

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, MONDAY, MAY 14, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are LORD; You have made the heavens, even the heaven of heavens, with all their host, the earth and all that is on it, the seas and all that is in them, and You give life to them all. We thank You for being patient with us.

Lord God, we recognize our own inadequacies and continue to seek Your help even, and especially, in this last week of Session. We are grateful You hear us and answer our prayers.

We are those, not only under Your authority, but under the authority granted to us by the people of this state. We do not take lightly this responsibility. May we do nothing in haste, contemplating every decision and its intended purpose.

Now, may You, God our Father, Who have loved us and given us eternal comfort and good hope by grace, comfort and strengthen our hearts in every good work and word.

In Jesus' name, we pray. 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: Maureen Jacquot, Mark Jacquot, Jack Jacquot, Genevieve Jacquot and Christopher Scholtzhauer.

The Journal of the seventy-third day was approved as printed.

SPECIAL RECOGNITION

John Howard of Springfield was introduced by Representative Dempsey and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3610 through House Resolution No. 3653

COMMITTEE REPORTS**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 325** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 333** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SB 352, relating to emergency vehicles, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **SB 352** was truly agreed to and finally passed by the following vote:

AYES: 132

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Komo	Kratky
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 016

Corcoran	Daus	George	Harris 110	Hughes
Kuessner	LeVota	Lowe 44	Rucker	Spreng

Talboy	Vogt	Walsh	Whorton	Wildberger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Bland	Bowman	Casey
Curls	Holsman	Johnson	Kingery	Meiners
Stevenson	St. Onge	Walton	Wright-Jones	Zweifel

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SCS SB 22, relating to political subdivisions, was taken up by Representative Schneider.

Representative Cooper (120) assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 52.312, Page 8, Line 5, by inserting an opening bracket "[" between the words "counties of" and by inserting a closing bracket "]" after the word "classification"; and

Further amend said substitute, Section 66.010, Page 12, Line 1, by inserting an opening bracket "[" before the word "first" and by inserting a closing bracket "]" after the word "class"; and

Further amend said substitute, Section 67.319, Page 17, Line 39, by deleting "**organization**" and inserting in lieu thereof "**organizations**"; and

Further amend said section and page, Line 61, by inserting the word "**a**" before "**place**"; and

Further amend said substitute, Section 67.997, Page 26, Line 32, by deleting the words "**administered by the department of revenue**"; and

Further amend said substitute, Section 67.1016, Page 31, Line 4, by deleting the word "**cent**" and inserting in lieu thereof the word "**percent**"; and

Further amend said substitute, Section 87.006, Page 75, Line 8, by inserting the word "**the**" before the word "line"; and

Further amend said substitute, Section 110.130, Page 94, Line 2, by deleting "**for**" and inserting in lieu thereof "**in**"; and

Further amend said substitute, Section 182.015, Page 124, Lines 81-82, by deleting the words "**The ballot of submission shall be in substantially the same form as provided in subdivision (4) of this subsection.**"; and

Further amend said substitute, Section 320.310, Page 169, Lines 11, 15, and 17, by inserting the word "**protection**" between the words "**fire association**"; and

Further amend said substitute, Section 321.162, Page 171, Line 15, by inserting the word "**protection**" between the words "**fire district**"; and

Further amend said substitute, Section 321.688, Page 171, Line 1, by deleting the words "**fire district**" and inserting in lieu thereof the words "**fire protection districts**"; and

Further amend said section and page, Line 9, by deleting the word "**district**" and inserting in lieu thereof the word "**districts**"; and

Further amend said substitute, Section 393.715, Page 178, Line 62, by deleting "**10**" and inserting in lieu thereof "**X**"; and

Further amend said substitute, Section 393.900, Page 183, Line 30, by deleting the word "**curring**" and inserting in lieu thereof the word "**curing**"; and

Further amend said section and page, Line 31, by deleting the word "**sewer**" and inserting in lieu thereof the word "**water**"; and

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

Representative Fisher 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 Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following:

"Further amend said substitute, Section 67.319 by deleting all of said section; and".

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

On motion of Representative Pratt, **House Amendment No. 1, as amended**, was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 78.610, Pages 73-74, Lines 1-27, by deleting said section from the substitute; and

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

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

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 3, by inserting after "and," the following:

Further amend said substitute, Section 79.050, Page 75, Line 29, by inserting the following after all of said line:
"79.495. **1.** The county governing body of any county in which a city of the fourth class is located shall have the power to disincorporate such city upon petition of two-thirds of the voters of such city, without an election in such

city, provided that the petition requests disincorporation without an election, and provided that the population of such city is less than one hundred.

