

JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

SEVENTY-SECOND DAY, THURSDAY, MAY 15, 2003

Speaker Hanaway in the Chair.

Prayer by Father David Buescher.

So much to do, God – so little time. Help us through this time, because what these women and men work for is people. Human persons attempting to live out life, liberty, and the pursuit of happiness. Our representatives also embody this amazing state, Missouri, this gift of natural resources for our stewardship.

Despite the last minute rush during these final two days, we grasp this moment. We put ourselves in Your caring hands. We breathe You in, allowing You to fill our minds and hearts. Assist these men and women to echo the common wealth we all embrace as Your family. 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: Jack Elliott Goodman, Michael Toigo, Blake Allan Bauer, Cody Viebrock and Ryan Viebrock.

The Journal of the seventy-first day was approved as corrected by the following vote:

AYES: 097

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

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NOES: 043

Adams	Bishop	Bland	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 90	Jones
Kuessner	LeVota	Liese	Lowe	Meiners
Merideth	Muckler	Page	Sager	Schoemehl
Seigfreid	Selby	Shoemaker	Skaggs	Spreng
Walker	Walsh	Wildberger	Willoughby	Wilson 25
Witte	Yaeger	Zweifel		

PRESENT: 015

Barnitz	Boykins	Bringer	El-Amin	Fraser
Hampton	Johnson 61	Jolly	Kelly 36	Kratky
Ransdall	Shoemyer	Ward	Wilson 42	Young

ABSENT WITH LEAVE: 008

Abel	Brooks	Crawford	Hunter	Miller
Schneider	Smith 118	Wagner		

Representative Crowell moved that Rule 113 be suspended in order to receive a special guest.

Which motion was adopted by the following vote:

AYES: 144

Adams	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brown	Bruns	Burnett	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dixon
Donnelly	Dougherty	Dusenberger	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Holand
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Pratt
Purgason	Quinn	Ransdall	Richard	Roark
Ruestman	Salva	Sander	Schaaf	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130

Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 002

Sager	Whorton
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ABSENT WITH LEAVE: 017

Abel	Brooks	Byrd	Dethrow	Guest
Hobbs	Hunter	Miller	Moore	Portwood
Rector	Reinhart	Rupp	Schlottach	Smith 118
Wagner	Wright			

SPECIAL RECOGNITION

Major General Robert Van Antwerp was introduced by Representative Ransdall and recognized as an Outstanding Missourian.

Major General Robert Van Antwerp addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2895 - Representative Viebrock
House Resolution No. 2896 - Representative Darrough
House Resolution No. 2897
and
House Resolution No. 2898 - Representative Dixon

MOTION

Representative Crowell moved that Rule 23 and Rule 29 be suspended to allow the House Conference Committees to meet while the House is in Session and without the 24 hour notice requirement until we adjourn sine die.

Which motion was adopted by the following vote:

AYES: 103

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Bringer	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Goodman	Guest	Hampton
Haywood	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Kratky	Lager	Lawson	Lembke

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Lipke	Luetkemeyer	Marsh	May	Mayer
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wallace	Walton	Wasson
Wildberger	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Madam Speaker		

NOES: 053

Adams	Barnitz	Bishop	Boykins	Burnett
Campbell	Carnahan	Corcoran	Curls	Daus
Donnelly	Fraser	George	Graham	Green
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	LeVota	Liese	Lowe
McKenna	Meiners	Merideth	Muckler	Page
Ransdall	Sager	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Thompson	Vogt	Walker
Walsh	Ward	Willoughby	Wilson 25	Witte
Yaeger	Young	Zweifel		

PRESENT: 002

El-Amin	Whorton
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ABSENT WITH LEAVE: 005

Abel	Brooks	Fares	Miller	Wagner
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Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF SENATE BILL

SB 598, relating to the Corporal Bobbie J. Harper Memorial Highway, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **SB 598** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser

George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Brooks	Cooper 120	Miller	Wagner
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Speaker Pro Tem Jetton declared the bill passed.

BILL IN CONFERENCE

CCR SS HS HCS HBs 679 & 396, as amended, relating to foster care, was taken up by Representative Hanaway.

Representative Crowell 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
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Egler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager

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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	Schneider	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: 069

Abel	Adams	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	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Lawson	LeVota	Liese	Lowe
McKenna	Meiners	Merideth	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Thompson
Villa	Vogt	Walker	Walsh	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 003

Dougherty	Kuessner	Wildberger
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ABSENT WITH LEAVE: 003

Holand	Miller	Wagner
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On motion of Representative Hanaway, **CCR SS HS HCS HBs 679 & 396, as amended**, was adopted by the following vote:

AYES: 142

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bivins
Black	Bland	Bough	Boykins	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Haywood
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners

Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Wood	Wright	Yaeger	Yates
Young	Madam Speaker			

NOES: 017

Bishop	Bringer	Daus	Davis 122	Donnelly
Harris 110	Harris 23	Henke	Hoskins	Merideth
Muckler	Skaggs	Vogt	Walker	Whorton
Witte	Zweifel			

PRESENT: 002

Kuessner	Lowe
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ABSENT WITH LEAVE: 002

Miller	Wagner
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On motion of Representative Hanaway, **CCS SS HS HCS HBs 679 & 396** was read the third time and passed by the following vote:

AYES: 141

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bivins
Black	Bland	Bough	Boykins	Brooks
Brown	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Haywood	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	St. Onge

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Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Yaeger	Yates	Young
Madam Speaker				

NOES: 017

Bishop	Bringer	Darrough	Daus	Davis 122
Donnelly	Harris 110	Harris 23	Henke	Merideth
Muckler	Skaggs	Vogt	Walker	Whorton
Witte	Zweifel			

PRESENT: 001

Lowe

ABSENT WITH LEAVE: 004

Bruns	Holand	Miller	Wagner
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Speaker Pro Tem Jetton declared the bill passed.

Speaker Hanaway resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HS HCS HBs 517, 94, 149, 150 & 342, as amended, relating to assistance for the elderly, was taken up by Representative Portwood.

Representative Portwood moved that the House refuse to adopt **SS SCS HS HCS HBs 517, 94, 149, 150 & 342, 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.

SS HB 198, as amended, relating to arrest without warrant, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to adopt **SS HB 198, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

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

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	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
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Adams	Campbell	Davis 19	Dougherty	Guest
Haywood	Mayer	Miller	Wagner	Wright

Representative Stevenson again moved that the House refuse to adopt **SS HB 198, 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.

BILL CARRYING REQUEST MESSAGE

HCS SB 12, relating to the Religious Freedom Restoration Act, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to recede from its position on **HCS SB 12** and request the Senate to take up and pass the bill.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

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

SCS HS HCS HB 228: Representatives Pearce, Wood, Bearden, Graham and Walsh

SIGNING OF SENATE BILL

All other business of the House was suspended while **CCS HS HCS SS SCS SB 555** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

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 adopted **HA 1 and HA 2 to SCR 11** and has taken up and third read **SCR 11, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 159**, entitled:

An act to repeal section 161.102, RSMo, and to enact in lieu thereof one new section relating to the coordination of school health programs.

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 adopted the Conference Committee Report on **HS HCS SCS SB 199, as amended**, and has taken up and passed **CCS HS HCS SCS SB 199**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 686, as amended**, and has taken up and passed **CCS HCS SCS SB 686**.

Emergency clause adopted.

On motion of Representative Crowell, the House recessed until 1:30 p.m.

AFTERNOON SESSION

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

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2899
through
House Resolution No. 2919 - Representative Ruestman, et al
House Resolution No. 2920 - Representative Bruns
House Resolution No. 2921
through
House Resolution No. 2924 - Representative Walker
House Resolution No. 2925
and
House Resolution No. 2926 - Representative Harris (23)
House Resolution No. 2927 - Representative Guest
House Resolution No. 2928 - Representative Schaaf
House Resolution No. 2929 - Representative Munzlinger
House Resolution No. 2930 - Representatives Emery and King
House Resolution No. 2931 - Representative King
House Resolution No. 2932 - Representative Walsh, et al
House Resolution No. 2933 - Representative Jetton
House Resolution No. 2934 - Representative Goodman
House Resolution No. 2935 - Representative Fares
House Resolution No. 2936 - Representative Wildberger
House Resolution No. 2937 - Representative Rupp
House Resolution No. 2938 - Representatives Jackson and Wood
House Resolution No. 2939 - Representative Cunningham (145)
House Resolution No. 2940 - Representative Abel
House Resolution No. 2941
and
House Resolution No. 2942 - Representative Hanaway
House Resolution No. 2943 - Representative Cooper (120)
House Resolution No. 2944 - Representative Smith (118)
House Resolution No. 2945 - Representative St. Onge
House Resolution No. 2946 - Representative Guest
House Resolution No. 2947 - Representative Johnson (61)
House Resolution No. 2948 - Representative Wilson (42)
House Resolution No. 2949 - Representative Crawford

House Resolution No. 2950

through

House Resolution No. 2954 - Representative Whorton

THIRD READING OF SENATE BILLS

HCS SCS SB 11, relating to taxation, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **HS HCS SCS SB 11**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 3, Section 21.810, Lines 14 through 16, by deleting the words “, **including the internal organization, management, powers, duties and functions of the departments, commissions, and offices**”.

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 42, Section 99.845, Line 5, by inserting after said line the following:

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

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;**
- (2) "Director", the director of the department of social services;**
- (3) "Pregnancy resource center", a nonresidential facility located in this state:**
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and**
 - (b) Where childbirths are not performed; and**
 - (c) Which does not perform or refer for abortions and which does not hold itself out as performing or referring for abortions; and**
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and**
 - (e) Which provides its services at no cost to its clients; and**
 - (f) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;**
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions;**
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this**

state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall apply to all tax years beginning after December 31, 2003.

135.631. On or after July 1, 2006, taxpayers shall be permitted to redeem tax credits they can claim pursuant to section 135.630. Prior to July 1, 2006, taxpayers shall only be permitted to redeem tax credits they can claim pursuant to section 135.630 if the director of revenue has reallocated other state tax credits to section 135.630. The director shall reallocate such other state tax credits if by law they are limited to a maximum amount during a specified time period, and such amount has not been fully redeemed or is not reasonably expected to be fully redeemed."; and

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

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

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 42, Section 99.845, Line 5, by inserting after said line the following:

"135.478. As used in sections 135.481 to 135.487, the following terms mean:

- (1) "Department", the department of economic development;
- (2) "Director", the director of the department of economic development;
- (3) "Distressed community", as defined in section 135.530;

(4) "Eligible costs for a new residence", expenses incurred for property acquisition, development, site preparation other than demolition, surveys, architectural and engineering services and construction and all other necessary and incidental expenses incurred for constructing a new market rate residence, which is or will be owner-occupied, which is not replacing a national register listed or local historic structure; except that, costs paid for by the taxpayer with grants or forgivable loans, other than tax credits, provided pursuant to state or federal governmental programs are ineligible;

(5) "Eligible costs for rehabilitation", expenses incurred for the renovation or rehabilitation of an existing residence including site preparation, surveys, architectural and engineering services, construction, modification, expansion, remodeling, structural alteration, replacements and alterations; except that, costs paid for by the taxpayer with grants or forgivable loans other than tax credits provided pursuant to state or federal governmental programs are ineligible;

(6) "Eligible residence", a single-family residence forty years of age or older, located in this state and not within a distressed community as defined by section 135.530, which is occupied or intended to be or occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is either located within a United States census block group which, if in a metropolitan statistical area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the metropolitan statistical area in which the census block group is located, or which, if located within a United States census block group in a nonmetropolitan area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the nonmetropolitan areas in the state;

(7) "Flood plain", any land or area susceptible to being inundated by water from any source or located in a one hundred-year flood plain area determined by Federal Emergency Management Agency mapping as subject to flooding;

(8) "New residence", a residence constructed on land which if located within a distressed community has either been vacant for at least two years or is or was occupied by a structure which has been condemned by the local entity in which the structure is located or which, if located outside of a distressed community but within a census block group as described in subdivision (6) or (10) of this section, either replaces a residence forty years of age or older demolished for purposes of constructing a replacement residence, or which is constructed on vacant property which has been classified for not less than forty continuous years as residential or utility, commercial, railroad or other real property pursuant to article X, section 4(b) of the Missouri Constitution, as defined in section 137.016, RSMo; **or, if in a county of the third classification without a township form of government and with more than fifty-four thousand two hundred but not less than fifty-four thousand three hundred residents, or a county of the first classification without a charter form of government with a population of more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred residents, vacant property classified as residential or agricultural or horticultural property, as defined in section 137.016, RSMo, and is located within the limits of the city or is served by a municipal sanitary sewer service; except that, no new residence shall be constructed in a flood plain or on property used for agricultural purposes, except as otherwise provided in this section.** In a distressed community, the term "new residence" shall include condominiums, owner-occupied units or other units intended to be owner-occupied in multiple unit structures **or as separate adjacent single-family units;**

(9) "Project", new construction, rehabilitation or substantial rehabilitation of a residence that qualifies for a tax credit pursuant to sections 135.475 to 135.487;

(10) "Qualifying residence", a single-family residence, forty years of age or older, located in this state which is occupied or intended to be occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is located in a metropolitan statistical area or nonmetropolitan statistical area within a United States census block group which has a median household income of less than seventy percent of the median household income for the metropolitan statistical area or nonmetropolitan area, respectively, or which is located within a distressed community. A qualifying residence shall include a condominium or residence within a multiple residential structure or a structure containing multiple single-family residences which is located within a distressed community;

(11) "Substantial rehabilitation", rehabilitation the costs of which exceed fifty percent of either the purchase price or the cost basis of the structure immediately prior to rehabilitation; provided that, the structure is at least fifty years old notwithstanding any provision of sections 135.475 to 135.487 to the contrary;

(12) "Tax liability", the tax due pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections* 143.191 to 143.265, RSMo;

(13) "Taxpayer", any person, partnership, corporation, trust or limited liability company."

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 47, Section 143.121, Line 1, by inserting immediately after said line the following:

"and,

(h) For all tax years beginning on or after January 1, 2003, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone."

Representative Merideth offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 47, Section 143.121, Line 1, by inserting immediately after said line the following:

"and,

(h) For all tax years beginning on or after January 1, 2003, the amount of any income received for military service."

