

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-NINTH DAY, MONDAY, MAY 7, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

You, LORD, are the one who sits on the earth's horizon; its inhabitants are like grasshoppers before You. You stretch out the sky like a thin curtain, and spread it out like a pitched tent. You humble rulers and make our own plans insignificant in light of world events.

We choose not be wise in our own estimation; but, instead, we revere You LORD and turn away from all malice. We pay close attention to Your wisdom; listening carefully for Your wise counsel.

We are thankful, to know, that You give strength to the weary; renewed energy to those who lack power. This knowledge allows us to face the impossibilities of this week and complete the tasks ahead.

Now may You, God of all hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

We ask these things in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

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

SPECIAL RECOGNITION

Amber Seyer, Miss Missouri, was introduced by Representative Brandom.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3154 through House Resolution No. 3248

THIRD READING OF SENATE BILL

SS#6 SCS SB 389, relating to higher education, was taken up by Representative Bearden.

Representative Cooper (120) assumed the Chair.

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

House Amendment No. 1

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Pages 16-23, Sections 173.355, 173.360, 173.385, 173.386, 173.392, 173.393 and 173.425, by deleting all of said sections.

Representative Zweifel moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kuessner	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Witte	Yaeger	Young	Zimmerman	Zweifel

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lampe	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Curls	Emery	Funderburk
Grisamore	Johnson	Kratky	Marsh	Stevenson
Wildberger	Wright-Jones			

Representative Baker (25) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Page 41, Section 1, Line 27, by inserting after all of said line the following:

"Section 2. If the bonding rating of a public college or university of the state, as defined in section 173.355, RSMo, is lowered by any one of the nationally recognized bond rating agencies as a result of any provision of section 173.1003, RSMo, then all of the provisions of section 173.1003, RSMo, shall be rendered null and void as the provisions apply to that public college or university."; and

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

Representative Baker (25) moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

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

House Amendment No. 3

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Page 23, Section 173.475, Lines 1-7, by deleting all of said lines; and

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

Representative McClanahan moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Daus	Donnelly	El-Amin
Fallert	Flook	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Robb	Robinson	Roorda
Rucker	Sander	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Vogt	Whorton	Witte	Yaeger
Zimmerman	Zweifel			

NOES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Franz	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder

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Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Ruestman	Ruzicka	Sater
Schaaf	Schad	Scharnhorst	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

PRESENT: 004

Brown 50	Johnson	Lowe 44	Spreng
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ABSENT WITH LEAVE: 013

Bland	Bowman	Curls	Funderburk	Grisamore
Kratky	Marsh	Salva	Schlottach	Stevenson
Sutherland	Wildberger	Wright-Jones		

On motion of Representative Bearden, **SS#6 SCS SB 389** was truly agreed to and finally passed by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Rucker	Ruestman
Ruzicka	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Davis	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Muschany
Nasheed	Norr	Oxford	Page	Quinn 9
Robb	Robinson	Roorda	Salva	Sander
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd

Villa	Vogt	Walsh	Walton	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Curls	El-Amin	Funderburk
Kratky	Wildberger	Wright-Jones		

Representative Cooper (120) declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 821, relating to the Unborn Child Pain Prevention Act, was taken up by Representative Onder.

Representative Nance assumed the Chair.

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

House Amendment No. 1

AMEND House Bill No. 821, Page 4, Section 188.281, Lines 5-10, by deleting all of said lines and inserting in lieu thereof the following:

“Medical studies, printed in peer-review journals, indicate that there is no conclusive proof as to exactly when the fetus develops the physiological capability to sense pain, but the evidence to date would point to a significantly later time (twenty-seven to thirty weeks gestation) than the approximately twenty weeks time frame in which the Missouri legislature believes the fetus may feel pain. The risks of increased anesthesia or analgesia, as recommended by the Missouri legislature, include respiratory depression and apnea.”; and

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

HB 821, with House Amendment No. 1, pending, was laid over.