2. Upon the application of any person or persons owning a tract of land containing five acres or more in a city of the fourth class with a population less than one hundred in any county, the governing body of such county may, in its discretion, diminish the limits of such city by excluding any such tract of land from said corporate limits without an election in such city; provided that such application shall be accompanied by a petition asking for such change without an election and signed by a majority of the registered voters in such city and to the extent there are no such registered voters available in such city, then such petition shall be signed by the parties owning a majority of the land area to be excluded from such city limits. Thereafter, such tract of land so excluded shall not be deemed or held to be any part of such city."; and'; and

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

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Schneider, **House Amendment No. 2, as amended**, was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting the following after all of said line:

"Section 3. In each transportation development district in which a sales tax has been imposed or increased under section 238.235, every retailer shall prominently display the rate of the sales tax imposed or increased at the cash register area."; and

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

Representative Hobbs offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Hobbs offered **House Amendment No. 2 to House Amendment No. 3.**

House Amendment No. 2

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 2, by inserting immediately after "No. 22" the following:

"238.220. 1. Notwithstanding anything to the contrary contained in section 238.216, if any persons eligible to be registered voters reside within the district the following procedures shall be followed:

(1) After the district has been declared organized, the court shall upon petition of any interested person order the county clerk to cause an election to be held in all areas of the district within one hundred twenty days after the order establishing the district, to elect the district board of directors which shall be not less than five nor more than fifteen;

(2) Candidates shall pay the sum of five dollars as a filing fee to the county clerk and shall file with the election authority of such county a statement under oath that he or she possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have his or her name placed on the ballot as a candidate for director;

(3) The director or directors to be elected shall be elected at large. The candidate receiving the most votes from qualified voters shall be elected to the position having the longest term, the second highest total votes elected to the position having the next longest term, and so forth. Each initial director shall serve the one-, two- or three-year term to which he or she was elected, and until a successor is duly elected and qualified. Each successor director shall serve a three-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification; and

(4) Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

2. Notwithstanding anything to the contrary contained in section 238.216, if no persons eligible to be registered voters reside within the district, the following procedures shall apply:

(1) Within thirty days after the district has been declared organized, the circuit clerk of the county in which the petition was filed shall, upon giving notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, call a meeting of the owners of real property within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of not less than five and not more than fifteen directors, to be composed of owners or representatives of owners of real property in the district; provided that, if all the owners of property in the district joined in the petition for formation of the district, such meeting may be called by order of the court without further publication. **For the purposes of determining board membership, the owner or owners of real property within the district and their legally authorized representative or representatives shall be deemed to be residents of the district; for business organizations and other entities owning real property within the district, the individual or individuals legally authorized to represent the business organizations or entities in regard to the district shall be deemed to be a resident of the district;**

(2) The property owners, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election. At the election, each acre of real property within the district shall represent one share, and each owner may have one vote in person or by proxy for every acre of real property owned by such person within the district;

(3) The one-third of the initial board members receiving the most votes shall be elected to positions having a term of three years. The one-third of initial board members receiving the next highest number of votes shall be elected to positions having a term of two years. The lowest one-third of initial board members receiving sufficient votes shall be elected to positions having a term of one year. Each initial director shall serve the term to which he or she was elected, and until a successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the real property owners called by the board. Each successor director shall serve a three-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification;

(4) Directors shall be at least twenty-one years of age.

3. Notwithstanding any provision of section 238.216 and this section to the contrary, if the petition for formation of the district was filed pursuant to subsection 5 of section 238.207, the following procedures shall be followed:

(1) If the district is comprised of four or more local transportation authorities, the board of directors shall consist of the presiding officer of each local transportation authority within the district. If the district is comprised of two or three local transportation authorities, the board of directors shall consist of the presiding officer of each local transportation authority within the district and one person designated by the governing body of each local transportation authority within the district;

(2) Each director shall be at least twenty-one years of age and a resident or property owner of the local transportation authority the director represents. A director designated by the governing body of a local transportation authority may be removed by such governing body at any time with or without cause; and

(3) Upon the assumption of office of a new presiding officer of a local transportation authority, such individual shall automatically succeed his predecessor as a member of the board of directors. Upon the removal, resignation or disqualification of a director designated by the governing body of a local transportation authority, such governing body shall designate a successor director.

4. The commission shall appoint one or more advisors to the board, who shall have no vote but shall have the authority to participate in all board meetings and discussions, whether open or closed, and shall have access to all records of the district and its board of directors.

5. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the local transportation authority that will assume maintenance of the project shall appoint one or more advisors to the board of directors who shall have the same rights as advisors appointed by the commission.

6. Any county or counties located wholly or partially within the district which is not a "local transportation authority" pursuant to subdivision (4) of subsection 1 of section 238.202 may appoint one or more advisors to the board who shall have the same rights as advisors appointed by the commission."; and

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

Representative LeVota raised a point of order that **House Amendment No. 2 to House Amendment No. 3** is not properly drafted.

Representative Cooper (120) requested a parliamentary ruling.

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

On motion of Representative Hobbs, **House Amendment No. 2 to House Amendment No. 3** was adopted.

On motion of Representative Schneider, **House Amendment No. 3, as amended**, was adopted.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 71.012, Page 71, Line 68, by inserting the following after all of said line:

"71.515. 1. No city, town, or village in this state supplying an occupant of a premises utility services shall hold an owner of such premises liable for the delinquent payment of such utilities of the occupant, unless the owner is the occupant. Such city, town, or village rendering such utility services may sue the occupant that received such services in such premises in a civil suit to recover any sums owed for such services, plus a reasonable attorney's fee to be fixed by the court.

2. This section shall not apply to any city not within a county or any home rule city with more than four hundred thousand inhabitants and located in more than one county."; and

Further amend said substitute, Section 247.060, Page 161, Line 28, by inserting the following after all of said line:

"250.140. 1. Sewerage services, water 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[, except as otherwise provided in subsection 2 of this section,] the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, 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 less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, for such services, plus a reasonable attorney's fee to be fixed by the court.