On motion of Representative Merideth, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 42, Section 137.100, Line 18, by inserting after said line the following:

"(5) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or

whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt pursuant to this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There is no provision for reverter of the property within the limitation period for reverters.", and renumber said section accordingly; and

Further amend said bill, Page 62, Section 144.030, Line 13, by inserting after said line the following:

"(38) All sales or other transfers of tangible personal property to a lessor, who leases the property under a lease of one year or longer executed or in effect at the time of the sale or transfer, to an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo."; and

Further amend said bill, Page 64, Section 144.049, Line 17, by inserting after said line the following:

"144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing [under] **pursuant to** the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed [under] **pursuant to** the Missouri sales tax law;

(3) Tangible personal property, the sale **or other transfer** of which, if made in this state, would be exempt from or not subject to the Missouri sales tax [under] **pursuant to** the provisions of subsections 2 and 3 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section 144.440;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state."; and

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

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

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Angst	Avery	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	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Icet	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	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	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: 067

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meiners	Merideth	Muckler
Page	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Willoughby	Wilson 25	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Donnelly	Holand	Miller	Wildberger
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On motion of Representative Cooper (120), **HS HCS SCS SB 11, as amended**, was adopted by the following vote:

AYES: 134

Abel	Adams	Angst	Avery	Baker
Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners

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Merideth	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Madam Speaker	

NOES: 022

Barnitz	Bishop	Bringer	Campbell	Corcoran
Darrough	Dethrow	Haywood	Holand	Jones
Lowe	Purgason	Sager	Seigfreid	Taylor
Townley	Walker	Walton	Whorton	Wildberger
Wilson 25	Zweifel			

PRESENT: 002

Johnson 61 Wilson 42

ABSENT WITH LEAVE: 005

Bough	Brooks	Donnelly	Lawson	Miller
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On motion of Representative Cooper (120), **HS HCS SCS SB 11, as amended**, was read the third time and passed by the following vote:

AYES: 131

Abel	Adams	Angst	Avery	Baker
Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 122
Davis 19	Deeken	Dempsey	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fraser	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Thompson	Threlkeld	Viebrock
Wagner	Walsh	Walton	Ward	Wasson

Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Young
Madam Speaker				

NOES: 028

Barnitz	Bishop	Bough	Bringer	Campbell
Corcoran	Darrough	Daus	Dethrow	Fares
George	Haywood	Holand	Jones	Lowe
Sager	Schaaf	Seigfreid	Spreng	Taylor
Townley	Villa	Vogt	Walker	Wallace
Whorton	Wilson 25	Zweifel		

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 002

Kelly 144	Miller
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bivins
Black	Bland	Bough	Boykins	Brown
Bruns	Byrd	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Hilgemann	Hobbs
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Thompson	Threlkeld	Viebrock	Wagner	Walton
Ward	Wasson	Willoughby	Wilson 119	Wilson 130
Witte	Wood	Wright	Yaeger	Yates
Young	Madam Speaker			

NOES: 030

Bishop	Bringer	Campbell	Corcoran	Darrough
Daus	Fraser	George	Haywood	Henke

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Holand	Hoskins	Jones	LeVota	Lowe
Sager	Skaggs	Spreng	Taylor	Townley
Villa	Vogt	Walker	Wallace	Walsh
Whorton	Wildberger	Wilson 25	Wilson 42	Zweifel

PRESENT: 009

Brooks	Burnett	Curls	Donnelly	Fares
Kratky	Kuessner	Merideth	Shoemyer	

ABSENT WITH LEAVE: 002

Lawson	Miller
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HCS SB 469, relating to court procedures, was taken up by Representative Byrd.

Representative Byrd offered **HS HCS SB 469**.

Representative Shoemyer (9) raised a point of order that **HS HCS SB 469** goes beyond the scope of the bill.

The Chair ruled the point of order untimely.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 469, Page 12, Section 217.860, Line 4, by deleting from said line the word “and”; and

Further amend said page and section, Line 9, by deleting the period “.” on said line and inserting in lieu thereof the following:

“; and

(8) The president of the Missouri Association of Prosecuting Attorneys.”; and

Further amend said bill, Page 13, Section 429.011, by deleting all of said section; and

Further amend said bill, Page 24, Section 483.015, Line 14, by inserting after the period on said line the following:

“This subsection shall expire upon adoption by any city not within a county, by charter or pursuant to Article VI, Section 20, of the Missouri constitution, of a provision for a different method of selection of the circuit clerk of said city not within a county than is provided in this subsection.”; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 469, Page 52, Line 24, by inserting after all of said line the following:

"590.653. 1. Each city, county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses. **Each member, during his or her entire term, shall:**

(1) **Be at least eighteen years of age; and**
(2) **Be a registered voter residing within the city, county, or city not within a county; and**
(3) **As a result of the criminal history background check, not have been convicted of or pled guilty or nolo contendere to or have been found guilty of a crime under the laws of the state of Missouri, of any other state, of the United States, or of any other country, whether or not a sentence is or was imposed.**

2. The board shall have the power to receive, investigate, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. The findings and recommendations of the board, and the basis therefor, shall be submitted to the chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such findings or recommendations."; and

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

Representative Avery offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

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

Representative Johnson (47) offered **House Amendment No. 3.**

House Amendment No. 3 was withdrawn.

Representative Crowell 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
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Moore	Morris	Munzlinger	Myers

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Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	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: 066

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meiners	Merideth
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Witte	Yaeger	Young
Zweifel				

PRESENT: 005

Dougherty	Green	Haywood	Hoskins	Wilson 42
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ABSENT WITH LEAVE: 004

Brooks	Holand	Miller	Shoemyer
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On motion of Representative Byrd, **HS HCS SB 469, as amended**, was adopted.

On motion of Representative Byrd, **HS HCS SB 469, as amended**, was read the third time and passed by the following vote:

AYES: 133

Abel	Adams	Angst	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brown	Bruns	Burnett	Byrd	Carnahan
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	El-Amin	Emery	Engler
Ervin	Fares	Fraser	Goodman	Graham
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Iceet	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Muckler	Munzlinger	Myers	Page	Parker

Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Thompson	Threlkeld
Townley	Viebrock	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Young	Zweifel	Madam Speaker		

NOES: 024

Avery	Campbell	Cooper 120	Darrough	Daus
Davis 122	Dixon	Dusenberg	Green	Guest
Hunter	Johnson 47	Lembke	Moore	Morris
Nieves	Roark	Sager	Selby	Smith 118
St. Onge	Villa	Whorton	Yates	

PRESENT: 004

Davis 19	George	Lowe	Taylor
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ABSENT WITH LEAVE: 002

Brooks	Miller
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Speaker Pro Tem Jetton declared the bill passed.

SS SCS SBs 361, 103, 156 & 329, with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3 and House Committee Amendment No. 4, relating to waste management, was taken up by Representative Townley.

Representative Townley offered **HS SS SCS SBs 361, 103, 156 & 329.**

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

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 124, Section 6, Lines 5 to 12 of said page, by deleting all of said section; and

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

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

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

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 2, Section 204.600, Line 22 of said page, by inserting a comma "," after the number "**204.472**".

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

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

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 66, Section 393.1000, Line 12 of said page, by deleting the words: "**that is less than sixteen inches in diameter**"; and

Further amend said bill, Page 72, Section 393.1006, Lines 9 and 10 of said page, by deleting all of said lines.

Speaker Hanaway resumed the Chair.

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

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

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156, & 329, Pages 60 to 62, Section 393.015, by deleting all of said section; and

Further amend said bill, Pages 62 to 65, Section 393.018, by deleting all of said section; and

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

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

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

House Amendment No. 5

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 2, Section A, Line 15 of said page, by inserting immediately after all of said line the following:

"64.907. 1. Any county subject to Environmental Protection Agency rules 40 C.F.R. Parts 9, 122, 123, and 124 concerning storm water discharges is authorized to adopt rules, regulations, or ordinances reasonably necessary to comply with such federal regulations including but not limited to rules, regulations, or ordinances which promote the best storm water management practices in regulating storm water discharges established by the Environmental Protection Agency.

2. Any county adopting rules, regulations, or ordinances under subsection 1 of this section is authorized to establish by rule, regulation, or ordinance a storm water control utility or other entity to administer any such rules, regulations, or ordinances adopted under subsection 1 of this section which shall include authority to impose user fees to fund the administration of such rules, regulations, or ordinances.

3. Any county adopting rules, regulations, or ordinances under subsection 1 of this section is authorized to establish by rule, regulation, or ordinance a storm water control utility tax in such amount as is deemed reasonable and necessary to fund public storm water control projects if such tax is approved by majority of the votes cast.

4. The tax authorized in this section shall be in addition to the charge for the storm water control and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for storm water control. Such tax shall be stated separately from all other charges and taxes.

5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for storm water control in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of storm water control?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question."; and

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

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

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

House Amendment No. 6

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Pages 123 and 124, Section 5, by deleting all of said section; and

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

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

Representative Cooper (120) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 48, Line 20, by inserting after said line the following:

"250.140. [1.] **In the case of privately owned property**, sewerage services or water and sewerage services combined shall be deemed to be furnished to [both] the occupant [and owner] of the premises receiving such service and the city, town or village or sewer district rendering such services shall have power to sue the occupant [or owner, or both,] of such real estate in a civil action to recover any sums due for such services, plus a reasonable attorney's fee to be fixed by the court.

[2. If the occupant of the premises receives the billing, any notice of termination of service shall be send to both the occupant and owner of the premises receiving such service, if such owner has requested in writing to receive any notice of termination and has provided the entity rendering such service with the owner's business addresses.]; and

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

Representative Goodman offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 1, Section 250.140, Line 8, by inserting at the end of said line the following:

“Nothing herein shall affect any party’s remedy pursuant to any written contract.”.

On motion of Representative Goodman, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Cooper (120), **House Amendment No. 7, as amended**, was adopted by the following vote:

AYES: 092

Angst	Avery	Baker	Bearden	Behnen
Bivins	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Cunningham 145	Cunningham 86	Davis 19
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 23	Henke	Hobbs	Holand
Hunter	Iceet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Kuessner	Lager
Lembke	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Moore	Morris
Munzlinger	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Threlkeld
Viebrock	Wagner	Wallace	Wasson	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Wright
Yates	Madam Speaker			

NOES: 063

Abel	Adams	Barnitz	Bean	Bishop
Black	Bland	Bringer	Burnett	Campbell
Carnahan	Corcoran	Darrough	Daus	Davis 122
Deeken	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Harris 110	Haywood
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	LeVota
Lowe	Meiners	Muckler	Myers	Page
Ransdall	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Spreng	Taylor	Thompson	Townley
Villa	Vogt	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 42
Yaeger	Young	Zweifel		

PRESENT: 004

Bough Boykins Brooks Curls

ABSENT WITH LEAVE: 004

Crowell Lawson Merideth Miller

Representative Smith (118) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Pages 122-123, Section 3, Line 16, by deleting all of said section; and

Further amend said bill, in the title and enacting clause accordingly.

Representative Smith (118) moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Avery	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	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	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	Schneider	Self	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 071

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky

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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	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 002

Dougherty Green

ABSENT WITH LEAVE: 004

Lembke Miller Shoemaker Smith 118

On motion of Representative Townley, **HS SS SCS SBs 361, 103, 156 & 329, as amended**, was adopted.

On motion of Representative Townley, **HS SS SCS SBs 361, 103, 156 & 329, as amended**, was read the third time and passed by the following vote:

AYES: 100

Angst	Avery	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Goodman	Graham
Guest	Harris 23	Haywood	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Moore	Morris	Munzlinger	Nieves
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wagner	Wallace	Walton
Ward	Wasson	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Madam Speaker

NOES: 057

Adams	Bishop	Brooks	Burnett	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fares	Fraser	George
Green	Hampton	Harris 110	Henke	Hilgemann
Hoskins	Hubbard	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	LeVota	Lowe	Meiners
Merideth	Muckler	Myers	Page	Parker
Ransdall	Sager	Salva	Schneider	Schoemehl
Seigfreid	Selby	Skaggs	Spreng	St. Onge

Thompson	Villa	Vogt	Walker	Walsh
Whorton	Willoughby	Wilson 25	Wilson 42	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Johnson 61	Kratky	Lawson	Lembke
Miller				

Speaker Hanaway declared the bill passed.

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 **SS SCS HB 327**, entitled:

An act to repeal sections 137.298, 144.062, 191.831, 210.104, 210.107, 226.525, 226.535, 227.120, 238.207, 238.210, 238.215, 238.220, 238.222, 238.235, 238.236, 292.602, 300.330, 300.410, 301.010, 301.069, 302.225, 302.272, 302.302, 302.304, 302.309, 302.341, 302.540, 302.700, 302.725, 302.735, 302.740, 302.755, 302.756, 302.760, 302.775, 304.010, 304.015, 304.035, 304.580, 307.100, 307.125, 307.127, 307.177, 307.178, 307.400, 389.610, 390.020, 488.5336, 565.070, 577.023, 577.041, 577.049, 577.054, and 577.520, RSMo, and section 304.157 as enacted by senate bill no. 17, ninetieth general assembly, first regular session, and to enact in lieu thereof sixty-four new sections relating to transportation, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

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. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 13, Senate Amendment No. 15, Senate Amendment No. 16 and Senate Amendment No. 17.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 14, Section 227.120, Line 15 of said page, by inserting after all of said line the following:

"227.338. The portion of U.S. Highway 71, located within a county of the third classification without a township form of government and with more than twenty-one thousand six hundred but less than twenty-one thousand seven hundred inhabitants shall be designated the "Corporal Bobbie J. Harper Memorial Highway".";
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 121, Section 304.677, Lines 5-8 of said page, by striking all of said lines and inserting in lieu thereof the following:

"operating a motorcycle upon the roadway."

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 117, Section 304.035, Line 13 of said page, by inserting immediately after said line the following:

“304.282. 1. Wherever used in this section the following terms mean:

(1) “Automated traffic control enforcement system”, a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to automatically produce two or more photographs, two or more microphotographs, a videotape or other recorded images of a motor vehicle entering an intersection in violation of a red signal indication;

(2) “Owner”, the registered owner of a motor vehicle or lessee of a motor vehicle under a lease of six months or more as shown by the records of the department of revenue.

2. Two cities or counties designated by the director of the department of public safety with reference to any intersection involving highways, roads or streets under its jurisdiction, except a state highway as defined in section 304.001, may adopt an ordinance authorizing the use of an automated traffic control signal enforcement system to detect motor vehicles entering an intersection in violation of a red signal indication authorized pursuant to section 304.281. The ordinance adopted by the city or counties shall limit the use of an automated traffic control signal enforcement system to no more than four intersections within the city's jurisdictional limits.

3. Any city or county adopting an ordinance to establish an automated traffic control enforcement system may also enter into an agreement with the state highways and transportation commission regarding the installation and use of an automated traffic control enforcement system on a state highway within the boundaries of such city or county.

4. Photos obtained from an automated traffic control signal enforcement system along with proof of identity of the owner in whose name such motor vehicle is registered shall raise a rebuttable presumption that such owner was the person who committed the violation. Any owner issued a summons is responsible and liable for payment of a fine and court costs, unless the owner can furnish evidence that the motor vehicle was in the care, custody or control of another person at the time of the violation. In such instance the owner shall submit such evidence in an affidavit permitted by the court setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation, subject to the penalties for perjury. The affidavit submitted pursuant to this subsection shall be admissible in a court proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that the person identified in the affidavit was in actual control of the motor vehicle at the time of violation. In such case, the court shall have the authority to terminate the prosecution of the summons issued to the owner and issue a summons to the person identified in the affidavit as the operator of the motor vehicle at the time of the violation. If the motor vehicle is alleged to have been stolen, the owner of the motor vehicle shall submit proof that a police report was filed indicating that the motor vehicle was stolen at the time of the alleged violation.

5. A summons issued pursuant to this section shall be sent by certified mail to the most recent address of the owner of the motor vehicle within twenty-one days of the violation. The cost of issuing the certified letter may be charged in addition to the fine imposed pursuant to subsection 10 of this section. The summons shall include the date, time, and location of the violation, a photo of the motor vehicle's license plate, and a photo of the actual violation as detected by the automated traffic control signal enforcement system. The summons must also include instructions on how to dispose of the violation through court appearance or payment of the fine and costs.

6. Any city or county that establishes a traffic control signal enforcement system pursuant to the provisions of this section shall make a public announcement of any automated traffic control signal enforcement system at least thirty days prior to its official use.

7. Signs indicating the system's presence shall be visible to traffic approaching from all directions at any location which is equipped with an automated traffic control signal enforcement system.

8. Any city or county that establishes an automated traffic control enforcement system may also enter into an agreement or agreements for the purpose of compensating a private vendor to perform operational and administrative tasks associated with the use of automated traffic control enforcement systems. Any compensation paid to a private vendor shall not be based upon a contingency basis nor shall such compensation be based upon revenues generated from the use of such system. The city or county may enter into an agreement with the department of revenue for the purpose of obtaining relevant records regarding the owner in order to prepare and mail summonses on behalf of the city or county.