HCS HB 802, relating to human papillomavirus immunizations, was taken up by Representative Page.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 802, Page 1, Section 167.181, Lines 5-9, by striking all of said lines and inserting in lieu thereof the following:

“parish schools. Such”; and

Further amend said section, Pages 2-3, Lines 26-50, by striking all of said lines and renumber said section accordingly; and

Further amend said bill, Section 167.181, Page 2, by inserting after all of said section, the following:

"167.182. 1. This section shall be known as the "Cervical Cancer Prevention Public Awareness Campaign."

(1) The department of health and senior services shall create a public awareness campaign to educate parents, health care providers, and women about the causes and risk factors associated with cervical cancer, the human papillomavirus (HPV), and preventing cervical cancer. The public awareness campaign shall distribute information that includes:

(a) The risk factors for developing cervical cancer, the symptoms of the disease, how it may be diagnosed and its possible consequences if untreated;

(b) The connection between human papillomavirus and cervical cancer, how human papillomavirus is transmitted, how transmission may be prevented, including abstinence as the only completely effective way to prevent sexually transmitted diseases, and the relative risk of contracting human papillomavirus for elementary and secondary school students;

(c) The latest scientific information on the immunization against the human papillomavirus infection and the vaccine's effectiveness, including the vaccine's failure rates against causes of cervical cancer, and a complete and comprehensive description of the possible side effects of the vaccination;

(d) A statement that a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops; and

(e) A statement that any questions or concerns concerning immunizing the child against human papillomavirus could be answered by contacting a health care provider.

2. Beginning with the 2008 - 2009 school year, the department of elementary and secondary education shall establish procedures by which each school district shall provide, to the department of health and senior services, the names and addresses of all parents, conservators, and guardians of female students who are entering grade six. The department of health and senior services shall prescribe the form and content of information regarding the human papillomavirus and cervical cancer to be made available to the parents, conservators, and guardians of these students. The department shall establish procedures to ensure that the information provided:

(1) Includes the connection between human papillomavirus and cervical cancer;

(2) States that an immunization against the most common human papillomavirus infections is available;

(3) Contains age appropriate information so that a parent, conservator, or guardian may share the information with the student if he or she decides to do so;

(4) Contains the elements described in subsection 1 of this section; and

(5) Is mailed directly to the attention of the parents, conservators, or guardians of each such female student by the department.

(6) Shall not be directly distributed to any minor student by either the department of health and senior services or the department of elementary and secondary education; however, nothing in this section shall prohibit any local school board from authorizing a distribution policy.

3. Each informational mailing sent to the parents, conservators, and guardians of female students entering grade six shall include a voluntary return form for the parents, conservators, or guardians of such students to return, not later than twenty school days after the first day of school, a written statement prescribed by the department of health and senior services that:

(1) States that the parent, conservator, or guardian has received the information required under subsection 2 of this section and indicates if the student has received or is receiving the vaccination, or if the parent, conservator or guardian has chosen not to have the student immunized; and

(2) Is to be used for statistical purposes only and shall not be used to personally identify any parent, conservator or guardian, or any student.

4. Nothing in this section shall be construed to prevent a student from school attendance if such parent, conservator or guardian has opted not to have the student receive the human papillomavirus vaccination or has not returned the form prescribed in this section."; and

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

Representative Cooper (155) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 802, Page 2, Line 30, by inserting after the word “**section.**” the following:

“5. The human papillomavirus vaccination may be administered by any duly licensed physician or by someone under the physician’s direction. If the parent, conservator or guardian is unable to pay, the child shall be immunized at public expense by a physician or nurse at or from the county, city public health center or by a nurse or physician in the private office or clinic of the child's personal physician with the costs of immunization paid through the state Medicaid program, private insurance or in a manner to be determined by the department of health and senior services subject to state and federal appropriations, and after consultation with the school superintendent and the advisory committee established in section 192.630, RSMo.

6. Funds for the administration of this section and for the purchase of vaccines for children of families unable to afford them shall be appropriated to the department of health and senior services from general revenue or from federal funds if available.

7. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. 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, 2001, shall be invalid and void.”; and

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

Representative Cooper (155) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

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

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 802, Page 2, Line 25, by deleting the word “**and**”; and

Further amend said bill, Page 2, Line 27, by inserting after the word “**student**” the following:

”; and

(3) Shall include, in font size not less than 16, the following statement:

“Your choice to vaccinate or not vaccinate your daughter, or your choice not to return this form, shall not be used to deny your daughter school admission” ”; and

Further amend said bill, Page 2, Line 28, by inserting after “**4.**” the following:

“After statistical information is compiled, personal information including names and addresses of students, parents, and guardians and decision regarding human papillomavirus vaccination will be expunged from department records.”; and

Further amend said bill, Page 2, Line 28, by deleting "4" and inserting in lieu thereof "5"; and

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

HCS HB 802, with House Amendment No. 2 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

THIRD READING OF SENATE BILL

HCS SCS SB 156, with House Amendment No. 1, pending, relating to agriculture, was taken up by Representative Quinn (7).

Representative Cooper (120) resumed the Chair.

Representative Munzlinger offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 4, by inserting immediately after said line the following:

Further amend said bill, Page 20, Section 144.030, Line 279, by inserting immediately after said line the following:

"144.051. 1. As used in this section, "machinery and equipment" means new or used farm tractors and such other new or used machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for the planting, harvesting, processing, or transporting of a forestry product, and the purchase of motor fuel, as defined in section 142.800, RSMo, therefor which is:

- (1) Used exclusively for forestry purposes;**
- (2) Used on land owned or leased for the purpose of planting, harvesting, processing, or transporting forestry products; and**
- (3) Used directly in planting, harvesting, processing, or transporting forestry products.**

2. Notwithstanding any other provision of law to the contrary, for purposes of department of revenue administrative interpretation, all machinery and equipment used solely for the planting, harvesting, processing, or transporting of a forestry product shall be considered farm machinery, and shall be exempt from state and local sales and use tax, as provided for other farm machinery in section 144.030." ; and

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

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

On motion of Representative Quinn (7), **House Amendment No. 1, as amended,** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 18, Section 144.030, Lines 234 and 235, by deleting all of said lines and inserting in lieu thereof the following:

"(33) Tangible personal property **and utilities** purchased for use or consumption directly or exclusively in the research and development of **agricultural/biotechnology and plant genomics products and** prescription pharmaceuticals consumed by humans or"; and

Further amend said bill, Page 19, Section 144.030, Line 260, by deleting all of said line and inserting in lieu thereof the following:

"[(37) Tangible personal property purchased for use or consumption directly or exclusively"; and

Further amend said bill, Page 19, Section 144.030, Line 269, by deleting all of said line and inserting in lieu thereof the following:

"(38)] All sales or other transfers of tangible personal property to a lessor who leases the"; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Pages 10 to 12, Section 142.031, Lines 1 to 71, by deleting all of said lines and inserting in lieu thereof the following:

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

(1) "Biodiesel", fuel as defined in ASTM Standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels;

(2) "Missouri qualified biodiesel producer", a facility that produces biodiesel, is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79, and:

(a) Is at least fifty-one percent owned by agricultural producers who are residents of this state and who are actively engaged in agricultural production for commercial purposes; or

(b) At least eighty percent of the feedstock used by the facility originates in the state of Missouri. For purposes of this section, "feedstock" means [a Missouri agricultural product as defined in section 348.400, RSMo] **an agricultural, horticultural, viticultural, vegetable, aquacultural, livestock, forestry, or poultry product either in its natural or processed state.**

2. The "Missouri Qualified Biodiesel Producer Incentive Fund" is hereby created and subject to appropriations shall be used to provide economic subsidies to Missouri qualified biodiesel producers pursuant to this section. The director of the department of agriculture shall administer the fund pursuant to this section.