2. [When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable

for sums due for more than ninety days. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4.] Notwithstanding any other provision of law to the contrary, any water provider who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages.

[5.]3. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.

4. This section shall not apply to any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county.

250.142. 1. Sewerage services, water 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, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, 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 less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages.

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.

6. This section shall only apply to any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county."; and

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

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

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 71.515, Page 1, Line 10, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

Further amend said amendment, Section 250.140, Page 2, Line 28, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

Further amend said line, by deleting **"and"** and inserting in lieu thereof **"or"**; and

Further amend said amendment, Section 250.142, Page 3, Line 9, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

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

On motion of Representative Dougherty, **House Amendment No. 1 to House Amendment No. 4** was adopted.

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

AYES: 082

Bearden	Bivins	Brandom	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Silvey	Smith 150	Stream	Sutherland
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 069

Aull	Baker 25	Baker 123	Bringer	Brown 30
Burnett	Casey	Corcoran	Cox	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Moore	Nasheed
Nolte	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo

1827 *Journal of the House*

Schieffer	Schoemehl	Self	Shively	Skaggs
Smith 14	Spreng	St. Onge	Storch	Swinger
Talboy	Thomson	Threlkeld	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Curls	Hubbard
Johnson	Kingery	Kratky	Meiners	Stevenson
Walton	Zweifel			

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 162.431, Page 115, Line 21, by inserting an opening bracket "[" and a closing bracket "]" around the word "and"; and

Further amend said section, Page 116, Line 23, by inserting immediately after the word "adjustment" the following:

"; and

(4) If the potential receiving district obtained a score consistent with the criteria for classification of the district as "accredited" on its most recent annual performance report and the potential sending district obtained a score consistent with the criteria for classification of the district as "unaccredited" on its most recent annual performance report, the board shall approve the proposed boundary change for the educational well-being of the children enrolled in the potential sending district"; and

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.110, Page 15, Line 49, by inserting after all of said line the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

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

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, In the Title, Line 12, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 2, Section A, Line 10, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 15, Section 67.110, Line 49, by inserting after all of said line the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

Further amend said bill, Page 87, Section 94.950, Line 118, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given

written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 191, Section 58.510, Line 4, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the

municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]"; and

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

Representative Portwood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 6

AMEND House Substitute Amendment No. 1 for House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 15, Section 67.110, by inserting after all of said section the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

Further amend said bill, Page 87, Section 94.950, by inserting after all of said section the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) ["Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;] **"Blighted area", any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:**

(a) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of four or more of the following factors, each of which is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the real property tax increment allocation redevelopment act and reasonably distributed throughout the improved part of the redevelopment project area:

a. Dilapidation. "Dilapidation" means an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed;

b. Obsolescence. "Obsolescence" means the condition or process of falling into disuse; structures have become ill-suited for the original use;

c. Deterioration. "Deterioration" means with respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas show deterioration, including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces;

d. Presence of structures below minimum code standards. "Presence of structures below minimum code standards" means all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes;

e. Illegal use of individual structures. "Illegal use of individual structures" means the use of structures in violation of applicable federal, state, or local laws, exclusive of those applicable to the presence of structures below minimum code standards;

f. Excessive vacancies. "Excessive vacancies" means the presence of buildings that are unoccupied or under-used and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

g. Lack of ventilation, light, or sanitary facilities. "Lack of ventilation, light, or sanitary facilities" means the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building;

h. Inadequate utilities. "Inadequate utilities" means underground and overhead utilities such as storm sewers, storm drainage, sanitary sewers, waterlines, gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are:

- (i) Of insufficient capacity to serve the uses in the redevelopment project area;
- (ii) Deteriorated, antiquated, obsolete, or in disrepair; or
- (iii) Lacking within the redevelopment project area;

i. Excessive land coverage and overcrowding of structures and community facilities. "Excessive land coverage and overcrowding of structures and community facilities" means the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are:

- (i) The presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety; and
- (ii) The presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings; increased threat of spread of fire due to the close proximity of buildings; lack of adequate or proper access to a public right-of-way; lack of reasonably required off-street parking; or inadequate provision for loading and service;

j. Deleterious land use or layout. "Deleterious land use or layout" means the existence of incompatible land use relationships, buildings occupied by inappropriate mixed uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area;

k. Environmental clean-up. "Environmental clean-up" means the proposed redevelopment project area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency (EPA) remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

l. Lack of community planning. "Lack of community planning" means the proposed redevelopment project area was developed before or without the benefit or guidance of a community plan, or before the adoption by the municipality of a comprehensive or other community plan or the plan was not followed at the time of the area's development. This factor shall be documented by evidence of adverse or incompatible land use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning;

m. The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years before the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years before the year in which the redevelopment project area is designated;

(b) If vacant, the growth of the redevelopment project area is impaired by a combination of two or more of the following factors, each of which is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the real property tax increment allocation redevelopment act and reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

a. Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible

with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities;

b. Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development;

c. Tax and special assessment delinquencies exist or the property has been the subject of tax sales under Missouri property tax laws within the last five years;

d. Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land;

e. The area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

f. The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years before the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years before the year in which the redevelopment project area is designated;

