILL FOR SECOND READING

SB 236

SENATE CONCURRENT RESOLUTION FOR THIRD READING

SS SCS SCR 13, HCA 1 (5-05-03, Pages 948 & 949) - Richard

SENATE CONCURRENT RESOLUTION

SCR 10, (5-01-03, Page 473) - Yates

SENATE BILL FOR THIRD READING - CONSENT

SB 214, HCA 1 - Byrd

SENATE BILLS FOR THIRD READING

- 1 SB 496 - Luetkemeyer
- 2 HCS SB 173 - Walton
- 3 SS#2 SCS SB 55 - Stevenson
- 4 SS SB 34 - Pratt
- 5 HCS SS SCS SB 30 - Schneider
- 6 HCS SCS SB 84 - Munzlinger
- 7 HCS SCS SB 686, E.C. - Cunningham (86)
- 8 SCS#2 SB 1 - Luetkemeyer
- 9 SB 540 - Parker
- 10 HCS SB 521 - Byrd

- 11 HCS SCS SB 69 - Baker
- 12 SS SB 13 - Byrd
- 13 HCS SCS SB 246 - Rector
- 14 HCS SB 469 - Byrd
- 15 HCS SS SCS SB 555, E.C. - Black
- 16 SS#2 SS SCS SB 2, E.C. - Smith (118)
- 17 HCS SB 39, (Budget 5-05-03) - Mayer
- 18 SCS SB 620, E.C. - Dempsey
- 19 SS SB 219, E.C. (Budget 5-05-03) - Smith (14)
- 20 HCS SCS SB 11, E.C. - Cooper (120)
- 21 HCS SS#2 SCS SB 481 - Crawford
- 22 HCS SB 668 - Myers

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SCS SB 237 - Luetkemeyer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 13 - Bearden
- 2 HB 261, SA 1 - Whorton
- 3 SCS HCS HB 371 - Dusenberg
- 4 SCS HCS HB 392, as amended - Avery
- 5 HCS HB 394, SCA 1 - Byrd
- 6 SCS HB 491 - Rupp
- 7 SCS HB 512 - Cooper (120)
- 8 SCS HB 521 - Dethrow
- 9 SCS HB 552 - Kingery
- 10 SCS HCS HB 575 - Dethrow
- 11 SS SCS HCS HB 289, as amended, E.C. - Dempsey
- 12 SS SCS HS HB 511, as amended, E.C. - Deeken

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 427, (request Senate recede/grant conference) - Byrd
- 2 HCS SCS SB 379, (request House recede/grant conference) - Wright
- 3 HCS SB 186, (request House recede/grant conference) - Munzlinger
- 4 HCS SS SCS SB 36, as amended (request House recede/grant conference) - Myers
- 5 SCS HS HB 9, as amended (request Senate recede/ grant conference) - Bearden
- 6 SCS HS HB 10, as amended (request Senate recede/ grant conference) - Bearden
- 7 SCS HS HB 11, as amended (request Senate recede/ grant conference) - Bearden
- 8 SCS HS HB 12, as amended (request Senate recede/ grant conference) - Bearden

BILLS IN CONFERENCE

- 1 HS SCS SB 299 & 40, as amended - Bearden
- 2 HCS SB 401 - Pratt
- 3 HCS SB 407 - Luetkemeyer
- 4 HCS SB 552 - Byrd
- 5 HCS SB 448 - Goodman
- 6 HCS SB 394, as amended - Byrd
- 7 CCR HCS SCS#2 SB 52 - Fares
- 8 SS SS SCS HCS HB 600, as amended, E.C. - Cooper (120)
- 9 SCS HS HB 2, as amended - Bearden
- 10 SCS HS HB 3, as amended - Bearden
- 11 SCS HS HB 4, as amended - Bearden
- 12 SCS HS HB 5, as amended - Bearden
- 13 SCS HS HB 6, as amended - Bearden
- 14 SCS HS HB 7 - Bearden
- 15 SCS HS HB 8, as amended - Bearden