3. A Missouri qualified biodiesel producer shall be eligible for a monthly grant from the fund provided that one hundred percent of the feedstock originates in the United States. However, the director may waive the feedstock requirements on a month-to-month basis if the facility provides verification that adequate feedstock is not available. A Missouri qualified biodiesel producer shall only be eligible for the grant for a total of sixty months unless such producers during the sixty months fail, due to a lack of appropriations, to receive the full amount from the fund for which the producers were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which such producers were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated gallons of qualified biodiesel produced during the preceding month from [Missouri agricultural products] **feedstock**, as certified by the department of agriculture, and applying such figure to the per-gallon incentive credit established in this subsection. Each Missouri qualified biodiesel producer shall be eligible for a total grant in any fiscal year equal to thirty cents per gallon for the first fifteen million gallons of qualified biodiesel produced from [Missouri agricultural products] **feedstock** in the fiscal year plus ten cents per gallon for the next fifteen million gallons of qualified biodiesel produced from [Missouri agricultural products] **feedstock** in the fiscal year. All such qualified biodiesel produced by a Missouri qualified biodiesel producer in excess of thirty million gallons shall not be applied to the computation of a grant pursuant to this

subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section.

4. In order for a Missouri qualified biodiesel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the last day of the month for which the grant is sought. The application shall include:

- (1) The location of the Missouri qualified biodiesel producer;
- (2) The average number of citizens of Missouri employed by the Missouri qualified biodiesel producer in the preceding month, if applicable;
- (3) The number of bushel equivalents of Missouri [agricultural commodities] **feedstock and out-of-state feedstock** used by the Missouri qualified biodiesel producer in the production of biodiesel in the preceding month;
- (4) The number of gallons of qualified biodiesel the producer manufactures during the month for which the grant is applied;
- (5) A copy of the qualified biodiesel producer license required pursuant to subsection 5 of this section, name and address of surety company, and amount of bond to be posted pursuant to subsection 5 of this section; and
- (6) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified biodiesel producers.

5. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section.

6. 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, 2002, shall be invalid and void.

7. This section shall expire on December 31, 2009. However, Missouri qualified biodiesel producers receiving any grants awarded prior to December 31, 2009, shall continue to be eligible for the remainder of the original sixty-month time period under the same terms and conditions of this section unless such producer during such sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which he or she was eligible. In such case, such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period."; and

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

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

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

Representative Darrough raised a point of order that **House Amendment No. 4** is not germane and goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 41, Section 414.420, Line 36, by inserting after all of said line the following:

"Section 1. 1. No agency, authority, board, commission, department, or officer of the state shall promulgate or issue any regulation, rule, policy, guideline, or proclamation describing the relationship between persons and domestic animals as other than persons may or can own domestic animals.

2. No political subdivision of the state nor any local government, city or county, or any agency, authority, board, commission, department, or officer thereof shall enact any ordinance or promulgate or issue any regulation, rule, policy, guideline, or proclamation describing the relationship between persons and domestic animals as other than persons may or can own domestic animals.

3. For purposes of this section, "domestic animal" means, other than human, a nonwild animal or mammal that lives under the husbandry of humans or is accustomed to living in a domestic environment managed by humans, including amphibians, birds, fish, and reptiles.

4. Nothing in this section shall be construed to diminish the protections afforded to domestic animals in any animal cruelty or animal welfare statutes or regulations of the state of Missouri."; and

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

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 2, by deleting "348.505" and inserting in lieu thereof "**414.420**"; and

Further amend said amendment, Page 1, Line 3, by inserting after all of said line the following:

"578.009. 1. A person is guilty of animal neglect when [he] **such person** has custody or ownership or both of an animal and **negligently** fails to provide adequate care or adequate control, which results in **injury to any person, another animal, or results in** substantial harm to the animal.

2. A person is guilty of abandonment when [he] **such person** has knowingly abandoned an animal in any place without making provisions for its adequate care.