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

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

(a) Dilapidation. "Dilapidation" means an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed;

(b) Obsolescence. "Obsolescence" means the condition or process of falling into disuse; structures have become ill-suited for the original use;

(c) Deterioration. "Deterioration" means with respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, downspouts, and fascia. With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas show deterioration, including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces;

(d) Presence of structures below minimum code standards. "Presence of structures below minimum code standards" means all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes;

(e) Illegal use of individual structures. "Illegal use of individual structures" means the use of structures in violation of applicable federal, state, or local laws, exclusive of those applicable to the presence of structures below minimum code standards;

(f) Excessive vacancies. "Excessive vacancies" means the presence of buildings that are unoccupied or under-used and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

(g) Lack of ventilation, light, or sanitary facilities. "Lack of ventilation, light, or sanitary facilities" means the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building;

(h) Inadequate utilities. "Inadequate utilities" means underground and overhead utilities such as storm sewers, storm drainage, sanitary sewers, waterlines, gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are:

- a. Of insufficient capacity to serve the uses in the redevelopment project area;
- b. Deteriorated, antiquated, obsolete, or in disrepair; or
- c. Lacking within the redevelopment project area;

(i) Excessive land coverage and overcrowding of structures and community facilities. "Excessive land coverage and overcrowding of structures and community facilities" means the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, or the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions:

- a. Insufficient provision for light and air within or around buildings;
- b. Increased threat of spread of fire due to the close proximity of buildings;
- c. Lack of adequate or proper access to a public right-of-way;
- d. Lack of reasonably required off-street parking; or
- e. Inadequate provision for loading and service;

(j) Deleterious land use or layout. "Deleterious land use or layout" means the existence of incompatible land use relationships, buildings occupied by inappropriate mixed uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area;

(k) Lack of community planning. "Lack of community planning" means the proposed redevelopment project area was developed before or without the benefit or guidance of a community plan, or the development occurred before the adoption by the municipality of a comprehensive or other community plan or the plan was not followed at the time of the area's development. This factor shall be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning;

(l) The area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

(m) The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years for which information is available;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Costs of studies, surveys, plans, and specifications;
- (b) **Extraordinary** professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. **Extraordinary professional service costs shall only include costs**

required under the real property tax increment allocation redevelopment act. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

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

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

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

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

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

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

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

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

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

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

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

2. In the event that, within ten days after the passage of a municipal or county ordinance adopting a redevelopment plan, the appropriate local election authority receives a notice, signed by not less than one hundred registered voters of the municipality or county, stating the intention of such registered voters to cause a petition to be circulated to resubmit any such ordinance to a second vote by the municipal or county governing body, the ordinance shall not take effect as otherwise provided. In the event that, within forty days after the passage of a municipal or county ordinance adopting a redevelopment plan, the appropriate local election authority receives a petition, signed by a number of registered voters equal to at least ten percent of the number of total votes cast in such subdivision in the most recent mayoral or county commissioner election, requesting that approval of the redevelopment plan be resubmitted to the municipal or county governing body for a second vote, the municipal or county governing body shall vote again on the adoption of the redevelopment plan. No such plan shall become effective unless and until it receives the favorable vote of two-thirds of all the members of the governing body.

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

99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

- (9) Acquire and construct public facilities within a redevelopment area;
- (10) Incur redevelopment costs and issue obligations;
- (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;
- (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

4. If the commission makes a negative recommendation to the governing body regarding a redevelopment plan, redevelopment project, designation of redevelopment area, or amendments thereto, then such plan, project, designation, or amendment shall not be adopted except by a favorable vote of two-thirds of all the members of the governing body."; and

Further amend said bill, Page 87, Section 99.847, Line 3, by inserting immediately following the word "as" the following:

"a one hundred year"; and

Further amend said bill, Page 87, Section 99.847, by inserting after all of said section the following:

"99.866. When a tax increment financing project includes residential uses except in central business districts as defined in section 99.918, absent a recommendation to the contrary from commission members representing the affected school board or boards, real property tax levies attributable to the residential portion of the development shall pass through to the school district or districts."; and

Further amend said bill, Page 191, Section 2, by inserting after all of said section the following:

"Section 3. In any home rule city with more than four hundred thousand inhabitants and located in more than one county and any city not within a county, when tax increment financing is used for a project, those receiving the financing must make all good faith efforts to use minority business enterprises or women business enterprises to help complete the project."; and

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

On motion of Representative Portwood, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 105

Aull	Baker 25	Bearden	Bivins	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Deeken	Dempsey	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fares	Flook	Frame
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Holsman	Hoskins	Hubbard
Icet	Jones 117	Kelly	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McGhee
Meadows	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Robinson	Rucker	Salva	Scavuzzo	Schaaf
Schad	Schneider	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Whorton	Wildberger	Witte
Wright 159	Wright-Jones	Yaeger	Yates	Young

NOES: 046

Avery	Baker 123	Brandom	Bringer	Cooper 120
Cooper 155	Cox	Cunningham 145	Day	Denison
Dethrow	Emery	Fisher	Franz	Harris 110
Hobbs	Hodges	Hunter	Jones 89	Marsh
May	McClanahan	Moore	Munzlinger	Pollock
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scharnhorst	Schieffer	Schlottach
Schoeller	Smith 150	Thomson	Vogt	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Hughes	Johnson	Kingery
Kratky	Meiners	Page	Viebrock	Walton
Zimmerman	Zweifel			

On motion of Representative Bearden, **House Substitute Amendment No. 1 for House Amendment No. 6, as amended**, was adopted.