9. Photographic records made by a traffic control signal enforcement system that are provided to governmental and law enforcement agencies for the purposes of this section shall be confidential.

10. No points shall be assessed, as described in section 302.302, RSMo, and no fine, including court costs, shall exceed fifty dollars for a violation obtained through the use of an automated traffic control enforcement system.

11. One year following the adoption of an ordinance by any city or county described in subsection 2 of this section, the department of public safety shall issue a report as to the effectiveness of the use of automated traffic control signal enforcement systems. The report shall include, but not be limited to, recommendations of whether such a system shall be instituted on a statewide basis. The report shall be delivered to the individual members of the general assembly.

12. The provisions of this section shall expire on August 28, 2008.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 146, Section 568.055, Line 9, by deleting said section; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 125, Section 302.127, Line 10, by inserting immediately after said line the following:

“307.156. Any person, firm, or corporation which owns or operates a business engaged in whole or in part in servicing motor vehicles and installs or purports to install an airbag in a motor vehicle and either: 1) installs an airbag that does not meet all applicable federal safety regulations for an airbag installed in a vehicle of that make, model, and year; or 2) installs an airbag which has previously been installed in another motor vehicle without disclosing in writing to the owner or lessee of the vehicle receiving such airbag installation that a used airbag has been installed in it, shall be guilty of a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 45, Section 301.010, Line 7 of said page, by striking the word “six”; and

Further amend Line 8 of said page, by striking “hundred” and inserting in lieu thereof the following:

“one thousand”; and

Further amend Line 10 of said page, by inserting after “operator,” the following:

“or with a seat designed to carry more than one person,”; and

Further amend said bill, Page 110, Section 304.010, Line 22 of said page, by inserting after all of said line the following:

“304.013. 1. No person shall operate an all-terrain vehicle, as defined in section 301.010, RSMo, upon the highways of this state, except as follows:

(1) All-terrain vehicles owned and operated by a governmental entity for official use;

(2) All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation;

(3) All-terrain vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;

(4) Governing bodies of cities may issue special permits to licensed drivers for special uses of all-terrain vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(5) Governing bodies of counties may issue special permits to licensed drivers for special uses of all-terrain vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate an off-road vehicle within any stream or river in this state, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating an all-terrain vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (3) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty miles per hour. When operated on a highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

4. No persons shall operate an all-terrain vehicle:

(1) In any careless way so as to endanger the person or property of another;

(2) While under the influence of alcohol or any controlled substance;

(3) Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.

5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes. **The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one person.**

6. A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one thousand dollars per day of violation.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 45, Section 304.580, Line 28, by deleting the brackets on said line; and further amend said line, by deleting the word “two” and insert in lieu thereof the word “**four**”.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 134, Section 307.400, Line 3, by inserting after all of said line the following:

“388.465. Every railroad corporation owning or operating a railroad which traverses through a city of the fourth classification with more than seven thousand five hundred but fewer than seven thousand six hundred eighty inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall establish a suitable stopping place, depot, or union station within such city to accommodate the boarding and unboarding of passengers.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 134, Section 307.400, Line 3 of said page, by inserting after all of said line the following:

“379.896. As used in sections 379.896 to 379.899, the following terms shall mean:

(1) “Insurer”, any insurance company, association or exchange authorized to issue policies of automobile insurance in the state of Missouri;

(2) “Repair facility”, a person that engages in the business of repairing or replacing the nonmechanical exterior or interior body parts of a damaged motor vehicle.

379.897. An insurer may not hold or acquire any ownership interest in a repair facility.

379.898. 1. An individual aggrieved by a violation of sections 379.896 to 379.899 by an insurer may bring an action for injunctive or other appropriate relief to compel the insurer to comply with the requirements adopted pursuant to sections 379.896 to 379.899.

2. A plaintiff who prevails in an action under this section is entitled to recover reasonable attorney's fees and court costs.

379.899. 1. An insurer that, on August 28, 2003, has an ownership interest in a repair facility must divest itself of any interest in the facility not later than August 28, 2005.

2. During the period in which the insurer maintains its interest in the repair facility before the divestiture required under this section, the insurer shall disclose to each insured that the insured has the right to use any repair facility selected by the insured. The insurer shall make the disclosure in writing in the manner prescribed by the director of the department of insurance and shall provide the disclosure:

(1) At the time the policy is delivered, issued for delivery, or renewed; and

(2) When a claim covered by the policy is reported to the insurer by the insured.

3. The provisions of this section shall expire December 1, 2005.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 7, Section 191.831, Line 8 of said page, by striking the word “sections” and inserting in lieu thereof the following: **“section”**; and

Further amend said bill and section, Page 8, Line 12 of said page, by inserting immediately after “RSMo” the following: **“, and section 577.001, RSMo”**; and

Further amend said bill, Page 75, Section 302.304, Lines 22-23, by striking the following: **“, but not to exceed two hundred dollars,”**; and

Further amend Line 24 of said page, by inserting immediately after “302.010” the following: **“and section 577.001, RSMo”**; and

Further amend said bill, Page 86, Section 302.540, Line 18 of said page, by striking the following: **“in an amount”**; and

Further amend Line 19 of said page, by striking the following: **“, but not to exceed two hundred dollars,”**; and

Further amend Line 21 of said page, by inserting immediately after “302.010” the following: **“and section 577.001, RSMo”**; and

Further amend said bill, Page 155, Section 577.041, Lines 7-8 of said page, by striking the following: **“in an amount”**; and

Further amend Lines 8-9 of said page, by striking the following: “, but not to exceed two hundred dollars,”; and

Further amend Lines 11-12 of said page, by striking all of the underlined language from said lines and inserting in lieu thereof the following: “**302.010, RSMo, and section 577.001, RSMo**”; and

Further amend said bill, Page 156, Section 577.049, Line 22 of said page, by striking the following: “, but not to exceed two hundred dollars,”; and

Further amend Line 24 of said page, by inserting immediately after the word “in” the following: “**section 302.010, RSMo, and**”; and

Further amend said bill, Page 159, Section 577.520, Lines 8-9 of said page, by striking the following: “in an amount”; and

Further amend Lines 9-10 of said page, by striking the following: “, but not to exceed two hundred dollars,”; and

Further amend Line 12 of said page, by inserting immediately after “RSMo,” the following: “**and section 577.001,**”.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 1, In the Title, Line 15, by inserting after “provisions” the following: “, an effective date for certain sections”; and

Further amend said bill, Page 143, Section 390.020, Line 11, by inserting after all of said line the following:

“407.1200. As used in sections 407.1200 to 407.1227, the following terms shall mean:

(1) “Administrator”, the person who is responsible for the administration of the service contracts or the service contracts plan and who is responsible for any filings required by sections 407.1200 to 407.1227;

(2) “Consumer”, a natural person who buys other than for purposes of resale any motor vehicle that is distributed in commerce and that is normally used for personal, family, or household purposes and not for business or research purposes;

(3) “Director”, the director of the department of insurance;

(4) “Maintenance agreement”, a contract of limited duration that provides for scheduled maintenance only;

(5) “Manufacturer”, a person that:

(a) Manufacturers or produces the property and sells the property under its own name or label;

(b) Is a wholly owned subsidiary of the person who manufacturers or produces the property;

(c) Is a corporation which owns one hundred percent of the person who manufacturers or produces the property;

(d) Does not manufacture or produce the property, but the property is sold under its trade name label;

(e) Manufacturers or produces the property and the property is sold under the trade name or label of another person; or

(f) Does not manufacture or produce the property but, pursuant to a written contract, licenses the use of its trade name or label to another person that sells the property under the licensor's trade name or label;

(6) “Mechanical breakdown insurance”, a policy, contract or agreement issued by an authorized insurer that provides for the repair, replacement or maintenance of a motor vehicle or indemnification for repair, replacement or service, for the operational or structural failure of a motor vehicle due to a defect in materials or workmanship;

(7) “Motor vehicle extended service contract” or “service contract”, a contract or agreement for a separately stated consideration or for a specific duration to perform the repair, replacement, or maintenance of a motor vehicle or indemnification for repair, replacement or maintenance, for the operational or structural failure due to a defect in materials, workmanship or normal wear and tear, with or without additional provision for incidental payment of indemnity under limited circumstances, including, but not limited to, towing, rental and emergency road service, but does not include mechanical breakdown insurance or maintenance agreements;

(8) “Non-original manufacturer’s parts”, replacement parts not made for or by the original manufacturer of the property, commonly referred to as “after market parts”;

(9) “Person”, an individual, partnership, corporation, incorporated or unincorporated association, joint stock company, reciprocal, syndicate or any similar entity or combination of entities acting in concert;

(10) “Premium”, the consideration paid to an insurer for a reimbursement insurance policy;

(11) “Provider”, a person who administers, issues, makes, provides, sells, or offers to sell a motor vehicle extended service contract, or who is contractually obligated to provide service under a motor vehicle extended service contract such as sellers, administrators, and other intermediaries;

(12) “Provider fee”, the consideration paid for a service contract in excess of the premium;

(13) “Reimbursement insurance policy”, a policy of insurance issued to a provider and pursuant to which the insurer agrees, for the benefit of the service contract holders, to discharge all of the obligations and liabilities of the provider under the terms of the service contracts in the event of non-performance by the provider. All obligations and liabilities include, but are not limited to, failure of the provider to perform under the service contract and the return of the unearned provider fee in the event of the provider’s unwillingness or inability to reimburse the unearned provider fee in the event of termination of a service contract;

(14) “Service contract holder” or “contract holder”, a person who is the purchaser or holder of a services contract;

(15) “Warranty”, a warranty made solely by the manufacturer, importer or seller of property or services without charge, that is not negotiated or separated from the sale of the product and is incidental to the sale of the product, that guarantees indemnity for defective parts, mechanical or electrical breakdown, labor or other remedial measures, such as repair or replacement of the property or repetition of services.

407.1203. 1. Service contracts shall not be issued, sold, or offered for sale in this state unless the administrator or its designee has:

(1) Provided a receipt for the purchase of the service contract to the contract holder at the date of purchase;

(2) Provided a copy of the service contract to the service contract holder within a reasonable period of time from the date of purchase; and

(3) Complied with the provisions of sections 407.1200 to 407.1227.

2. All administrators of service contracts sold in this state shall file a registration with the director on a form, at a fee and at a frequency prescribed by the director.

3. In order to assure the faithful performance of a provider’s obligations to its contract holders, each provider who is contractually obligated to provide service under a service contract shall:

(1) Insure all service contracts under a reimbursement insurance policy issued by an insurer authorized to transact insurance in this state; or

(2) (a) Maintain a funded reserve account for its obligation under its contracts issued and outstanding in this state. The reserves shall not be less than forty percent of gross consideration received, less claims paid, on the sale of the service contract for all in-force contracts. The reserve account shall be subject to examination and review by the director; and

(b) Place in trust with the director a financial security deposit, having a value of not less than five percent of the gross consideration received, less claims paid, on the sale of the service contract for all service contracts issued and in force, but not less than twenty-five thousand dollars, consisting of one of the following:

a. A surety bond issued by an authorized surety;

b. Securities of the type eligible for deposit by authorized insurers in this state;

c. Cash;

d. A letter of credit issued by a qualified financial institution; or

e. Another form of security prescribed by regulations issued by the director; or

(3) (a) Maintain a net worth of one hundred million dollars; and

(b) Upon request, provide the director with a copy of the provider’s or, if the provider’s financial statements are consolidated with those of its parent company, the provider’s parent company’s most recent Form 10-K filed with the Securities and Exchange Commission (SEC) within the last calendar year, or if the company does not file with the SEC, a copy of the company’s audited financial statements, which shows a net worth of the provider or its parent company of at least one hundred million dollars. If the provider’s parent company’s Form 10-K or audited financial statements are filed to meet the provider’s financial stability requirement, then the parent company shall agree to guarantee the obligations of the obligor relating to service contracts sold by the provider in this state.

4. Provider fees collected on service contracts shall not be subject to premium taxes. Premiums for reimbursement insurance policies shall be subject to applicable premium taxes.

5. Except for the registration requirement in subsection 2 of this section, persons marketing, selling, or offering to sell service contracts for providers that comply with sections 407.1200 to 407.1227 are exempt from this state's licensing requirements.

6. Providers complying with the provisions of sections 407.1200 to 407.1227 are not required to comply with other provisions of chapters 374 or 375, or any other provisions governing insurance companies.

407.1206. Reimbursement insurance policies insuring service contracts issued, sold, or offered for sale in this state shall conspicuously state that, upon failure of the provider to perform under the contract, such as failure to return the unearned provider fee, the insurer that issued the policy shall pay on behalf of the provider any sums the provider is legally obligated to pay or shall provide the service which the provider is legally obligated to perform according to the provider's contractual obligations under the service contracts issued or sold by the provider.

407.1209. 1. Service contracts issued, sold, or offered for sale in this state shall be written in clear, understandable language and the entire contract shall be printed or typed in easy to read ten point type or larger and conspicuously disclose the requirements in this section, as applicable.

2. Service contracts insured under a reimbursement insurance policy pursuant to subsection 3 of section 407.1203 shall contain a statement in substantially the following form: "Obligations of the provider under this service contract are guaranteed under a service contract reimbursement insurance policy. If the provider fails to pay or provide service on a claim within sixty days after proof of loss has been filed, the contract holder is entitled to make a claim directly against the insurance company." A claim against the provider shall also include a claim for return of the unearned provider fee. The service contract shall also conspicuously state the name and address of the insurer.

3. Service contracts not insured under a reimbursement insurance policy pursuant to subsection 3 of section 407.1203 shall contain a statement in substantially the following form: "Obligations of the provider under this service contract are backed only by the full faith and credit of the provider (insurer) and are not guaranteed under a service contract requirement insurance policy." A claim against the provider shall also include a claim for return of the unearned provider fee. The service contract shall also conspicuously state the name and address of the provider.

4. Service contracts shall identify any administrator, the provider obligated to perform the service under the contract, the service contract seller, and the service contract holder to the extent that the name and address of the service contract holder has been furnished by the service contract holder.

5. Service contracts shall conspicuously state the total purchase price and the terms under which the service contract is sold. The purchase price is not required to be pre-printed on the service contract and may be negotiated at the time of sale with the service contract holder.

6. If prior approval of repair work is required, the service contracts shall conspicuously state the procedure for obtaining prior approval and for making a claim, including a toll-free telephone number for claim service and a procedure for obtaining emergency repairs performed outside of normal business hours.

7. Service contracts shall conspicuously state the existence of any deductible amount.

8. Service contracts shall specify the merchandise and services to be provided and any limitations, exceptions, and exclusions.

9. Service contracts shall state the conditions upon which the use of non-original manufacturer's parts, or substitute service, may be allowed. Conditions stated shall comply with applicable state and federal laws.

10. Service contracts shall state any terms, restrictions, or conditions governing the transferability of the service contract.

11. Service contracts shall state the terms, restrictions, or conditions governing termination of the service contract by the service contract holder. The provider of the service contract shall mail a written notice to the contract holder within fifteen days of the date of termination.

12. Service contracts shall require every provider to permit the service contract holder to return the contract within at least fifteen business days if the service contract is delivered at the time of sale or within a longer time period permitted under the contract. If no claim has been made under the contract, the contract is void and the provider shall refund to the contract holder the full purchase price of the contract. A ten percent penalty per month shall be added to a refund that is not paid within thirty days of return of the contract to the provider. The applicable free-look time periods on service contracts shall only apply to the original service contract purchaser.

13. Service contracts shall set forth all of the obligations and duties of the service contract holder, such as the duty to protect against any further damage and the requirement for certain service and maintenance.

14. Service contracts shall clearly state whether or not the service contract provides for or excludes consequential damages or preexisting conditions.