3. Animal neglect and abandonment is a class C misdemeanor [upon first conviction and for each offense, punishable by imprisonment or a fine not to exceed five hundred dollars, or both] **for a first offense**, and a class B misdemeanor [punishable by imprisonment or a fine not to exceed one thousand dollars, or both upon the] **for a second and all subsequent [convictions] offenses**. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This section shall not apply to the provisions of section 578.007.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect or abandonment to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected or abandoned animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
- (4) The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals." ; and

Further amend said amendment, Page 1, Line 4, by deleting the opening quotation mark before the word "**Section**".

Representative Talboy moved that **House Substitute Amendment No. 1 for House Amendment No. 5** be adopted.

Which motion was defeated.

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

Which motion was defeated.

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 135.633, Page 4, Line 83, by inserting after all of said line the following:

- "135.660. 1. This section shall be known and may be cited as the "Qualified Beef Tax Credit Act".
2. As used in this section, the following terms mean:
- (1) "Agricultural property", any real and personal property, including but not limited to buildings, structures, improvements, equipment, and livestock, that is used in or is to be used in this state by residents of this state for:
- (a) The operation of a farm or ranch; and
 - (b) Grazing, feeding, or the care of livestock;
- (2) "Authority", the agricultural and small business development authority established in chapter 348, RSMo;
- (3) "Qualifying beef animal", any beef animal that is certified by the authority, that was born in this state after August 28, 2007, that was raised and backgrounded or finished in this state by the taxpayer, and that weighs more than four hundred fifty pounds, excluding any beef animal more than thirty months of age;
- (4) "Qualifying sale", the first time a qualifying beef animal is sold in this state after the qualifying beef animal's weight reaches four hundred fifty pounds, and a subsequent sale if the weight of the qualifying beef animal at the time of the subsequent sale is greater than the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal;
- (5) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, RSMo;
- (6) "Taxpayer", any individual or entity who:
- (a) Is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, RSMo;
 - (b) In the case of an individual, is a resident of this state; and
 - (c) Owns or rents agricultural property.
3. For all taxable years beginning on or after January 1, 2009, but ending on or before December 31, 2016, a taxpayer shall be allowed a tax credit for each qualifying sale of a qualifying beef animal. The tax credit amount shall be based on the qualifying beef animal's weight at the time of the first qualifying sale, and shall be equal to ten cents per pound above four hundred fifty pounds and for a subsequent qualifying sale, ten cents per pound above the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal or four hundred fifty pounds, whichever weight is greater.
4. 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. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the taxable year in which the qualifying sale of the qualifying beef occurred, but any amount of credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years and carried backward to any of the taxpayer's three previous taxable years. The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section in a fiscal year shall not exceed ten million dollars, and the cumulative amount of tax credits that may be issued to all eligible applicants claiming all tax credits authorized in this section shall not exceed thirty million dollars.
5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority. The application shall be filed with the authority at the end of each calendar year in which a qualified sale was made and for which a tax credit is claimed under this section. The application shall include any documentation and information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order or as otherwise provided by law. If the taxpayer and the qualified sale meets all criteria required by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax

credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. Whenever a tax credit certificate is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate or the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, and shall not be subject to subpoena or other compulsory production.

7. The department of agriculture and the authority may promulgate rules to implement the provisions of this section. 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, 2007, shall be invalid and void.

8. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298, RSMo."; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 265.525, Page 27, Line 110, by inserting immediately after said line the following:

"267.165. 1. The department of agriculture shall not participate in any national animal identification system (NAIS) administered program by the United States Department of Agriculture without specific authorization from the general assembly.

2. Notwithstanding the provisions of subsection 1 of this section, nothing in this section shall be construed as prohibiting the department of agriculture from participating in any Missouri voluntary or private animal identification program that verifies the health of Missouri livestock required for interstate export, marketing, and livestock movement.