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 92.500, Page 77, Line 5, by deleting the words "**and for**" and inserting in lieu thereof the words "**which operations are defined to include, but not be limited to,**"; and

Further amend said section, Page 78, Line 17, by deleting the word "**city**" and inserting in lieu thereof the following:

"city, including hiring more police officers, prosecuting more criminals, nuisance crimes, and problem properties"; and

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

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

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 191, Section 2, Line 22, by inserting after all of said line the following:

"Section 3. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in the following described real property owned by the state in Jackson County to the city of Kansas City:

**Parcel # 12-840-27-08-00-0-00-000
JOHNSON'S SUB OF O T LANDS
BEG 460 W 185' S NE CE S SW 1/4 SE 1/4 TH SW 250' SE 220' NE 250' NW 220' TO POB
Parcel # 12-840-26-02-00-0-00-000
EAST KANSAS
LOT 1 & N 10 FT OF LOT 2 BL K 53**

**Parcel # 12-840-26-03-00-0-00-000
EAST KANSAS
ALL OF LOT 2 (EX N 10') & ALL OF LOT 3 & N 10' OF LOT 4 BLK 53**

Section 4. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, and the time, place, and terms of the sale.

Section 5. The attorney general shall approve as to form the instrument of conveyance."; and

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

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

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 77, Section 89.400, Line 24, by inserting after all of said line the following:

"92.035. 1. Any city having a charter form of government and a population of at least three hundred thousand, but less than six hundred and fifty thousand and located wholly or partially within a county of the first class having a charter form of government, in addition to the levy and imposition of taxes authorized by section 92.030, may, except as otherwise provided in this section, by ordinance, levy or impose a tax not to exceed the rate of ten cents on each one hundred dollars of assessed valuation of real and tangible personal property located within the city. The proceeds of the tax representing a rate of at least three cents on each one hundred dollars of assessed valuation to be used for the operation, improvement or construction expansion of museum facilities in existence on August 13, 1978, and the remaining proceeds of the tax to be used exclusively for the construction, operation, improvement, or expansion of additional facilities for such museum and no other. The word "museum" as used in this section, shall not be construed to mean or include an art gallery **or any facility that was previously used as a railroad terminal or any location adjacent to such former railroad terminal.** General admission to the museum's facility in existence prior to August 13, 1978, shall be free and open to the residents of such city. Before the city shall impose any tax under this section at a rate which exceeds two cents on each one hundred dollars of assessed valuation, the governing body of the city shall submit the proposed tax rate increase to the voters of the city for approval or rejection at an election.

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

Shall there be an increased tax levy of cents on the hundred dollars assessed valuation for museum purposes?

3. If a majority of the votes cast upon the proposal are in favor of the levy increase, the governing body of the city may, by ordinance, impose the additional tax. If a majority of the votes cast upon the proposal are against the levy increase, the governing body of the city shall not impose the increase. Nothing in this section shall prohibit a rejected proposal from being resubmitted to a vote of the voters."; and

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

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

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

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 19, Section 67.320, Line 21, by inserting after all of said line the following:

"67.321. 1. Notwithstanding any other provision of law to the contrary, the governing body of any county or municipality shall have the authority to establish an ordinance to allow patrons' pets, as defined in subdivision (20) of section 266.160, RSMo, except for specialty pets as defined in subdivision (25) of section 266.160, RSMo, within certain designated outdoor portions of public food service establishments.

2. The governing body shall require from the public food service establishment the following information:

(1) A diagram and description of the outdoor area to be designated as available to patrons' pets, including dimensions of the designated area;

(2) A depiction of the number and placement of tables, chairs, and restaurant equipment;

(3) Entryways and exits to the designated outdoor area;

(4) The boundaries of the designated area and of other areas of outdoor dining not available to patrons' pets;

(5) Any fences or other barriers;

(6) Surrounding property lines and public rights-of-way including sidewalks and common pathways;
and

(7) Any other information deemed necessary by the governing body."; and

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

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

Representative Cunningham (86) offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 74, Section 79.050, Line 20, by inserting after the word "**two**" the words "**, three**"; and

Further amend said section, Page 75, Line 23, by inserting after the word "**two**" the words "**, three**"; and

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

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Cunningham (86), **House Amendment No. 11** was adopted.

Representative Cunningham (145) offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 137.115, Page 104, Line 163, by inserting after all of said line and section the following:

"139.055. Any county **or public water supply district** may accept payment by credit card or electronic transfers of funds for any tax, **fee**, or license payable to the county **or district**. A county collector **or district** shall not be required to accept payment by credit card if the credit card bank, processor, or issuer would charge the county **or district** a fee for such payment. However, a county **or district** may accept payment by credit card and charge the person making such payment by credit card a fee equal to the fee charged the county **or district** by the credit card bank, processor, issuer for such payment. A county **or district** may accept payment by electronic transfer of funds in payment of any tax, **fee**, or license and charge the person making such payment a fee equal to the fee charged the county **or district** by the bank, processor, or issuer of such electronic payment."; and

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

On motion of Representative Cunningham (145), **House Amendment No. 12** was adopted.