407.1212. 1. A provider shall not use in its name the words insurance, casualty, guaranty, surety, mutual, or any other words descriptive of the insurance, casualty, guaranty, or surety business; or a name deceptively similar to the name or description of any insurance or surety corporation, or any other provider. This section shall not apply to a company that was using any of the prohibited language in its name prior to August 28, 2003. However, a company using the prohibited language in its name shall conspicuously disclose in its service contract the following statement: "This agreement is not an insurance contract."

2. A provider or its representative shall not in its service contracts or literature make, permit, or cause to be made any false or misleading statement, or deliberately omit any material statement that would be considered misleading if omitted, in connection with the sale, offer to sell or advertisement of a service contract.

3. A person, such as a bank, savings and loan association, lending institution, manufacturer or seller of any product, shall not require the purchase of a service contract as a condition of a loan or a condition for the sale of any property.

407.1215. 1. An administrator, provider, or other intermediary shall keep accurate accounts, books, and records concerning transactions regulated by sections 407.1200 to 407.1227.

2. An administrator's, provider's, or other intermediary's accounts, books, and records shall include:

(1) Copies of each type of service contract issued;

(2) The name and address of each service contract holder to the extent that the name and address have been furnished by the service contract holder;

(3) A list of the provider locations where service contracts are marketed, sold, or offered for sale; and

(4) Claims files which shall contain at least the dates, amounts, and description of all receipts, claims, and expenditures related to the service contracts.

3. Except as provided in this section, an administrator shall retain all records pertaining to each service contract holder for at least three years after the specified period of coverage has expired.

4. An administrator, provider, or other intermediary may keep all records required pursuant to sections 407.1200 to 407.1227 on a computer disk or other similar technology. If an administrator maintains records in other than hard copy, records shall be accessible from a computer terminal available to the director and be capable of duplication to legible hard copy.

5. An administrator, provider, or other intermediary discontinuing business in this state shall maintain its records until it furnishes the commissioner satisfactory proof that it has discharged all obligations to contract holders in this state.

6. An administrator, provider, or other intermediary shall make all accounts, books, and records concerning transactions regulations pursuant to sections 407.1200 to 407.1227 or other pertinent laws available to the director upon request.

407.1218. As applicable, an insurer that issued a reimbursement insurance policy shall not terminate the policy until a notice of termination, in a form and time frame prescribed by the director, has been mailed or delivered to the director. The termination of a reimbursement insurance policy shall not reduce the issuer's responsibility for service contracts issued by providers prior to the date of the termination.

407.1221. 1. Providers are considered to be the agent of the insurer which issued the reimbursement insurance policy. In cases where a provider is acting as an administrator and enlists other providers, the provider acting as the administrator shall notify the insurer of the existence and identities of the other providers.

2. The provisions of sections 407.1200 to 407.1227 shall not prevent or limit the right of an insurer which issued a reimbursement insurance policy to seek indemnification or subrogation against a provider if the insurer pays or is obligated to pay the service contract holder sums that the provider was obligated to pay pursuant to the provisions of the service contract or under a contractual agreement.

407.1224. 1. The director may conduct investigations or examinations of providers, administrators, insurers, or other persons to enforce the provisions of sections 407.1200 to 407.1227 and protect service contract holders in this state.

2. The director may take action which is necessary or appropriate to enforce the provisions of sections 407.1200 to 407.1227 and the director's regulations and orders, and to protect service contract holders in this state.

3. The director may order a service contract provider to cease and desist from committing violations of sections 407.1200 to 407.1227 or the director's regulations or orders, may issue an order prohibiting a service contract provider from selling or offering for sale service contracts, or may issue an order imposing a civil penalty, or any combination of these, if the provider has violated the provisions of sections 407.1200 to 407.1227 or the director's regulations or orders.

4. A person aggrieved by an order pursuant to this section may request a hearing before the director. The hearing request shall be filed with the director within twenty days of the date the director's order is effective.

5. Pending the hearing and the decision by the director, the director shall suspend the effective date of the order. At the hearing, the burden shall be on the director to show why the order issued pursuant to this section is justified. Such hearing shall be held in accordance with the provisions of chapter 536, RSMo.

6. The director may bring an action in the circuit court of Cole county for an injunction or other appropriate relief to enjoin threatened or existing violations of sections 407.1200 to 407.1227 or of the director's orders or regulations. An action filed pursuant to this section may also seek restitution on behalf of persons aggrieved by a violation of sections 407.1200 to 407.1227 or orders or regulations of the director.

7. A person in violation of sections 407.1200 to 407.1227 or orders or regulation of the director may be assessed a civil penalty not to exceed one thousand dollars per violation.

8. The authority of the director pursuant to this section is in addition to other authority of the director.

407.1225. The director may promulgate rules to effectuate sections 407.1200 to 407.1224. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

407.1227. 1. The provisions of sections 407.1200 to 407.1224 shall not apply to:

- (1) Warranties;
- (2) Maintenance agreements;
- (3) Commercial transactions; and
- (4) Service contracts sold or offered for sale to persons other than consumers.

2. Manufacturer's contracts on the manufacturer's products need only comply with the provisions of sections 407.1209, 407.1212, and 407.1224.”; and

Further amend said bill, Page 165, Section D, Line 3, by inserting after all of said line the following:

“Section C. The enactment of sections 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227 shall become effective January 1, 2007.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 61, Section 301.069, Line 24 of said page, by inserting after all of said line the following:

“301.567. 1. For purposes of this section, a violation of any of the following advertising standards shall be deemed an attempt by the advertising dealer to obtain a fee or other compensation by fraud, deception or misrepresentation in violation of section 301.562:

(1) A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a “new motor vehicle” as defined in section 301.550;

(2) When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term “used”, or by such other term as is commonly understood to mean that the vehicle is used;

(3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;

(4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealership's inventory;

(5) The terms "list price", "sticker price", or "suggested retail price" shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the "manufacturer's suggested retail price" of the advertised vehicle;

(6) Terms such as "at cost", "\$..... above cost" shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale[. Terms such as "invoice price", "\$..... over invoice" may be used, provided that the invoice referred to is the manufacturer's factory invoice for a new motor vehicle and the invoice is available for customer inspection. For purposes of this section, "manufacturer's factory invoice" means that document supplied by the manufacturer to the dealer listing the manufacturer's charge to the dealer before any deduction for holdback, group advertising, factory incentives or rebates, or any governmental charges];

(7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer-selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;

(8) [Advertisements which offer to match or better any competitors' prices shall not be used;

(9)] Advertisements of "dealer rebates" shall not be used, however, this shall not be deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such rebates are clearly and conspicuously disclosed;

[(10)] (9) "Free", "at no cost" shall not be used if any purchase is required to qualify for the "free" item, merchandise, or service;

[(11)] (10) "Bait advertising", in which an advertiser may have no intention to sell at the prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to, the following examples:

(a) Not having available for sale the advertised motor vehicles at the advertised prices. If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such vehicles, and they shall be available at the advertised price. If the advertised vehicle is available only in limited numbers or only by order, such limitations shall be stated in the advertisement;

(b) Advertising a motor vehicle at a specified price, including such terms as "as low as \$.....", but having available for sale only vehicles equipped with dealer-added cost options which increase the selling price above the advertised price;

[(12)] (11) Any reference to monthly payments, down payments, or other reference to financing or leasing information shall be accompanied by a clear and conspicuous disclosure of the following:

(a) Whether the payment or other information relates to a financing or a lease transaction;

(b) If the payment or other information relates to a financing transaction, the minimum down payment, annual percentage interest rate, and number of payments necessary to obtain the advertised payment amount must be disclosed, in addition to any special qualifications required for obtaining the advertised terms including, but not limited to, "first-time buyer" discounts, "college graduate" discounts, and a statement concerning whether the advertised terms are subject to credit approval;

(c) If the payment or other information relates to a lease transaction, the total amount due from the purchaser at signing with such costs broken down and identified by category, lease term expressed in number of months, whether the lease is closed-end or open-end, and total cost to the lessee over the lease term in dollars;

[(13)] (12) Any advertisement which states or implies that the advertising dealer has a special arrangement or relationship with the distributor or manufacturer, as compared to similarly situated dealers, shall not be used;

[(14)] (13) Any advertisement which, in the circumstances under which it is made or applied, is false, deceptive, or misleading shall not be used;

[(15)] (14) No abbreviations for industry words or phrases shall be used in any advertisement unless such abbreviations are accompanied by the fully spelled or spoken words or phrases.

2. The requirements of this section shall apply regardless of whether a dealer advertises by means of print, broadcast, or electronic media, or direct mail.

3. Dealers shall clearly and conspicuously identify themselves in each advertisement by use of a dealership name which complies with subsection 6 of section 301.560."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 2, Section 137.298, Line 13, by inserting after the word “county” the following: “of the first classification with a charter form of government;” and

Further amend said bill, Page 2, Section 137.298, Line 20, by removing the brackets, delete the words “of such, **county**, city or **township**” and add the words “or the treasurer ex officio collector.”; and

Further amend said bill, Page 2, Section 137.298, Line 28, by removing the brackets and insert the words “or the treasurer ex officio collector of the” after the word “revenue”; and

Further amend said bill, Page 3, Section 137.298, Line 1, by inserting at the end of said line the following:

“The collector of revenue or treasurer ex officio collector of the city or county shall remit to the appropriate political subdivision all fees and fines, including traffic and parking violations collected less two percent for administrative costs.”.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 117, Section 304.035, Line 13, by inserting immediately after said line the following:

"304.351. 1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway, provided, however, there is no form of traffic control at such intersection.

2. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. This subsection shall not apply to vehicles approaching each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.

3. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

4. (1) The state highways and transportation commission with reference to state highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersection.

[(1)] (2) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in this section:

(a) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic in the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(b) The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.

5. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.

6. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.

7. The state highways and transportation commission or local authorities with respect to roads under their respective jurisdictions, on any section where construction or major maintenance operations are being effected, may fix a speed limit in such areas by posting of appropriate signs, and the operation of a motor vehicle in excess of such speed limit in the area so posted shall be deemed prima facie evidence of careless and imprudent driving and a violation of section 304.010.

8. Notwithstanding the provisions of section 304.361, violation of this section shall be deemed a class C misdemeanor.

9. In addition to the penalty specified in subsection 8 of this section any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused physical injury, there shall be assessed a surcharge of up to two hundred dollars. The court may issue an order of suspension of such persons driving privilege for a period of thirty days.

10. In addition to the penalty specified in subsection 8 of this section any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused serious physical injury, there shall be assessed a surcharge of up to five hundred dollars. The court may issue an order of suspension of such persons driving privilege for a period of ninety days.

11. In addition to the penalty specified in subsection 8 of this section any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused a fatality, there shall be assessed a surcharge of up to one thousand dollars. The court may issue an order of suspension of such persons driving privilege for a period of six months.

12. The surcharges imposed pursuant to subsections 9, 10, and 11 of this subsection shall be collected and distributed by the clerk of the court as provided in sections 488.010 to 488.020, RSMo. The surcharges collected pursuant to subsections 9, 10, and 11 of this section shall be credited to the motorcycle safety trust fund established under section 302.137, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 327, Page 136, Section 389.610, Lines 6-11, by deleting all of the new language on said lines.

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 **HS SS#2 SB 695, as amended**, 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 HS HCS HB 257**, entitled:

An act to repeal sections 143.121, 148.330, 348.015, 348.430, 348.432, 644.016, and 644.051, RSMo, and to enact in lieu thereof twenty-four new sections relating to agriculture, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 257, Page 25, Section 348.432, Line 9, by inserting after all of said line the following:

"430.030. 1. Every person who furnishes labor or material on any horse, mule or other animal, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of such horse, mule or other animal, shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. **The provisions of this section shall include liens against livestock for veterinary care, for any payments overdue by one calendar year.**

2. Such lien shall be on such horse, mule or other animal as shall be placed in the possession of the person furnishing the labor or material; provided, however, that for labor and material furnished on more than one horse, mule or other animal belonging to the same owner, the person furnishing such labor and material may, at his option, have a lien on any one or more of such horses, mules or other animals for the amount of labor and material furnished on all of such horses, mules and other animals belonging to such owner."; and

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

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 257, Page 14, Section 261.800, Line 14 of said page, by inserting immediately after said line the following:

_____"340.216. 1. It is unlawful for any person not licensed as a veterinarian under the provisions of sections 340.200 to 340.330 to practice veterinary medicine or to do any act which requires knowledge of veterinary medicine for valuable consideration, or for any person not so licensed to hold himself or herself out to the public as a practitioner of veterinary medicine by advertisement, the use of any title or abbreviation with the person's name, or otherwise; except that nothing in sections 340.200 to 340.330 shall be construed as prohibiting:

(1) Any person from gratuitously providing emergency treatment, aid or assistance to animals where a licensed veterinarian is not available within a reasonable length of time if the person does not represent himself or herself to be a veterinarian or use any title or degree appertaining to the practice thereof;

(2) Acts of a person who is a student in good standing in a school or college of veterinary medicine or while working as a student preceptee, in performing duties or functions assigned by the student's instructors, or while working under the appropriate level of supervision of a licensed veterinarian as is consistent with the particular delegated animal health care task as established by board rule, and acts performed by a student in a school or college of veterinary medicine recognized by the board and performed as part of the education and training curriculum of the school under the supervision of the faculty. The unsupervised or unauthorized practice of veterinary medicine, even though on the premises of a school or college of veterinary medicine, is prohibited;

(3) Personnel employed by the United States Department of Agriculture or the Missouri department of agriculture from engaging in animal disease, parasite control or eradication programs, or other functions specifically required and authorized to be performed by unlicensed federal or state officials under any lawful act or statute, except that this exemption shall not apply to such persons not actively engaged in performing or fulfilling their official duties and responsibilities;

(4) Any merchant or manufacturer from selling drugs, medicine, appliances or other products used in the prevention or treatment of animal diseases if such drug, medicine, appliance or other product is not marked by the appropriate federal label. Such merchants or manufacturers shall not, either directly or indirectly, attempt to diagnose a symptom or disease in order to advise treatment, use of drugs, medicine, appliances or other products;

(5) The owner of any animal or animals and the owner's full-time employees from caring for and treating any animals belonging to such owner, with or without the advice and consultation of a licensed veterinarian, provided that the ownership of the animal or animals is not transferred, or employment changed, to avoid the provisions of sections 340.200 to 340.330; however, only a licensed veterinarian may immunize or treat an animal for diseases which are communicable to humans and which are of public health significance, except as otherwise provided for by board rule;

(6) Any graduate of any accredited school of veterinary medicine while engaged in a veterinary candidacy program or foreign graduate from a nonaccredited school or college of veterinary medicine while engaged in a veterinary

candidacy program or clinical evaluation program, and while under the appropriate level of supervision of a licensed veterinarian performing acts which are consistent with the particular delegated animal health care task;

(7) State agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under the direct supervision thereof from conducting experiments and scientific research on animals in the development of pharmaceuticals, biologicals, serums, or methods of treatment, or techniques for the diagnosis or treatment of human ailments, or when engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of the practice of veterinary medicine;

(8) Any veterinary technician, duly registered by, and in good standing with, the board from administering medication, appliances or other products for the treatment of animals while under the appropriate level of supervision as is consistent with the delegated animal health care task; and

(9) A consulting veterinarian while working in a consulting capacity in Missouri while under the immediate supervision of a veterinarian licensed and in good standing under sections 340.200 to 340.330.

2. Nothing in sections 340.200 to 340.330 shall be construed as limiting the board's authority to provide other exemptions or exceptions to the requirements of licensing as the board may find necessary or appropriate under its rulemaking authority.