3. Any Missouri voluntary animal identification program administered by the department of agriculture shall be subject to the following conditions:

- (1) **The department shall provide participants all relevant program information;**
- (2) **Program participants shall be permitted to withdraw from the program at any time;**
- (3) **The department of agriculture shall not require participation in a Missouri specific source verification program for cattle or for any other species of livestock; and**

4. **Failure to participate in an animal identification program or the providing of services to persons who are not participants in an animal identification program shall not be deemed a crime, nor evidence of any negligence or gross negligence on the part of any livestock owner or provider of goods and services.";** and

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

Representative Darrough raised a point of order that **House Amendment No. 7** is not germane and goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

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

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

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"shall be construed as prohibiting the department of agriculture from issuing voluntary premise identification and participating in any Missouri"; and

Further amend said amendment and page, Line 15, by inserting immediately after said line the following:

"(4) No services, licenses, permits, certifications, special consideration, or incentives nor other essential services that may be offered by the state, shall be denied, revoked, or limited based solely on lack of participation in an animal identification program."; and

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

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

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

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 414.420, Page 41, Line 36, by inserting after all of said line the following:

"Section 1. The speaker of the house shall appoint a nine member interim committee to study the issue of animal identification and verification. The committee will determine whether Missouri should participate in the national animal identification program and whether the current Missouri department of agriculture requirements for animal identification are appropriate. Such committee shall report its findings and recommendations to the speaker of the house no later than December 1, 2008."; and

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

Representative Harris (23) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

Representative Cooper (120) requested a parliamentary ruling.

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

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

Which motion was defeated by the following vote:

AYES: 026

Bivins
Cunningham 145

Bruns
Emery

Cooper 155
Ervin

Cooper 158
Fares

Cox
Fisher

Flook	Hobbs	Lipke	May	Munzlinger
Nance	Pearce	Pratt	Quinn 7	Richard
Sander	Scharnhorst	Viebrock	Wood	Wright 159
Young				

NOES: 122

Aull	Avery	Baker 25	Baker 123	Bearden
Bland	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Faith	Fallert
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	McClanahan	McGhee
Meiners	Moore	Muschany	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pollock	Portwood	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 001

Lowe 44

ABSENT WITH LEAVE: 014

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Kuessner	Marsh	Meadows	Page
Salva	Vogt	Wildberger	Wright-Jones	

On motion of Representative Schlottach, **House Amendment No. 1 to House Amendment No. 7** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Flook
Frame	Franz	George	Grill	Grisamore

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Guest	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meiners	Moore	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 005

Fisher	Hobbs	Munzlinger	Quinn 7	Young
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PRESENT: 000

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Funderburk	Haywood
Hunter	Kratky	Kuessner	Lowe 44	Marsh
Meadows	Page	Salva	Vogt	Wildberger
Wright-Jones				

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

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meiners	Moore
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman

Ruzicka	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 010

Daus	Davis	Fares	Fisher	Hobbs
Munzlinger	Quinn 7	Sander	Whorton	Young

PRESENT: 000

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Funderburk	Haywood
Hunter	Kratky	Kuessner	Lowe 44	Marsh
Meadows	Page	Salva	Vogt	Wildberger
Wright-Jones				

Representative Harris (23) offered **House Amendment No. 8**.

Representative Smith (150) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 41, Section 414.420, Line 36, by inserting after all of said line the following:

"Section 1. No grants received by the department of agriculture shall be used to pay legal settlements or judgments, and all legal settlements and judgments arising out of legal claims against the department of agriculture or its agents or employees shall be paid from the state legal expense fund."; and

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

Representative Smith (150) raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

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

On motion of Representative Donnelly, **House Amendment No. 9** was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Cooper 120	Hoskins	Kelly	May
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PRESENT: 000

ABSENT WITH LEAVE: 018

Bowman	Chappelle-Nadal	Curls	Dougherty	Funderburk
Hunter	Kratky	Kuessner	Marsh	Meadows
Page	Richard	Robinson	Salva	Spreng
Vogt	Wildberger	Wright-Jones		

Representative Harris (110) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 135.633, Pages 1 through 4, by deleting all of said section; and