Representative Cooper (120) offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 50.332, Page 5, Line 6, by deleting the opening bracket "["; and

Further amend said section and page, Line 7, by inserting an opening bracket "[" before the word "contract"; and

Further amend said section and page, Line 9, by inserting the following after the closing bracket "]":

"contract; provided however, that no more than one percent of the contract price may be allowed to the county collector under any such contract and may be retained by the county collector in addition to all other compensation provided by law, and the remainder of the contract price shall be deposited in the county general revenue fund"; and

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

Representative Daus offered **House Substitute Amendment No. 1 for House Amendment No. 13**.

*House Substitute Amendment No. 1
for
House Amendment No. 13*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 5, Section 50.332, Lines 1 to 9, by deleting all of said section; and

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

Representative Daus moved that **House Substitute Amendment No. 1 for House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Oxford	Page
Pollock	Quinn 7	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Smith 14	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Wilson 119	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

NOES: 085

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
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kraus	Lembke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Portwood	Pratt
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Johnson	Kingery	Meiners
Robb	Robinson	Wallace	Walton	Zweifel

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 2, by inserting after "5," the following:

Line 5, by inserting an opening bracket "[" before the word "Any"; and

Further amend said section and page,; and

Further amend said amendment, Page 1, Lines 4-5, by deleting all of said lines; and

Further amend said amendment, Page 1, Lines 9-12, by deleting all of said lines and inserting in lieu thereof the following:

"Any compensation paid by a municipality for services rendered under this section shall be divided equally between the county and the county collector as provided in the provisions of the contract, and any compensation allowed the county collector under any such contract may be retained in addition to all other compensation provided by law."; and

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

Representative Bringer moved that **House Amendment No. 1 to House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Pollock	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schoemehl	Self
Shively	Skaggs	Smith 14	Spreng	Storch
Swinger	Talboy	Tilley	Todd	Villa
Vogt	Walsh	Wasson	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

NOES: 080

Avery	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kraus
Lembke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Silvey
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 123	Bland	Bowman	Cooper 155	Johnson
Kingery	Meiners	Robb	Salva	Viebrock
Wallace	Walton	Zweifel		

On motion of Representative Cooper (120), **House Amendment No. 13** was adopted.

Representative Harris (23) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 152, Section 206.090, Line 38, by inserting after all of said line the following:

"221.515. **1. Any person designated a jailer under the provisions of this chapter shall have the power to serve [an arrest warrant] civil process and arrest warrants on any person who surrenders himself or herself to the facility under an arrest warrant or is already an inmate in the custody of the facility in or at which such jailer is employed.**

2. Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers in this state under the provisions of this chapter.

3. Such persons authorized to act by the sheriff as jailers under the rules and regulations of the sheriff shall have the same power as granted any other law enforcement officers in this state to arrest escaped prisoners and apprehend all persons who may be aiding and abetting such escape while in the custody of the sheriff in accordance with state law."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Harris (23), **House Amendment No. 14** was adopted.

Representative Bringer offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 97, Section 137.092, Line 6, by inserting after the word "**facility**" the following:

"or any self-service storage facility as defined in section 415.405, RSMo"; and

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

On motion of Representative Bringer, **House Amendment No. 15** was adopted.

Representative Grill offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 110.150, Page 96, Line 23, by inserting after all of said section, the following:

"135.636. 1. This section shall be known and may be cited as the "Motherhood/Fatherhood Stay-at-Home Tax Credit".

2. As used in this section, the following terms mean:

(1) "Eligible child", any natural, adopted, or stepchild of a stay-at-home parent if such eligible child is between the ages of newborn to twenty-four months;

(2) "Stay-at-home parent", any married parent of an eligible child if such stay-at-home parent was gainfully employed before the birth or adoption of the eligible child or marriage to a person with an eligible child, who is no longer gainfully employed as a result of the decision to stay at home to provide care for the eligible child, and whose annual salary while the stay-at-home parent was gainfully employed was one hundred thousand dollars or less. "Stay-at-home parent" shall not include any recipient of any public assistance;

(3) "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;

(4) "Taxpayer", any stay-at-home parent or such parent's spouse whose filing status is married filing combined who is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

3. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for providing care for an eligible child. The tax credit amount shall be equal to twenty-five percent of the stay-at-home parent's annual salary in the year before the stay-at-home parent terminated gainful employment to become a stay-at-home parent. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall not be refundable but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. The cumulative amount of tax credits which may be issued under this section in any one fiscal year shall not exceed two million dollars.

4. The director of the department of revenue 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 taxpayers allowed a tax credit under this section. 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.

5. Each stay-at-home parent claiming a tax credit under this section shall file an affidavit verifying that such parent is a stay-at-home parent, and shall provide a copy of the most recent W-2 form received before becoming a stay-at-home parent to verify the tax credit amount claimed.