3. Notwithstanding any other provisions of sections 340.200 to 340.330, rule or regulation to the contrary, nothing shall prohibit a licensed physical therapist or their assistant from providing rehabilitation services on animals pursuant to a written prescription of a licensed veterinarian."; 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 Committee Substitute for House Bill No. 257, Page 39, Section 644.883, Line 3 of said page, by inserting after all of said line the following:

"644.600. Sections 644.600, 644.625, 644.630, 644.635 and 644.650 shall only apply to class IA facilities which use a flush system.

644.603. For the purposes of sections 644.600 to 644.655, the following terms mean:

(1) "Animal feeding operation" or "AFO", a lot or facility, other than an aquatic animal production facility, where the following conditions are met:

(a) Animals, other than aquatic animals, have been, are, or will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve-month period; and

(b) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility;

(2) "Class I", the same meaning as a large concentrated animal feeding operation as that term is defined in 40 C.F.R. Section 122.23(b)(4) as of April 14, 2003;

(3) "Class IA", any concentrated animal feeding operation with a capacity of at least seven times the number of animals as described in the definition of a large concentrated animal feeding operation as that term is defined in 40 C.F.R. Section 122.23(b)(4) as of April 14, 2003;

(4) "Class IB", any concentrated animal feeding operation with a capacity of at least three but less than seven times the number of animals as described in the definition of a large concentrated animal feeding operation as that term is defined in 40 C.F.R. Section 122.23(b)(4) as of April 14, 2003;

(5) "Class IC", any concentrated animal feeding operation with a capacity of at least one but less than three times the number of animals as described in the definition of a large concentrated animal feeding operation as that term is defined in 40 C.F.R. Section 122.23(b)(4) as of April 14, 2003;

(6) "Class II", the same meaning as a medium concentrated animal feeding operation as that term is defined in 40 C.F.R. Section 122.23(b)(6) as of April 14, 2003;

(7) "Concentrated animal feeding operation" or "CAFO", an AFO that is defined as a class I CAFO or class II CAFO, or is designated as a CAFO in accordance with subsection 2 of section 644.610. Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals at an operation if such AFOs adjoin each other or use a common area or system for the disposal of waste;

(8) "Department", the department of natural resources;

- (9) "Facility", any class IA concentrated animal feeding operation which uses a flush system;
- (10) "Flush system", an automated system of moving or removing manure utilizing liquid as the primary agent as opposed to a primarily mechanical or manually operated system such as a pull plug or scraper system;
- (11) "Liquified animal waste handling facility", any concentrated animal feeding operation that stores animal waste in a lagoon, including all gravity outfall lines, recycle pump stations, and recycle force mains;
- (12) "Sensitive areas", areas in the watershed located within five miles upstream of any stream or river drinking water intake structure, other than those intake structures on the Missouri and Mississippi rivers.

644.610. 1. The clean water commission shall have the authority and jurisdiction to regulate the establishment, permitting, design, construction, operation, and management of any class I concentrated animal feeding operation. The clean water commission shall promulgate rules regulating the establishment, permitting, design, construction, operation, and management of any class I concentrated animal feeding operations. Such rules may require monitoring wells on a site-specific basis when, in the determination of the division of geological survey and resource assessment, class IA concentrated animal feeding operation lagoons are located in hydrologically sensitive areas where the quality of groundwater may be compromised. Such rules and regulations shall be designed to afford a prudent degree of environmental protection while accommodating modern agricultural practices.

2. The department may designate an AFO as a concentrated animal feeding operation upon determining that it is a significant contributor of pollutants to waters of the state.

- (1) In making this designation, the department shall consider the following factors:
 - (a) The size of the AFO and the amount of wastes reaching waters of the state;
 - (b) The location of the AFO relative to waters of the state;
 - (c) The means of conveyance of animal wastes and process wastes into waters of the state;
 - (d) The slope, vegetation, rainfall, and other factors affecting the likelihood or frequency of discharge of animal wastes manure and process waste into waters of the state; and
 - (e) Other relevant factors.

(2) No AFO shall be designated under this subsection unless the department has conducted an on-site inspection of the operation and determined that the operation should and could be regulated as a concentrated animal feeding operation. In addition, no AFO with numbers of animals below a class II concentrated animal feeding operation shall be designated as a CAFO.

644.615. 1. Prior to filing an application to acquire a construction permit from the department for a new facility or for an increase of animal units to an existing facility, the owner or operator of any class IA concentrated animal feeding operation shall provide the following information to the department, to the county governing body, and to all adjoining property owners of property located within one and one-half times the buffer distance as specified in subsection 4 of section 644.610:

- (1) The number of animals anticipated at such IA facility;
- (2) A general description of the waste handling plan and layout of the facility;
- (3) The location and number of acres of such facility;
- (4) Name, address, telephone number, and registered agent or other appropriate contact for further information as it relates to subdivisions (1) to (3) of this subsection;
- (5) A statement explaining that the department will accept written comments from the public for a period of thirty days after the department places the draft permit on public notice; and
- (6) The address of the department's regional or state office.

2. The department shall require proof of such notification prior to processing an application for a construction permit. Proof of notification shall consist of a statement certifying that the notification was accomplished by mailing a letter to the department, the county governing body, and to all adjoining property owners as described in subsection 1 of this section at their last known address as maintained by the county assessor's office.

3. The department shall not issue a permit to a facility described in subsection 1 of this section to engage in any activity regulated by the department unless the applicant is substantially in compliance with sections 644.600 to 644.655.

4. The department shall issue a permit or respond with a letter of comment to permit applicants within forty-five days of receiving a completed permit application.

644.617. Notwithstanding any other provision of law to the contrary, any corporation or cooperative engaged in farming, as defined in section 350.010, RSMo, shall not be eligible for any state tax credits, deductions, state grants, loans, or other financial or economic assistance, unless a family farm or a family farm corporation,

as defined in section 350.010, RSMo, receives such credits, deductions, grants, loans, or other assistance. This section does not apply to agricultural processing or food processing facilities.

644.625. 1. The owner or operator of any class IA liquified animal waste handling facility utilizing a flush system shall employ one or more persons who shall visually inspect the liquified animal waste handling facility for unauthorized discharge and structural integrity of any lagoon with a water level less than eighteen inches below the emergency spillway at least every twelve hours with a deviation of not to exceed three hours. The owner or operator of the facility shall keep records of each inspection. Such records shall be retained for three years. The department shall provide or approve a form provided by the owner or operator for each facility for such inspections.

2. All new construction permits for liquified animal waste handling facilities utilizing a flush system shall have an electronic or mechanical shutoff of the system in the event of pipe stoppage. As of July 1, 1997, all existing liquified animal waste handling facilities utilizing a flush system shall have, at a minimum, an electronic or mechanical shutoff of the system in the event of pipe stoppage or backflow.

644.630. 1. The owner or operator of every liquified animal waste handling facility utilizing a flush system that poses a risk as determined by the department to any public drinking water supply or any aquatic life, or lies within a drainage basin and is within three hundred feet of any adjacent landowner, shall have a failsafe containment structure or earthen dam that will contain, in the event of an unauthorized discharge, a minimum volume equal to the maximum capacity of flushing in any twenty-four hour period from all gravity outfall lines, recycle pump station and recycle force mains.

2. Construction of such structure or dam, as provided in subsection 1 of this section, shall commence within ninety days of June 25, 1996.

644.635. Within twenty-four hours, any unauthorized discharge by a class IA concentrated animal feeding operation that has crossed the property line of the facility or any unauthorized discharge by a class IA concentrated animal feeding operation that utilizes a flush system of which the failsafe containment structure or earthen dam has failed to contain and has crossed the property line of the facility, or enters waters of the state shall be reported to the department and to all adjoining property owners of the facility onto whose property the unauthorized discharge flowed.

644.640. There is hereby established in the state treasury the "Concentrated Animal Feeding Operation Indemnity Fund", to be known as the "fund" for the purposes of sections 644.640 to 644.647. All fees or other moneys payable pursuant to the provisions of section 644.645 or other moneys received including gifts, grants, appropriations, and bequests from federal, private, or other sources made for the purpose of the provisions of sections 644.600 to 644.655, shall be payable to and collected by the director of the department of natural resources and deposited in this fund. The money in this fund, upon appropriation, shall be expended to close class IA, class IB, class IC and class II concentrated animal feeding operations as defined in the department's rules, that have been placed in the control of the government due to bankruptcy or failure to pay property taxes, or if the class IA, class IB, class IC or class II concentrated animal feeding operation is abandoned property. "Abandoned property", for the purposes of this section, means real property previously used for, or which has the potential to be used for, agricultural purposes which has been placed in the control of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure, and has been vacant for a period of not less than three years. Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall be deposited in the fund. Any unexpended balance in the fund at the end of any appropriation period shall not be transferred to the general revenue fund and, accordingly, shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer.

644.645. 1. The owner or operator of each class IA concentrated animal feeding operation utilizing a liquified animal waste handling facility shall remit to the department of natural resources a fee of ten cents per animal unit permitted to be deposited in the fund. The fee is due and payable to the department on the first anniversary of issuance of each owner or operator permit to operate such a facility and for nine years thereafter on the same date. The department of natural resources shall provide forms which such owner or operator shall use to file and pay this fee.

2. The fund shall be administered by the department for the purpose of carrying out the provisions of sections 644.600 to 644.655, relating to closure of class IA, class IB, class IC and class II concentrated animal feeding operation wastewater lagoons.

3. The fund administrators may only expend moneys for animal waste lagoon closure activities on real property which:

(1) Has been placed in the control of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure, and pose a threat to human health, the environment, or a threat to groundwater; and

(2) The state, county, or municipal government, or an agency thereof, has made reasonable and prudent efforts to sell said property to a qualifying purchaser.

4. The fund administrators shall expend no more than one hundred thousand dollars per lagoon for animal waste lagoon closure activities. The fund administrators shall only expend those moneys necessary to achieve a minimum level of closure and still protect human health and the environment. Closure activities shall include lagoon dewatering and removal of animal waste sludge, if any, both of which shall be land applied at a nutrient management application rate designed to minimize phosphorus and nitrogen transport from fields to surface waters in compliance with the technical standards for nutrient management established by the director or otherwise used or disposed of in a manner approved by the director. After dewatering, lagoons which are located in a drainage basin and are capable of meeting all applicable pond requirements of the Natural Resources Conservation Service (NRCS) with minimal additional expense should be maintained as a pond. Otherwise, the lagoon berms should be breached and graded in such a manner to reasonably conform to the surrounding land contours.

644.647. In the event the department determines that a class IA, class IB, class IC or class II concentrated animal feeding operation has been successfully closed by the owner or operator, all moneys paid by such operation into the concentrated animal feeding operation indemnity fund shall be returned to such operation.

644.650. The department shall conduct at least one on-site inspection of each facility quarterly.

644.655. 1. No rule or portion of a rule promulgated under the authority of sections 644.600 to 644.655 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

2. Sections 644.600 to 644.655 shall be administered by the clean water commission pursuant to the provisions and requirements of this chapter.

3. The provisions of sections 644.600 to 644.655 shall not be construed to apply to any livestock market.

644.657. The provisions of this act shall not be construed to apply to any livestock market."; and

Further amend said bill, Page 44, Section 1, Line 15 of said page, by inserting after all of said line the following:

"[640.700. Sections 640.700, 640.725, 640.730, 640.735 and 640.750 shall only apply to class IA facilities as defined by the department rules in effect as of January 30, 1996, which use a flush system.]

[640.703. For the purposes of sections 640.700 to 640.755, the following terms mean:

(1) "Animal units", shall be defined by rules of the department in effect as of January 30, 1996;

(2) "Animal waste wet handling facility", includes all gravity outfall lines, recycle pump stations, recycle force mains and appurtenances;

(3) "Class IA", any concentrated animal feeding operation with a capacity of seven thousand animal units or more;

(4) "Class IB", any concentrated animal feeding operation with a capacity between three thousand animal units and six thousand nine hundred and ninety-nine animal units inclusive;

(5) "Class IC", any concentrated animal feeding operation with a capacity between one thousand animal units and two thousand nine hundred and ninety-nine animal units inclusive;

(6) "Class II", any concentrated animal feeding operation with a capacity of at least three hundred animal units, but less than one thousand animal units;

(7) "Department", the department of natural resources;

(8) "Facility", any class IA concentrated animal feeding operation which uses a flush system;

(9) "Flush system", a system of moving or removing manure utilizing liquid as the primary agent as opposed to a primarily mechanical or automatic device;

(10) "Sensitive areas", areas in the watershed located within five miles upstream of any stream or river drinking water intake structure, other than those intake structures on the Missouri and Mississippi rivers.]

[640.710. 1. The department shall promulgate rules regulating the establishment, permitting, design, construction, operation and management of class I facilities. The department shall have the authority and jurisdiction to regulate the establishment, permitting, design, construction, operation and management of any class I facility. Such rules may require monitoring wells on a site-specific basis when, in the determination of the division of geology and land survey, class IA concentrated animal feeding operation lagoons are located in hydrologically sensitive areas where the quality of

groundwater may be compromised. Such rules and regulations shall be designed to afford a prudent degree of environmental protection while accommodating modern agricultural practices.

2. Except as provided in subsections 3 and 4 of this section, the department shall require at least but not more than the following buffer distances between the nearest confinement building or lagoon and any public building or occupied residence, except a residence which is owned by the concentrated animal feeding operation or a residence from which a written agreement for operation is obtained:

- (1) For concentrated animal feeding operations with at least one thousand animal units, one thousand feet;
- (2) For concentrated animal feeding operations with between three thousand and six thousand nine hundred ninety-nine animal units inclusive, two thousand feet; and
- (3) For concentrated animal feeding operations of seven thousand or more animal units, three thousand feet.

3. All concentrated animal feeding operations in existence as of June 25, 1996, shall be exempt from the buffer distances prescribed in subsection 2 of this section. Such distances shall not apply to concentrated animal feeding operations which have received a written agreement which has been signed by all affected property owners within the buffer distance.

4. The department may, upon review of the information contained in the site plan including, but not limited to, the prevailing winds, topography and other local environmental factors, authorize a distance which is less than the distance prescribed in subsection 2 of this section. The department's recommendation shall be sent to the governing body of the county in which such site is proposed. The department's authorized buffer distance shall become effective unless the county governing body rejects the department's recommendation by a majority vote at the next meeting of the governing body after the recommendation is received.

5. Nothing in this section shall be construed as restricting local controls.]

[640.715. 1. Prior to filing an application to acquire a construction permit from the department, the owner or operator of any class IA, class IB, or class IC concentrated animal feeding operation shall provide the following information to the department, to the county governing body and to all adjoining property owners of property located within one and one-half times the buffer distance as specified in subsection 2 of section 640.710 for the size of the proposed facility:

- (1) The number of animals anticipated at such facility;
- (2) The waste handling plan and general layout of the facility;
- (3) The location and number of acres of such facility;
- (4) Name, address, telephone number and registered agent for further information as it relates to subdivisions (1) to (3) of this subsection;
- (5) Notice that the department will accept written comments from the public for a period of thirty days; and
- (6) The address of the regional or state office of the department.

The department shall require proof of such notification upon accepting an application for a construction permit. The department shall accept written comments from the public for thirty days after receipt of application for construction permit.

2. The department shall not issue a permit to a facility described in subsection 1 of this section to engage in any activity regulated by the department unless the applicant is in compliance with sections 640.700 to 640.755.

3. The department shall issue a permit or respond with a letter of comment to the owner or operator of such facility within forty-five days of receiving a completed permit application and verification of compliance with subsection 1 of this section.]