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

Representative Harris (110) moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Donnelly	Fallert	George
Harris 23	Harris 110	Hodges	Holsman	Hughes
Johnson	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Norr	Oxford
Quinn 9	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Talboy	Todd
Walsh	Walton	Yaeger	Zweifel	

NOES: 105

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Grill
Grisamore	Guest	Haywood	Hobbs	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lembke	Lipke
Lochner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wright 159	Yates	Young	Zimmerman	Mr Speaker

PRESENT: 001

Wood

ABSENT WITH LEAVE: 018

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Kuessner	Lowe 44	Marsh	Meadows
Page	Robinson	Roorda	Salva	Spreng
Vogt	Wildberger	Wright-Jones		

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

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

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Quinn (7), **HCS SCS SB 156, as amended**, was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Hughes	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Hoskins

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 017

Bowman	Burnett	Curls	Dougherty	Funderburk
Hunter	Komo	Kratky	Marsh	Meadows
Page	Quinn 9	Roorda	Salva	Vogt
Wildberger	Wright-Jones			

On motion of Representative Quinn (7), **HCS SCS SB 156, as amended**, was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Hoskins

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Ervin	Funderburk
Holsman	Hunter	Kratky	Marsh	Meadows
Page	Salva	Talboy	Vogt	Wildberger
Wright-Jones				

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hubbard	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Baker 25	Burnett	Daus	George	Haywood
Hoskins	Hughes	LeVota	Norr	Roorda
Spreng	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Marsh	Meadows	Nasheed	Page
Salva	Vogt	Wildberger	Wright-Jones	

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 52 - Fiscal Review (Fiscal Note)
HCS SS SB 112 - Fiscal Review (Fiscal Note)
HCS SS#2 SCS SB 161 - Fiscal Review (Fiscal Note)
HCS SB 419 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCS SCS SB 333**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SS#2 SCS SB 204**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 968**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 488**, entitled:

An act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for the use of idle reduction technology.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 488, Page 2, Section 135.670, Line 20, by striking "fifty" and inserting in lieu thereof the following **"five"**; and

Further amend said bill, section and page, Line 29, by striking "fifteen million" and inserting in lieu thereof the following:

"two hundred fifty thousand"; and

Further amend said bill, section and page, Line 30, by striking "thirty million" and inserting in lieu thereof the following:

"five hundred thousand"; and

Further amend said bill, section and page, Line 31, by striking "fifteen million" and inserting in lieu thereof the following:

"two hundred fifty thousand".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 82, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 84, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 127** and has taken up and passed **HCS SB 127**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 225**, entitled:

An act to repeal section 21.750, RSMo, and to enact in lieu thereof two new sections relating to hunting heritage protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SB 406, as amended**: Senators Crowell, Rupp, Scott, Kennedy and Smith.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 8, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 2.
Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 3.
Review of Department of Agriculture performance measures.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 8:30 a.m. Senate Lounge.
Public hearing to be held on: HCS SB 81

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 12:00 p.m. Senate Lounge.
Public hearing to be held on: HCS SCS SB 64

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 1:30 p.m. Bingham Gallery.
Public hearing to be held on: HCS SB 30

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, Pershing Gallery upon evening adjournment.
Public hearing to be held on: HCS SCS SB 308

CONFERENCE COMMITTEE NOTICE

Wednesday, May 9, 2007, 9:00 a.m. Senator Champion's office Room No. 221.
Public hearing to be held on: HCS SB 25

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: HB 1232

FISCAL REVIEW

Tuesday, May 8, 2007, Hearing Room 4 upon afternoon adjournment.
Any bills referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SCS SB 530

JUDICIARY

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 1.
Executive session only.