6. The department of revenue 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.

7. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

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

Representative Grill moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Page offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 105.452, Page 94, Line 29, by deleting the following "**2. No person shall offer**" and inserting in lieu thereof the following:

"**(6) Offer**"; and

Further amend said page, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"**any public office. For purposes of this section, the term "public office" shall mean any elected or appointed office of state, county, or municipal government.**"; and

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

On motion of Representative Page, **House Amendment No. 17** was adopted.

Representative Faith offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 113, Section 144.062, Line 13, by striking "**144.030**," and inserting the following:

"**144.030; or**

(6) After June 30, 2007, the department of transportation or the state highways and transportation commission"; and

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

On motion of Representative Faith, **House Amendment No. 18** was adopted.

Representative Silvey offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 50.660, Page 7, Line 34, by inserting the following after all of said line:

"52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed on him by law. **However, no penalty and interest, including that found in this chapter and chapters 139 and 140, shall be charged on real property tax when there is clear and convincing evidence that an error or omission was made by the county in determining taxes owed by a taxpayer.**

2. The county commission shall have the authority to refund penalties, interest and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December 31 and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes along with any penalties or interest due and owing. The taxpayer may then submit a request for a refund of penalties, interest or taxes, in writing, to the county commission. If the county commission approves the refund of penalties, interest or taxes then such refunds approved by the county commission shall be handled under section 139.031(5)."; and

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

On motion of Representative Silvey, **House Amendment No. 19** was adopted.

Representative Avery offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Pages 105 through 113, Section 144.030, Line 280, by inserting after all of said line the following:

"(41) Sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased for use by a person at any Missouri public or private university, college, or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities, or sciences or in a professional, vocational, or technical field, provided that the books which are exempt from state and local sales and use tax are those required or recommended for a class. Upon request, the institution or department shall provide at least one list of textbooks to the bookstore each semester."; and

Further amend said bill, Page 191, Section 105.971, by inserting after all of said section the following:

"[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.];" and

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

On motion of Representative Avery, **House Amendment No. 20** was adopted.

Representative Corcoran offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 75, Section 79.050, Line 29, by inserting after said line the following:

"82.020. Any city or town under special charter, as defined in Section 81.010, RSMo, and any other city in this state which now has or which may hereafter have a population of more than [ten] **five** thousand inhabitants according to the last preceding federal decennial census may frame and adopt or amend a charter for its own government by complying with the provisions of Sections 19 and 20 of article VI of the constitution of this state, or any amendments thereof."; and

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

On motion of Representative Corcoran, **House Amendment No. 21** was adopted.

Representative McClanahan offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 165, Section 302.010, Line 88, by inserting after all of said line the following:

"320.066. 1. The following terms shall mean:

(1) **"Approved carbon monoxide alarm", a device meant for the purpose of detecting carbon monoxide that is certified by a nationally recognized testing laboratory to conform to the latest Underwriters Laboratories Standards;**

(2) **"Dwelling unit", premises or part thereof occupied, used, or held out for use and occupancy as a place of abode for human beings, whether occupied or vacant;**

(3) **"Installed", an approved carbon monoxide alarm that is hard-wired into the electrical wiring of the dwelling unit or residential property;**

(4) **"Operational", working and in service.**

2. Every newly constructed residential property or rental property that is a dwelling unit shall be equipped with an approved and operational carbon monoxide alarm installed within ten feet of each room lawfully used for sleeping purposes. Such carbon monoxide alarm shall also be installed within ten feet of each room lawfully used for sleeping upon the sale of an existing residential property or upon any change or renewal of a lease of a rental property that is a dwelling unit.

3. The owner of a rental property that is a dwelling unit which is required to be equipped with one or more approved carbon monoxide alarms shall:

(1) **Provide and install one approved and operational carbon monoxide alarm within ten feet of each room lawfully used for sleeping;**

(2) **Replace any required carbon monoxide alarm that has been stolen, removed, found missing, or rendered inoperable within the dwelling unit; and**

(3) **Keep and maintain the device in good repair."; and**

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

Representative McClanahan moved that **House Amendment No. 22** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull
Casey

Baker 25
Chappelle-Nadal

Bringer
Corcoran

Brown 50
Curls

Burnett
Darrough

1855 *Journal of the House*

Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman				

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
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kratky	Kraus
Lembke	Lipke	Loehner	Marsh	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	Thomson
Threlkeld	Tilley	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Johnson	Kingery	Kuessner
Meiners	Salva	Viebrock	Wallace	Walton
Zweifel				

Representative Roorda offered **House Amendment No. 23.**

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.410, Page 22, Line 120, by inserting the following after all of said line:

"67.457. 1. To establish a neighborhood improvement district, the governing body of any city or county shall comply with either of the procedures described in subsection 2 or 3 of this section.

2. The governing body of any city or county proposing to create a neighborhood improvement district may by resolution submit the question of creating such district to all qualified voters residing within such district at a general or special election called for that purpose. Such resolution shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, and the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each

year during the term of the bonds issued for the original improvement and after such bonds are paid in full. The governing body of the city or county may create a neighborhood improvement district when the question of creating such district has been approved by the vote of the percentage of electors within such district voting thereon that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county under article VI, section 26 of the constitution of this state. The notice of election containing the question of creating a neighborhood improvement district shall contain the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and a statement that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such notice, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such notice, by more than twenty-five percent. The ballot upon which the question of creating a neighborhood improvement district is submitted to the qualified voters residing within the proposed district shall contain a question in substantially the following form:

Shall (name of city or county) be authorized to create a neighborhood improvement district proposed for the (project name for the proposed improvement) and incur indebtedness and issue general obligation bonds to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed by the governing body of the (city or county) on the real property benefited by such improvements for a period of years, and, if included in the resolution, an assessment in each year thereafter with the proceeds thereof used solely for maintenance of the improvement?