[640.725. 1. The owner or operator of any flush system animal waste wet handling facility shall employ one or more persons who shall visually inspect the animal waste wet handling facility and lagoons for unauthorized discharge and structural integrity at least every twelve hours with a deviation of not to exceed three hours. The owner or operator of the facility shall keep records of each inspection. Such records shall be retained for three years. The department shall provide or approve a form provided by the owner or operator for each facility for such inspections.

2. All new construction permits for flush system animal waste wet handling facilities shall have an electronic or mechanical shutoff of the system in the event of pipe stoppage. As of July 1, 1997, all existing flush system animal waste wet handling facilities shall have, at a minimum, an electronic or mechanical shutoff of the system in the event of pipe stoppage or backflow.]

[640.730. 1. The owner or operator of every facility, with a flush system animal waste wet handling facility that poses a risk as determined by the department to any public drinking water supply or any aquatic life, or lies within a drainage basin and is within three hundred feet of any adjacent landowner, shall have a failsafe containment structure or earthen dam that will contain, in the event of an unauthorized discharge, a minimum volume equal to the maximum

capacity of flushing in any twenty-four hour period from all gravity outfall lines, recycle pump station and recycle force mains.

2. Construction of such structure or dam, as provided in subsection 1 of this section, shall commence within ninety days of June 25, 1996.]

[640.735. Within twenty-four hours, any unauthorized discharge by a flush system animal waste wet handling facility that has crossed the property line of the facility or any unauthorized discharge by a flush system animal waste wet handling facility of which the failsafe containment structure or earthen dam has failed to contain and has crossed the property line of the facility, or enters waters of the state shall be reported to the department and to all adjoining property owners of the facility as listed on the site-specific permit.]

[640.740. There is hereby established in the state treasury the "Concentrated Animal Feeding Operation Indemnity Fund", to be known as the "fund" for the purposes of sections 640.740 to 640.747. All fees or other moneys payable pursuant to the provisions of section 640.745 or other moneys received including gifts, grants, appropriations, and bequests from federal, private or other sources made for the purpose of the provisions of this act shall be payable to and collected by the director of the department of natural resources and deposited in this fund. The money in this fund, upon appropriation, shall be expended to close class IA, class IB, class IC and class II concentrated animal feeding operations as defined in the department's rules, that have been placed in the control of the government due to bankruptcy or failure to pay property taxes, or if the class IA, class IB, class IC or class II concentrated animal feeding operation is abandoned property. "Abandoned property", for the purposes of this section, means real property previously used for, or which has the potential to be used for, agricultural purposes which has been placed in the control of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure, and has been vacant for a period of not less than three years. Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall be deposited in the fund. Any unexpended balance in the fund at the end of any appropriation period shall not be transferred to the general revenue fund and, accordingly, shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer.]

[640.745. 1. The owner or operator of each class IA concentrated animal feeding operation utilizing flush systems shall remit to the department of natural resources a fee of ten cents per animal unit permitted to be deposited in the fund. The fee is due and payable to the department on the first anniversary of issuance of each owner or operator permit to operate such a facility and for nine years thereafter on the same date. The department of natural resources shall provide forms which such owner or operator shall use to file and pay this fee.

2. The fund shall be administered by the department for the purpose of carrying out the provisions of sections 640.700 to 640.755, relating to closure of class IA, class IB, class IC and class II concentrated animal feeding operation wastewater lagoons.

3. The fund administrators may only expend moneys for animal waste lagoon closure activities on real property which:

(1) Has been placed in the control of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure, and pose a threat to human health, the environment, or a threat to groundwater; and

(2) The state, county, or municipal government, or an agency thereof, has made reasonable and prudent efforts to sell said property to a qualifying purchaser.

4. The fund administrators shall expend no more than one hundred thousand dollars per lagoon for animal waste lagoon closure activities. The fund administrators shall only expend those moneys necessary to achieve a minimum level of closure and still protect human health and the environment. Closure activities shall include lagoon dewatering and removal of animal waste sludge, if any, both of which shall be land applied at a nutrient management application rate based on the most limiting nutrient as determined by Missouri clean water commission regulation. After dewatering, lagoons which are located in a drainage basin and are capable of meeting all applicable pond requirements of the Natural Resources Conservation Service (NRCS) with minimal additional expense should be maintained as a pond. Otherwise, the lagoon berms should be breached and graded in such a manner to reasonably conform to the surrounding land contours.]

[640.747. In the event the department determines that a class IA, class IB, class IC or class II concentrated animal feeding operation has been successfully closed by the owner or operator, all moneys paid by such operation into the concentrated animal feeding operation indemnity fund shall be returned to such operation.]

[640.750. The department shall conduct at least one on-site inspection of each facility quarterly.]

[640.755. 1. No rule or portion of a rule promulgated under the authority of sections 640.700 to 640.755 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

2. Sections 640.700 to 640.755 shall be administered by the clean water commission pursuant to the provisions and requirements of chapter 644, RSMo.]

[640.758. The provisions of this act shall not be construed to apply to any livestock market.]" ; and

Further amend the title and enacting clause accordingly.

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 **SCS HS HCS HB 455**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance coverage for prostheses and scalp hair prostheses.

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 SB 39, as amended**, 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 refuses to recede from its position on **SS HB 198, 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 Nodler, Bartle, Shields, Caskey and Mathewson.

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 SCS HS HCS HB 517, 94, 149, 150 & 342, 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 Gross, Yeckel, Loudon, Goode and Bray.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 640**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **CCS SS HS HCS HBs 679 & 396, as amended**, and requests the House grant the Senate further conference thereon and that the conferees be allowed to exceed the differences on Section 210.201.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 11, as amended**, 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 adopted the Conference Committee Report on **HS HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420, as amended**, and has taken up and passed **CCS HS HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420, as amended**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 469, as amended**, 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 refuses to recede from its position on **SS SCS HB 327, 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 Dolan, Steelman, Gross, Stoll and Mathewson.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 688**, entitled:

An act to amend chapter 196, RSMo, by adding thereto eleven new sections relating to the life sciences research trust fund.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 688, Page 1, Section 196.1100, Line 10, by inserting after "196.1130" the following:

"without a majority vote in each house of the general assembly".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 688, Page 3, Section 196.1106, Line 30, by inserting immediately after the word "institutions" the following:

", agricultural research centers dedicated to the development of plant-made pharmaceuticals,".

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 688, Page 12, Section 196.1130, Line 3, by inserting after all of said line the following:

"Section 1. Any bank account, included but not limited to the Life Sciences Research Trust Fund created pursuant to Section 196.1100, RSMo, with an average daily balance of ten thousand dollars or more containing state funds, shall be obtained through an open and competitive bid process."; and

Further amend the title and enacting clause accordingly.

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 President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SB 173, as amended**: Senators Quick, Champion, Shields, Childers and Wheeler.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SBs 361, 103, 156 & 329, as amended**, and requests that the House to recede from its position and failing to do so grant the Senate a conference thereon, and further, that the conferees be allowed to exceed the differences by adding a provision to allow a vote on the expansion of a sewer district and to provide notice to the owners of that expansion.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 346** and has taken up and passed **HCS SS SCS SB 346**.

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 **HS SS#2 SB 695, as amended**: Senators Goode, Russell, Gross, Shields and Dougherty.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HB 327, as amended, relating to eminent domain, was taken up by Representative Lipke.

Representative Lipke moved that the House refuse to adopt **SS SCS HB 327, 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.

BILLS CARRYING REQUEST MESSAGES

HS SS#2 SB 695, as amended, relating to the funding of Medicaid services, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to recede from its position on **HS SS#2 SB 695, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 39, as amended, relating to the creation of the “Missouri Sheriff Methamphetamine Relief Team”, was taken up by Representative Mayer.

Representative Mayer moved that the House refuse to recede from its position on **HCS SB 39, as amended**, and grant the Senate a conference.

Representative Bringer made a substitute motion that the House refuse to recede from its position on **HCS SB 39, as amended**, grant the Senate a conference and allow the conferees to exceed the differences by closing the loophole that allows persistent drug offenders who are convicted of selling methamphetamine or other controlled substances near a school or public housing to be eligible for parole.

Which motion was adopted by the following vote:

AYES: 154

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	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	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lembke	LeVota	Liese	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Merideth	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Holand	Sander
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PRESENT: 000

ABSENT WITH LEAVE: 007

Bruns	Goodman	Lawson	Lipke	Miller
Thompson	Wasson			

HOUSE BILL WITH SENATE AMENDMENT

SS HCS HB 138, relating to corrections officers certification, was taken up by Representative Crawford.

Representative Crawford moved that the House refuse to adopt **SS HCS HB 138** and request the Senate to take up and pass the **HCS HB 138**.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

SS HCS HB 73, relating to a higher education savings program, was taken up by Representative Luetkemeyer.

Representative Luetkemeyer moved that the House refuse to adopt **SS HCS HB 73** and request the Senate to take up and pass **HCS HB 73**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS HB 198: Representatives Stevenson, Lipke, Mayer, Jolly and Carnahan

SS SCS HS HCS HBs 517, 94, 149, 150 & 342: Representatives Portwood, Lembke, Deeken, Hilgemann and Abel

HCS SB 39: Representatives Mayer, Hobbs, Goodman, Kelly (36) and Bringer

HS SS#2 SB 695: Representatives Bearden, Lager, Purgason, Campbell and Page

BILLS CARRYING REQUEST MESSAGES

CCR SS HS HCS HBs 679 & 396, as amended, relating to foster care, was taken up by Representative Stevenson.

Representative Stevenson moved that the House grant the Senate a further conference on **CCR SS HS HCS HBs 679 & 396, as amended**, and House conferees be allowed to exceed the differences on Section 210.201 only.

Which motion was adopted.

HS HCS SCS SB 11, as amended, relating to taxation, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HS HCS SCS SB 11, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SB 469, as amended, relating to court procedures, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to recede from its position on **HS HCS SB 469, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HCS SCS SB 11: Representatives Shoemaker (8), Sutherland, Rupp, Page and Willoughby

HS HCS SB 469: Representatives Byrd, Pratt, Stevenson, Kratky and Johnson (90)

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 **SCS HB 445**, entitled:

An act to repeal sections 210.115, 210.937, and 352.400, RSMo, and to enact in lieu thereof three new sections relating to child protection.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 445, Page 3, Section 210.937, Lines 1-2, by striking all of said section from the bill; and

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

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 President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 11, as amended**: Senators Kinder, Vogel, Bartle, Stoll and Coleman.

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 **HS HCS SB 469, as amended**: Senators Bartle, Caskey, Coleman, Yeckel and Nodler.

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 39, as amended**: Senators Cauthorn, Yeckel, Dolan, Wheeler and Mathewson.

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 HCS HB 121**, entitled:

An act to repeal sections 354.085, 354.405, and 354.603, RSMo, and to enact in lieu thereof five new sections relating to managed care chiropractic services.

With Senate Amendment No. 4.

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 121, Page 12, Section 376.1231, Line 27, by inserting after all of said line the following:

“430.225. 1. As used in sections 430.225 to 430.250, the following terms shall mean:

(1) “Claim”, a claim of a patient for:

(a) Damages from a tort-feasor; or

(b) Benefits from an insurance carrier;

(2) “Clinic”, a group practice of health practitioners or a sole practice of a health practitioner who has incorporated his or her practice;

(3) “Health practitioner”, a chiropractor licensed pursuant to chapter 331, RSMo, a podiatrist licensed pursuant to chapter 330, RSMo, a dentist licensed pursuant to chapter 332, RSMo, a physician or surgeon licensed pursuant to chapter 334, RSMo, or an optometrist licensed pursuant to chapter 336, RSMo, while acting within the scope of their practice;

(4) “Insurance carrier”, any person, firm, corporation, association or aggregation of persons conducting an insurance business pursuant to chapter 375, 376, 377, 378, 379, 380, 381, or 383, RSMo;

(5) “Other institution”, a legal entity existing pursuant to the laws of this state which delivers treatment, care or maintenance to patients who are sick or injured;

(6) “Patient”, any person to whom a health practitioner, hospital, clinic or other institution delivers treatment, care or maintenance for sickness or injury caused by a tort-feasor from whom such person seeks damages or any insurance carrier which has insured such tort-feasor.

2. Clinics, health practitioners and other institutions, as defined in this section shall have the same rights granted to hospitals in sections 430.230 to 430.250.

3. If the liens of such health practitioners, hospitals, clinics or other institutions exceed fifty percent of the amount due the patient, every health care practitioner, hospital, clinic or other institution giving notice of its lien, as aforesaid, shall share in up to fifty percent of the net proceeds due the patient, in the proportion that each claim bears to the total amount of all other liens of health care practitioners, hospitals, clinics or other institutions. “Net proceeds”, as used in this section, means the amount remaining after the payment of contractual attorney fees, if any, and other expenses of recovery.

4. In administering the lien of the health care provider, the insurance carrier may pay the amount due secured by the lien of the health care provider directly, if the claimant authorizes it and does not challenge the amount of the customary charges or that the treatment provided was for injuries cause by the tort-feasor.

5. Any health care provider electing to receive benefits hereunder releases the claimant from further liability on the cost of the services and treatment provided to that point in time.

[430.225. 1. As used in sections 430.225 to 430.250, the following terms shall mean:

(1) "Claim", a claim of a patient for:

(a) Damages from a tort-feasor; or

(b) Benefits from an insurance carrier;

(2) "Clinic", a group practice of health practitioners or a sole practice of a health practitioner who has incorporated his or her practice;

(3) "Health practitioner", a chiropractor licensed pursuant to chapter 331, RSMo, a podiatrist licensed pursuant to chapter 330, RSMo, a dentist licensed pursuant to chapter 332, RSMo, a physician or surgeon licensed pursuant to chapter 334, RSMo, or an optometrist licensed pursuant to chapter 336, RSMo, while acting within the scope of their practice;

(4) "Insurance carrier", any person, firm, corporation, association or aggregation of persons conducting an insurance business pursuant to chapter 375, 376, 377, 378, 379, 380, 381 or 383, RSMo;

(5) "Other institution", a legal entity existing pursuant to the laws of this state which delivers treatment, care or maintenance to patients who are sick or injured;

(6) "Patient", any person to whom a health practitioner, hospital, clinic or other institution delivers treatment, care or maintenance for sickness or injury caused by a tort-feasor from whom such person seeks damages or any insurance carrier which has insured such tort-feasor.

2. Clinics, health practitioners and other institutions, as defined in this section shall have the same rights granted to hospitals in sections 430.230 to 430.250.

3. If the liens of such health practitioners, hospitals, clinics or other institutions exceed fifty percent of the amount due the patient, every health care practitioner, hospital, clinic or other institution giving notice of its lien, as aforesaid, shall share in up to fifty percent of the net proceeds due the patient, in the proportion that each claim bears to the total amount of all other liens of health care practitioners, hospitals, clinics or other institutions. "Net proceeds", as used in this section, means the amount remaining after the payment of contractual attorney fees, if any, and other expenses of recovery.

4. In administering the lien of the health care provider, the insurance carrier may pay the amount due secured by the lien of the health care provider directly, if the claimant authorizes it and does not challenge the amount of the customary charges or that the treatment provided was for injuries cause by the tort-feasor.

5. Any health care provider electing to receive benefits hereunder releases the claimant from further liability on the cost of the services and treatment provided to that point in time.]; and

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

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 conferees on **HCS SB 39, as amended**, are allowed to exceed the differences by closing the loophole that allows persistent drug offenders who are convicted of selling methamphetamine or other controlled substances near a school or a public housing to be eligible for parole.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 675, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

SS SCS HB 286, as amended, relating to federal hospital reimbursment, was taken up by Representative Bearden.

Representative Bearden offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 286, Page 2, Section 208.478, Line 9, by deleting the numeral “70-10.010” and inserting in lieu thereof the following: “70-15.010”.