RULES

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HR 2495, HR 2548

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HCS HB 1108, HCS SS SCS SB 5, HCS SS SCS SB 85,
HCS SCS SB 226, HCS SB 543, HCS SB 130, HCS SS SCS SB 429, SCS SB 482,
SB 671, HCS SB 323, SB 510, HCS SCS SB 313, HCS SCS SB 664, SB 605,
HCS SCS SBs 299 & SS SCS SB 616

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 8, 2007, Hearing Room 3 upon morning recess.
Executive session may follow.
Public hearing to be held on: SCS SB 391

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 5.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, Hearing Room 4 upon morning recess.
Executive session. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, Hearing Room 6 upon afternoon adjournment.
Executive session. AMENDED

SPECIAL COMMITTEE ON VETERANS

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HCR 5, SCS SB 75

TRANSPORTATION

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 1.
Tyler Duvall Assistant Secretary for Transportation Policy in the
Office of the Secretary of the U.S. Department of Transportation to testify.
Executive session may follow.
Public hearing to be held on: HB 1237

HOUSE CALENDAR

SEVENTIETH DAY, TUESDAY, MAY 8, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey

- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes
- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)

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80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
2 HB 758 - Brown (50)

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS SCS SB 225

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
3 HCR 33, (3-30-07, Pages 872-873) - Guest
4 HCR 43, (4-12-07, Pages 1081-1082) - Page
5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
7 HCR 38, (4-19-07, Page 1248) - Wright
8 HCR 44, (4-24-07, Page 1314) - Smith (14)
9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

SENATE BILLS FOR THIRD READING

1 SCS SB 91 - St. Onge
2 SB 135 - Kingery
3 HCS SCS SB 232 - Cooper (158)
4 HCS SCS SB 384, as amended, HA 2, pending, E.C. - Daus
5 HCS SCS SB 520 - Hunter
6 SB 352 - Ruzicka
7 HCS SB 593 & SCS SB 594 - May
8 SB 648 - Kelly
9 HCS SB 666 - Grill
10 HCS SS SCS SB 320 - Quinn (7)
11 SCS SB 418 - Weter
12 SB 513 - Wasson
13 HCS SB 218 - Deeken
14 SB 433 - Pratt
15 HCS SS SCS SB 22, (Fiscal Review 5-02-07), E.C. - Schneider
(2 hours debate on Third Reading)

- 16 SCS SB 4, E.C. - Icet
- 17 HCS SCS SB 47 - Bruns
- 18 HCS SCS SB 54 - Emery
- 19 HCS SS SB 112, (Fiscal Review 5-07-07) - Faith
- 20 SB 271 - Pearce
- 21 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 22 HCS SCS SB 86, E.C. - Sutherland
- 23 HCS SB 315 - Munzlinger
- 24 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 25 SB 162 - Deeken
- 26 SB 171 - Wasson
- 27 HCS SCS SB 197 - Yates
- 28 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 29 SS SB 417 - Parson
- 30 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 31 HCS SCS SB 497 - Wilson (119)
- 32 SCS SB 525 - Wasson
- 33 SCS SB 526 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 18 - Icet
- 3 SCS HCS HB 17 - Icet
- 4 HB 488, SA 1 - Wasson

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood
- 3 HCS SCS SB 82, as amended (request House recede/grant conference) - Tilley
- 4 HCS SB 84, as amended (request House recede/grant conference) - Franz

BILLS IN CONFERENCE

- 1 HCS SB 30, as amended - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 SCS HB 1 - Icet
- 5 SCS HCS HB 2 - Icet
- 6 SCS HCS HB 3 - Icet
- 7 SCS HCS HB 4 - Icet
- 8 SCS HCS HB 5 - Icet
- 9 SCS HCS HB 6 - Icet
- 10 SCS HCS HB 7 - Icet
- 11 SCS HCS HB 8 - Icet
- 12 SCS HCS HB 9 - Icet
- 13 SCS HCS HB 10 - Icet
- 14 SCS HCS HB 11, as amended - Icet
- 15 SCS HCS HB 12 - Icet
- 16 SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace

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- 18 HCS SB 81, as amended - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended (conferees to exceed differences) - Ervin
- 23 HCS#2 SB 406, as amended - Wallace

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)