On motion of Representative Bearden, **House Perfecting Amendment No. 1** was adopted by the following vote:

AYES: 159

Abel	Adams	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
Decken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 002

Haywood Whorton

ABSENT WITH LEAVE: 002

Jackson Miller

On motion of Representative Bearden, **SS SCS HB 286, as amended**, was adopted by the following vote:

AYES: 157

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 005

Cooper 155	Icet	King	Miller	Willoughby
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On motion of Representative Bearden, **SS SCS HB 286, as amended**, was read the third time and passed by the following vote:

AYES: 156

Abel	Adams	Angst	Avery	Baker
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	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Moore
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schneider	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	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 003

Henke	Merideth	Whorton
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ABSENT WITH LEAVE: 004

Barnitz	Miller	Morris	Schlottach
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Abel	Adams	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	Goodman
Graham	Green	Guest	Hampton	Harris 110

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Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Walker

PRESENT: 002

Merideth Whorton

ABSENT WITH LEAVE: 003

Miller Wasson Wilson 25

SENATE CONCURRENT RESOLUTION

SS SCR 7, relating to establishing a Joint Interim Committee on Judicial Resources, was taken up by Representative Byrd.

On motion of Representative Byrd, **SS SCR 7** was adopted by the following vote:

AYES: 144

Abel	Adams	Angst	Avery	Baker
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144

Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walton
Ward	Wasson	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 015

Barnitz	Campbell	Corcoran	Darrough	Daus
Green	Henke	Lowe	Sager	Selby
Vogt	Walker	Walsh	Wildberger	Wilson 25

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 003

Carnahan	Merideth	Miller
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BILL IN CONFERENCE

CCR SS SCS HS HB 668, as amended, relating to transportation accountability, was taken up by Representative Crawford.

On motion of Representative Crawford, **CCR SS SCS HS HB 668, as amended**, was adopted by the following vote:

AYES: 153

Abel	Adams	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	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager

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

NOES: 006

Donnelly	Henke	Kratky	Walker	Wildberger
Wilson 25				

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 003

Darrough	Miller	Wright
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On motion of Representative Crawford, **CCS SS SCS HS HB 668** was read the third time and passed by the following vote:

AYES: 154

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	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	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider

Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

Henke Walker Wildberger

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 005

Carnahan Darrough Lembke Miller Wright

Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 38, relating to biotechnology, was taken up by Representative Hobbs.

Representative Hobbs offered **HS HCS SCS SB 38**.

Speaker Pro Tem Jetton resumed the Chair.

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

Representative Yates raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 2 was withdrawn.

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

Representative Yates raised a point of order that **House Amendment No. 3** goes beyond the scope of the House Substitute.

The Chair ruled the point of order well taken.

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 38, Page 18, Section 196.1130, Line 22, by inserting after all of said line the following:

"565.305. 1. As used in this section, the following terms and phrases shall mean:

(1) "Clone a human being" or "cloning a human being", the creation of a human being by any means other than by the fertilization of an oocyte of a human female by a sperm of a human male;

(2) "Cloned human being", a human being created by human cloning;

(3) "Public employee", any person employed by the state of Missouri or any agency or political subdivision thereof;

(4) "Public facilities", any public institution, public facility, public equipment, or any physical asset owned, leased, or controlled by the state of Missouri or any agency or political subdivision thereof;

(5) "Public funds", any funds received or controlled by the state of Missouri or any agency or political subdivision thereof, including, but not limited to, funds derived from federal, state, or local taxes, gifts, or grants from any source, public or private, federal grants or payments, or intergovernmental transfers.

2. No person shall knowingly clone a human being or participate in cloning a human being.

3. No person shall knowingly use public funds to clone a human being or attempt to clone a human being.

4. No person shall knowingly use public facilities to clone a human being or attempt to clone a human being.

5. No public employee shall knowingly allow any person to clone a human being or attempt to clone a human being while making use of public funds or public facilities.

6. Any person who violates the provisions of subsections 2 to 5 of this section is guilty of a class B felony.

7. The laws of this state shall be interpreted and construed to acknowledge on behalf of a cloned human being at every stage of development, all the rights, privileges, and immunities available to other persons, citizens, and residents of this state, subject only to the Constitution of the United States and decisional interpretations thereof by the United States Supreme Court and specific provisions to the contrary in the statutes and constitution of this state."; and

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

Representative Sager raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order not well taken.

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

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

On motion of Representative Lembke, **House Amendment No. 4** was adopted by the following vote:

AYES: 157

Abel	Adams	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	Goodman	Graham
Green	Guest	Hampton	Harris 110	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

Campbell Lowe Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 003

Harris 23 Miller Wilson 130

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 38, Page 1, Section 196.1100, Line 17, by deleting the words “**state treasurer**” and inserting in lieu thereof the following:

“**office of administration**”; and

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

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

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 38, Page 12, Section 196.1121, Line 23, by inserting after the word “**policy.**” the following: “**State of Missouri and**”; and

Further amend said page, Line 24, by inserting after the word “**awards**” the following: “, **through negotiations between the parties,**”.

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

On motion of Representative Hobbs, **HS HCS SCS SB 38, as amended**, was adopted.

On motion of Representative Hobbs, **HS HCS SCS SB 38, as amended**, was read the third time and passed by the following vote:

AYES: 156

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Iceet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meiners	Merideth	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 006

Carnahan	Dougherty	Fares	Hampton	Marsh
Miller				

Speaker Pro Tem Jetton declared the bill passed.

BILL IN CONFERENCE

CCR HS HCS SCS SB 199, as amended, relating to county government, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **CCR HS HCS SCS SB 199, as amended**, was adopted by the following vote:

AYES: 156

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	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	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 006

Carnahan	Kelly 144	Lawson	Miller	Quinn
Shoemyer				

On motion of Representative Johnson (47), **CCS HS HCS SCS SB 199** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Merideth	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
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	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 002

Carnahan Miller

Speaker Pro Tem Jetton declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HB 208, as amended, relating to consumer-owned electric corporations, was taken up by Representative Engler.

On motion of Representative Engler, **SS SCS HB 208, as amended**, was adopted by the following vote:

AYES: 148

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yates
Young	Zweifel	Madam Speaker		

NOES: 009

Brooks	El-Amin	Hilgemann	Johnson 61	Johnson 90
Parker	Selby	Walker	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 006

Bearden	Cooper 120	Lawson	Merideth	Miller
Sutherland				

On motion of Representative Engler, **SS SCS HB 208, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer

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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
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 009

Brooks	El-Amin	Haywood	Hilgemann	Hubbard
Johnson 61	Johnson 90	Selby	Walker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bearden	Miller	Shoemaker	St. Onge
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	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	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand

Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

Selby	Walker	Wilson 25
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PRESENT: 001

Lowe

ABSENT WITH LEAVE: 002

Bearden	Miller
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Speaker Hanaway resumed the Chair.

THIRD READING OF SENATE BILL

SS SCS HB 598, as amended, relating to special license plates, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **SS SCS HB 598, as amended**, was adopted by the following vote:

AYES: 142

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Engler	Ervin	Fares	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47

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Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Merideth	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Madam Speaker			

NOES: 017

Bishop	Brooks	Corcoran	Daus	Davis 122
Donnelly	Emery	Fraser	Haywood	Holand
Hoskins	Lowe	Phillips	Sander	Walker
Wilson 25	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Bivins	Campbell	Miller	Shoemaker
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Representative Riback Wilson (25) moved that **SS SCS HB 598, as amended**, be referred to the Committee on Budget for fiscal review.

Which motion was defeated.

On motion of Representative Schlottach, **SS SCS HB 598, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 129

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bivins
Black	Bland	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Cooper 120	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Engler	Ervin
Fares	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hubbard
Hunter	Iceter	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	Meiners

Moore	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Portwood	Pratt
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Vogt	Wagner	Wallace	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Madam Speaker	

NOES: 024

Bishop	Bough	Campbell	Corcoran	Daus
Davis 122	Donnelly	Emery	Fraser	George
Goodman	Holand	Hoskins	Jones	Lowe
Morris	Phillips	Sander	Spreng	Villa
Walker	Walsh	Wilson 25	Zweifel	

PRESENT: 002

Brooks Merideth

ABSENT WITH LEAVE: 008

Carnahan	Cooper 155	Haywood	Hobbs	McKenna
Miller	Purgason	Smith 118		

Speaker Hanaway declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS SCS HB 327: Representatives Lipke, Schlottach, Crawford, Green and Daus

SS HS HCS HBs 679 & 396: Representatives Hanaway, Wright, Stevenson, Wilson (42) and Fraser

BILL IN CONFERENCE

SS HS HCS HBs 679 & 396, as amended, relating to foster care, was taken up by Representative Stevenson.

Representative Stevenson moved that the House grant the Senate a further conference and the House conferees be allowed to exceed the differences by allowing them to add in Section 43.540(5)(3)(2), after word “provider”, the words “if a national criminal record review is requested”.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 688, as amended, relating to the Life Sciences Trust Fund, was taken up by Representative Hanaway.

Representative Hanaway moved that the House refuse to adopt **SCS HCS HB 688, 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.

SS SCS HS HCS HB 121, as amended, relating to insurance coverage for chiropractic care, was taken up by Representative Portwood.

On motion of Representative Portwood, **SS SCS HS HCS HB 121, as amended**, was adopted by the following vote:

AYES: 159

Abel	Adams	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	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Iceet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Merideth
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Donnelly

ABSENT WITH LEAVE: 003

Crowell

Miller

Walton

On motion of Representative Portwood, **SS SCS HS HCS HB 121, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	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	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	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	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 003

Bearden

Lembke

Miller

Speaker Hanaway declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 675, as amended, relating to special funds, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HCS SCS SB 675, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS SS SCS SBs 361, 103, 156 & 329, as amended, relating to waste management, was taken up by Representative Townley.

Representative Townley moved that the House refuse to recede from its position on **HS SS SCS SBs 361, 103, 156 & 329, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences by adding a provision to allow a vote on the expansion of a sewer district and to provide notice to the owners of that expansion.

Which motion was adopted.

HS HCS SCS SB 38, as amended, relating to biotechnology, was taken up by Representative Hobbs.

Representative Hobbs moved that the House refuse to recede from its position on **HS HCS SCS SB 38, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HCS SCS SB 675: Representatives Cooper (120), Icet, Goodman, Hilgemann and Zweifel
HS SS SCS SBs 361, 103, 156 & 329: Representatives Townley, Guest, Schlottach, McKenna and Wagner

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SS HCS HB 138, as amended**, and has taken up and passed **HCS HB 138**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SS HS HCS HBs 679 & 396, as amended**, are allowed to exceed the

differences in Section 43.540, subsection 3, subdivision (2) by adding after the word “provider”, “if a national criminal record review is requested”.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 38, as amended**, and requests the House to recede from its position and take up and pass **SCS SB 38**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 39, as amended**, and has taken up and passed **CCS HCS SB 39**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS#2 SS SCS SB 2, as amended**, 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 President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 675, as amended**: Senators Gross, Goode, Russell, Dougherty and Shields.

THIRD READING OF SENATE BILL

SS SB 219, relating to veterans recognition, was taken up by Representative Smith (14).

Representative Pratt moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brooks
Brown	Bruns	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lipke	Luetkemeyer	Marsh	May	Mayer
Moore	Morris	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	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				

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NOES: 070

Adams	Barnitz	Bishop	Bland	Boykins
Bringer	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
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	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Byrd	Cooper 120	Lembke	Miller
Munzlinger	Wildberger			

On motion of Representative Smith (14), **SS SB 219** was truly agreed to and finally passed by the following vote:

AYES: 152

Adams	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	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Merideth	Moore	Morris	Muckler	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	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	Willoughby

Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 010

Abel	Donnelly	Jackson	Johnson 90	King
Miller	Munzlinger	Salva	Schaaf	Self

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Adams	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	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 008

Abel	Donnelly	Miller	Munzlinger	Ruestman
Salva	Townley	Willoughby		

BILL CARRYING REQUEST MESSAGE

HS SS#2 SS SCS SB 2, as amended, relating to disqualification for unemployment compensation, was taken up by Representative Smith (118).

Representative Smith (118) moved that the House recede from its position on **HS SS#2 SS SCS SB 2, as amended**, and truly agree to and finally pass the bill.

Which motion was adopted by the following vote:

AYES: 087

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

NOES: 070

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meiners	Merideth
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Ward	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 002

Seigfreid Whorton

ABSENT WITH LEAVE: 004

Cooper 120 Miller Munzlinger Wallace

On motion of Representative Smith (118), **SS#2 SS SCS SB 2** was truly agreed to and finally passed by the following vote:

AYES: 087

Angst	Avery	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	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	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: 071

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meiners	Merideth
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Selby	Skaggs	Spreng	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 004

Miller Munzlinger Shoemaker Shoemyer

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Angst	Avery	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	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wilson 25	Wood
Wright	Yates	Madam Speaker		

NOES: 066

Adams	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meiners
Merideth	Muckler	Page	Ransdall	Sager
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 002

Seigfreid St. Onge

ABSENT WITH LEAVE: 007

Abel	Hilgemann	Lawson	Lipke	Miller
Munzlinger	Salva			

HOUSE BILL WITH SENATE AMENDMENT

SCS HS HCS HB 455, relating to health insurance coverage, was taken up by Representative Thompson.

On motion of Representative Thompson, **SCS HS HCS HB 455** was adopted by the following vote:

AYES: 143

Adams	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	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Engler	Ervin	Fares	Fraser
George	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hobbs
Holand	Hoskins	Hubbard	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lowe	Marsh	May	Mayer	McKenna
Meiners	Merideth	Moore	Muckler	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Young	Zweifel	Madam Speaker		

NOES: 007

Davis 19	Emery	Hunter	Icet	Morris
Rupp	Yates			

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Goodman	Hilgemann	Lawson	Lipke
Luetkemeyer	Miller	Munzlinger	Purgason	Salva
Shoemaker	Taylor	Townley		

On motion of Representative Thompson, **SCS HS HCS HB 455** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Adams	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	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
LeVota	Liese	Lowe	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Muckler	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Quinn
Ransdall	Reinhart	Richard	Roark	Ruestman
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

NOES: 008

Crawford	Hunter	Ice	Morris	Rector
Rupp	Viebrock	Yates		

PRESENT: 001

Dethrow

ABSENT WITH LEAVE: 009

Engler	Lembke	Lipke	Luetkemeyer	Miller
Munzlinger	Purgason	Salva	Shoemaker	

Speaker Hanaway declared the bill passed.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

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

SS HS HCS HBs 679 & 396: Representatives Hanaway, Stevenson, Wright, Fraser and Wilson (42)

APPOINTMENT OF CONFERENCE COMMITTEE

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

SCS HCS HB 688: Representatives Hanaway, Cooper (155), Dempsey, Graham and Skaggs

COMMITTEE REPORT

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **SCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR (May 15, 2003)

SENATE CONCURRENT RESOLUTION

SCR 21 - King (5-9-03, pages 1723-1724)

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SS HS HCS HB 679 & 396, as amended**: Senators Shields, Foster, Champion, Dougherty and Kennedy.

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 HB 198, as amended**: Senators Nodler, Bartle, Shields, Caskey and Kennedy.

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 HCS HB 688, 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 Kinder, Yeckel, Vogel, Wheeler and Coleman.

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 **HS SS SCS SBs 361, 103, 156 & 329, as amended**: Senators Steelman, Cauthorn, Clemens, Quick and Days.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 675, as amended**, and has taken up and passed **CCS HCS SCS SB 675**.

Emergency clause adopted.

MESSAGE FROM THE GOVERNOR

May 15, 2003

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 93** entitled:

"AN ACT"

To authorize the conveyance of property owned by the state in the county of Callaway to the city of Fulton, with an emergency clause.

On May 15, 2003, I approved said **House Committee Substitute for House Bill No. 93**.

Respectfully submitted,

/s/ Bob Holden
Governor

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 198

The Conference Committee appointed on Senate Substitute for House Bill No. 198, with Senate Amendment Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Senate Amendment No. 1 to Senate Amendment No. 13, Senate Amendment No. 13, as amended, and Senate Amendment Nos. 14, 15, 18, 19, 20, 21, 22, 24, 25, and 26, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 198, as amended;
2. That the House recede from its position on House Bill No. 198;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 198, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bryan Stevenson
/s/ Scott Lipke
/s/ Robert Mayer
/s/ Cathy Jolly
/s/ Russ Carnahan

FOR THE SENATE:

/s/ Matt Bartle
/s/ Charles Shields
/s/ Harold L. Caskey
/s/ Harry Kennedy

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 228**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 228;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Wayne Goode
/s/ Sen. James Mathewson
/s/ Sen. Matt Bartle
/s/ Sen. Charles Shields
/s/ Sen. Sarah Steelman

FOR THE HOUSE:

/s/ Rep. David Pearce
/s/ Rep. Dennis Wood
/s/ Rep. Carl Bearden
/s/ Rep. Chuck Graham
/s/ Rep. Gina Walsh

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 327**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 327, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, and 17, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 327, as amended;
2. That the House recede from its position on House Bill No. 327;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 327, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Jon Dolan
/s/ Sen. Sarah Steelman
/s/ Sen. Chuck Gross

FOR THE HOUSE:

/s/ Rep. Scott Lipke
/s/ Rep. Charles Schlottach
/s/ Rep. Larry Crawford
/s/ Rep. Tom Green
/s/ Rep. Mike Daus

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 412**

The Conference Committee appointed on Senate Substitute for House Bill No. 412, with Senate Amendment Nos. 2, 4, 6 as amended, 7 as amended, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 412, as amended;
2. That the House recede from its position on House Bill No. 412;

3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 412, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Doyle Childers
/s/ Sen. Michael R. Gibbons
/s/ Sen. Anita Yeckel
/s/ Sen. Rita Heard Days
/s/ Sen. James Mathewson

FOR THE HOUSE:

/s/ Rep. Jack A. L. Goodman
/s/ Rep. Brad Lager
/s/ Rep. Jason Crowell
/s/ Rep. James Seigfreid
/s/ Rep. Mark Abel

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE BILL NO. 470**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, with Senate Amendment Nos. 2 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, as amended;
2. That the House recede from its position on House Substitute for House Bill No. 470;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Matt Bartle
/s/ Sen. Anita Yeckel
/s/ Sen. Jon Dolan
/s/ Sen. Charles Wheeler
/s/ Sen. Harry Kennedy

FOR THE HOUSE:

/s/ Rep. Robert Mayer
/s/ Rep. Bryan P. Stevenson
/s/ Rep. Jack A. L. Goodman
/s/ Rep. Cathy Jolly
/s/ Rep. J.C. Kuessner

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 679 & 396

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 679 & 396, with Senate Amendment Nos. 3, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 679 & 396, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill Nos. 679 & 396;
3. That the attached Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 679 & 396, with Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields
/s/ Sen. Bill Foster
/s/ Sen. Norma Champion
/s/ Sen. Patrick Dougherty
/s/ Sen. Harry Kennedy

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway
/s/ Rep. Mark Wright
/s/ Rep. Bryan Stevenson
/s/ Rep. Yvonne Wilson
/s/ Rep. Barbara Fraser

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 679 & 396, Page 24, Section 43.540, Line 23 of said page, by inserting after the word "**provider**" and inserting in lieu thereof the following: "**if a national criminal record review is requested**"; and

Further amend said bill, Pages 105 and 106, Section 210.201, by deleting all of said section and inserting in lieu thereof the following:

"210.201. As used in sections 210.201 to 210.257, the following terms mean:

- (1) "Child", an individual who is under the age of seventeen;
- (2) "Child-care facility", a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment which provides child care as a convenience

for its customers or its employees for no more than four hours per day, but a child-care facility shall not include any private or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year-old children, a home school, as defined in section 167.031, RSMo, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization. **If a facility or program is exempt from licensure based on the school exception established in this subdivision, such facility or program shall submit documentation annually to the department to verify its licensure-exempt status; except that, under no circumstances shall any private or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year-old children, a home school, as defined in section 167.031, RSMo, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization be required to submit documentation annually to the department to verify its licensure-exempt status;**

(3) "Person", any person, firm, corporation, association, institution or other incorporated or unincorporated organization;

(4) "Religious organization", a church, synagogue or mosque; an entity that has or would qualify for federal tax-exempt status as a nonprofit religious organization under Section 501(c) of the Internal Revenue Code; or an entity whose real estate on which the child-care facility is located is exempt from taxation because it is used for religious purposes."; and

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

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 11**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, with House Amendment Nos. 1, 2, and 3, House Substitute Amendment No. 1 for House Amendment No. 4, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 11;
3. That the attached Conference Committee Substitute No. 2 for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Peter Kinder
/s/ Matt Bartle
/s/ Carl Vogel
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Christopher Shoemaker
/s/ Mike Sutherland
/s/ Scott Rupp
/s/ Sam Page
/s/ Philip Willoughby

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 39**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 39, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 39, as amended;
2. That the Senate recede from its position on Senate Bill No. 39;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 39, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Cauthorn
/s/ Anita Yeckel
/s/ John Dolan
/s/ Charles Wheeler
/s/ Jim Mathewson

FOR THE HOUSE:

/s/ Robert Mayer
/s/ Steve Hobbs
/s/ Jack A. L. Goodman
/s/ Gary Kelly
/s/ Rachel Bringer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 248, 100, 118, 233, 247, 341, & 420**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, with House Amendment Nos. 1, 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, as amended;
2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charles Gross
/s/ John T. Russell
/s/ Delbert Scott
/s/ Edward Quick
/s/ Wayne Goode

FOR THE HOUSE:

/s/ Todd Smith
/s/ Tom Dempsey
/s/ Scott Rupp
/s/ D. J. Davis
/s/ Esther Haywood

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 361, 103, 156 & 329**

The Conference Committee appointed on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329;

3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sarah Steelman
/s/ Dan Clemens
/s/ Rita Heard Days
/s/ Ed Quick

FOR THE HOUSE:

/s/ Merrill Townley
/s/ Jim Guest
/s/ Charles Schlottach
/s/ Ryan McKenna
/s/ Wes Wagner

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 469**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 469, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 469, as amended;

2. That the Senate recede from its position on Senate Bill No. 469;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 469, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Matt Bartle
/s/ Sen. Gary Nodler
/s/ Sen. Anita Yeckel
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Richard Byrd
/s/ Rep. Bryan Pratt
/s/ Rep. Bryan P. Stevenson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 675**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 675, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, 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 for Senate Bill No. 675, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 675;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 675, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Wayne Goode
/s/ John Russell
/s/ Patrick Dougherty
/s/ Charles Shields

FOR THE HOUSE:

/s/ Shannon Cooper
/s/ Allen Icet
/s/ Jack A. L. Goodman
/s/ Robert Hilgemann
/s/ Clint Zweifel

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 688**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 688, with Senate Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Amendment Nos. 1 and 3 to Senate Committee Substitute for House Committee Substitute for House Bill No. 688;

2. That the House recede from its position on Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 688;

3. That Senate Committee Substitute for House Committee Substitute for House Bill No. 688, with Senate Amendment No. 2, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Peter Kinder
/s/ Sen. Anita Yeckel
/s/ Sen. Carl Vogel
/s/ Sen. Charles Wheeler
/s/ Sen. Maida Coleman

FOR THE HOUSE:

/s/ Rep. Catherine L. Hanaway
/s/ Rep. Wayne Cooper
/s/ Rep. Tom Dempsey
/s/ Rep. Chuck Graham
/s/ Rep. Trent Skaggs

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 2
FOR
SENATE BILL NO. 695**

The Conference Committee appointed on House Substitute for Senate Substitute No. 2 for Senate Bill No. 695, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute No. 2 for Senate Bill No. 695, as amended;

2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Bill No. 695;

3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute No. 2 for Senate Bill No. 695, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wayne Goode
/s/ Chuck Gross
/s/ John Russell
/s/ Charlie Shields

FOR THE HOUSE:

/s/ Carl Bearden
/s/ Chuck Purgason
/s/ Sam Page
/s/ Brad Lager

ADJOURNMENT

On motion of Representative Crowell, the House stood at ease until 1:25 a.m., May 16, 2003, at which time the House adjourned until 9:00 a.m., Friday, May 16, 2003.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Chris Shoemaker, District 8, hereby state and affirm that my vote as recorded on Pages 1880, 1909, 1910, 1911, 1912, 1913 and 1914 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Chris Shoemaker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jerry King, District 125, hereby state and affirm that my vote as recorded on Pages 1880, 1886, and 1887, respectively of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye, aye, and no, respectively. 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 15th day of May 2003.

/s/ Jerry King
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicki Walker, District 50, hereby state and affirm that my vote as recorded on Page 1880 of the House Journal for Wednesday, May 14, 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 no. 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.

2095 *Journal of the House*

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2003.

/s/ Vicki Walker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1883 of the House Journal for Wednesday, May 14, 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 no. 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 15th day of May 2003.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Stephen S. Davis
Chief Clerk

I, State Representative Shannon Cooper, District 120, hereby state and affirm that my vote as recorded on Page 1884 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ Shannon Cooper
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Pages 1885, 1890 and 1891 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Jane Cunningham
State Representative

[illegible]

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1888 of the House Journal for Wednesday, May 14, 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 no. 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 15th day of May 2003.

/s/ Steve Hunter
State Representative

[illegible]

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Stephen S. Davis
Chief Clerk

I, State Representative J. C. Kuessner, District 152, hereby state and affirm that my vote as recorded on Page 1888 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ J. C. Kuessner
State Representative

[illegible]

2097 *Journal of the House*

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kevin Threlkeld, District 109, hereby state and affirm that my vote as recorded on Page 1888 of the House Journal for Wednesday, May 14, 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 no. 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 15th day of May 2003.

/s/ Kevin Threlkeld
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Ron Richard, District 129, hereby state and affirm that my vote as recorded on Page 1888 of the House Journal for Wednesday, May 14, 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 no. 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 15th day of May 2003.

/s/ Ron Richard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Maynard Wallace, District 143, hereby state and affirm that my vote as recorded on Pages 1888, 1890, 1891, 1895 and 1912 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Maynard Wallace
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Pages 1890 and 1891 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. 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 15th day of May 2003.

/s/ Russ Carnahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rod Jetton, District 156, hereby state and affirm that my vote as recorded on Pages 1890, 1891, 1911 and 1912 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Rod Jetton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on Pages 1890 and 1891 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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.

2099 *Journal of the House*

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2003.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Carl Bearden, District 16, hereby state and affirm that my vote as recorded on Pages 1891 and 1909 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Carl Bearden
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Marilyn Ruestman, District 131, hereby state and affirm that my vote as recorded on Pages 1891 and 1912 of the House Journal for Wednesday, May 14, 2003 showing that I voted absent with leave were 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 15th day of May 2003.

/s/ Marilyn Ruestman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2003.

Subscribed and sworn to before me this 15th day of May in the year 2003.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2003.

Subscribed and sworn to before me this 15th day of May in the year 2003.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2003.

[illegible]

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative David Pearce, District 121, hereby state and affirm that my vote as recorded on Page 1908 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ David Pearce
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kevin Threlkeld, District 109, hereby state and affirm that my vote as recorded on Page 1908 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ Kevin Threlkeld
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative D. J. Davis, District 122, hereby state and affirm that my vote as recorded on Page 1911 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ D. J. Davis
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1911 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Stephen S. Davis
Chief Clerk

I, State Representative J. C. Kuessner, District 152, hereby state and affirm that my vote as recorded on Page 1911 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ J. C. Kuessner
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Page 1912 of the House Journal for Wednesday, May 14, 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.

/s/ Mark Hampton
State Representative

/s/ Stephen S. Davis
Chief Clerk

/s/ Vicki Schneider
State Representative

/s/ Stephen S. Davis
Chief Clerk

/s/ Yvonne S. Wilson
State Representative

[illegible]

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Terry Young, District 49, hereby state and affirm that my vote as recorded on Page 1912 of the House Journal for Wednesday, May 14, 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 15th day of May 2003.

/s/ Terry Young
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

HOUSE CALENDAR

SEVENTY-THIRD DAY, FRIDAY, MAY 16, 2003

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 26 - Roark

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
- 18 HCS HB 583 - Smith (118)

HOUSE BILL FOR THIRD READING

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

SENATE BILL FOR SECOND READING

SCS SB 159

SENATE CONCURRENT RESOLUTION

SCR 21, (5-09-03, Pages 1723-1724) - King

SENATE BILL FOR THIRD READING - CONSENT

SB 214, HCA 1 - Byrd

SENATE BILLS FOR THIRD READING

- 1 SB 496 - Luetkemeyer
- 2 SS SB 34 - Pratt
- 3 SCS SB 620, E.C. - Dempsey
- 4 HCS SS#2 SCS SB 481 - Crawford
- 5 SS SS SCS SB 280 - Byrd
- 6 SCS SB 421 - Byrd
- 7 HCS SS SCS SB 5, E.C. - Mayer
- 8 SCS SB 427, HCA 1 - Luetkemeyer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HS HCS HB 257, as amended - Munzlinger
- 2 SCS HB 445, as amended - Portwood

BILLS CARRYING REQUEST MESSAGES

- 1 SS HCS HB 73, as amended, (request Senate to take up and pass bill) - Luetkemeyer
- 2 HCS SB 12, (request Senate take up and pass bill) - Byrd

BILLS IN CONFERENCE

- 1 CCR HS SCS SB 299 & 40, as amended - Bearden

- 2 CCR#2 HCS SB 552 - Byrd
- 3 CCR HCS SB 394, as amended - Byrd
- 4 CCR HCS SCS SB 379 - Wright
- 5 CCR#3 HCS SS SCS SB 36, as amended - Myers
- 6 HS HCS SCS SB 246, as amended - Rector
- 7 CCR HCS SB 186 - Munzlinger
- 8 HS HCS SB 173, as amended - Walton
- 9 CCR HS HCS SCS SB 686, as amended, E.C. - Cunningham (86)
- 10 CCR SS SCS HS HB 470, as amended - Mayer
- 11 CCR SS HB 412, as amended - Goodman
- 12 CCR HS HCS SS#2 SCS SB 248,100,118,233,247,341 & 420, as amended, E.C. - Smith (118)
- 13 CCR SCS HS HCS HB 228, as amended - Pearce
- 14 SS SCS HS HCS HB 517, 94, 149, 150 & 342, as amended, E.C. - Portwood
- 15 CCR SS HB 198, as amended - Stevenson
- 16 CCR HS SS#2 SB 695, as amended, E.C. - Bearden
- 17 CCR HCS SB 39, as amended - Mayer
- 18 CCR#2 SS HS HCS HB 679 & 396, as amended - Hanaway
- 19 CCR#2 HS HCS SCS SB 11, as amended - Sutherland
- 20 CCR HS HCS SB 469, as amended - Byrd
- 21 CCR SS SCS HB 327, as amended, E.C. - Lipke
- 22 CCR HCS SCS SB 675, as amended, E.C. - Cooper (120)
- 23 CCR HS SS SCS SB 361, 103, 156, & 329, as amended - Townley
- 24 HS HCS SCS SB 38 - Hobbs
- 25 CCR SCS HCS HB 688, as amended - Hanaway

HOUSE RESOLUTION

HR 887 - St. Onge