3. As an alternative to the procedure described in subsection 2 of this section, the governing body of a city or county may create a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within such proposed district. **Each owner of record of real property located in the proposed district is allowed one signature. Any person, corporation, or limited liability partnership owning more than one parcel of land located in such proposed district shall be allowed only one signature on such petition.** The petition, in order to become effective, shall be filed with the city clerk or county clerk. A proper petition for the creation of a neighborhood improvement district shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full, a notice that the names of the signers may not be withdrawn later than seven days after the petition is filed with the city clerk or county clerk, and a notice that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such petition, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such petition, by more than twenty-five percent. **Any neighborhood improvement district in existence prior to August 28, 2007, where two-thirds of the property located in such district was owned by a single person, corporation, or limited liability partnership shall be nullified. Any remaining indebtedness resulting from the issuance of bonds to fund the improvements within the neighborhood improvement district shall revert to the governing body of the city or county.**

4. Upon receiving the requisite voter approval at an election or upon the filing of a proper petition with the city clerk or county clerk, the governing body may by resolution or ordinance determine the advisability of the improvement and may order that the district be established and that preliminary plans and specifications for the improvement be made. Such resolution or ordinance shall state and make findings as to the project name for the proposed improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of the neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and shall also state that the final cost of such improvement assessed against the real property within the neighborhood improvement district and the amount of general obligation bonds issued therefor shall not, without a new election or petition, exceed the estimated cost of such improvement by more than twenty-five percent.

5. The boundaries of the proposed district shall be described by metes and bounds, streets or other sufficiently specific description. The area of the neighborhood improvement district finally determined by the governing body of the city or county to be assessed may be less than, but shall not exceed, the total area comprising such district.

6. In any neighborhood improvement district organized prior to August 28, 1994, an assessment may be levied and collected after the original period approved for assessment of property within the district has expired, with the proceeds thereof used solely for maintenance of the improvement, if the residents of the neighborhood improvement district either vote to assess real property within the district for the maintenance costs in the manner prescribed in subsection 2 of this section or if the owners of two-thirds of the area of all real property located within the district sign a petition for such purpose in the same manner as prescribed in subsection 3 of this section."; and

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

Representative Casey offered **House Amendment No. 1 to House Amendment No. 23.**

*House Amendment No. 1
to
House Amendment No. 23*

AMEND House Amendment No. 23 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 3, Section 67.457, Line 14, by deleting after the word "percent." all of the following:

"Any neighborhood improvement district in existence prior to August 28, 2007, where two-thirds of the property located in such district was owned by a single person, corporation, or limited liability partnership shall be nullified. Any remaining indebtedness resulting from the issuance of bonds to fund the improvements within the neighborhood improvement district shall revert to the governing body of the city or county."; and

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

On motion of Representative Casey, **House Amendment No. 1 to House Amendment No. 23** was adopted.

On motion of Representative Roorda, **House Amendment No. 23, as amended**, was adopted.

Representative Harris (110) offered **House Amendment No. 24.**

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 122, Section 163.038, Line 8, by inserting after all of said line the following:

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

(1) "Board", the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) "Educational institution", any school district, including all junior college districts, and any state college or university organized under chapter 174, RSMo.

2. The board of any educational institution may enter into agreements as authorized in this section with a not-for-profit corporation formed under the general not for profit corporation law of Missouri, chapter 355, RSMo, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease from the corporation sites, buildings, facilities, furnishings and equipment which the corporation has acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, to the corporation any existing sites owned by the educational institution, together with any existing buildings and facilities thereon, in order for the corporation to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease back or purchase such sites, buildings and facilities from the corporation; provided that upon selling or leasing the sites, buildings or facilities, the corporation agrees to enter into a lease for not more than one year but with not more than twenty successive options by the educational institution to renew the lease under the same conditions; and provided further that the corporation agrees to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued by the corporation to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property to a not-for-profit corporation pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned to the corporation.

5. The board may make rental payments to the corporation under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued by a corporation to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued by a corporation shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations of the corporation and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned by a corporation in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements with the corporation necessary or convenient in connection with any project pursuant to this section. The corporation shall comply with sections 290.210 to 290.340, RSMo.

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011, RSMo, for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11. Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031, RSMo, beginning in the year following the transfer of title to the

district, as determined by the department of elementary and secondary education. **No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031, RSMo, as a result of the transfer of title."**; and

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

Representative Harris (110) moved that **House Amendment No. 24** be adopted.

Which motion was defeated.

Representative Sutherland offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 94, Section 105.452, Line 30, by inserting after all of said line the following:

"108.170. 1. Notwithstanding any other provisions of any law or charter to the contrary, any issue of bonds, notes, or other evidences of indebtedness, including bonds, notes, or other evidences of indebtedness payable solely from revenues derived from any revenue-producing facility, hereafter issued under any law of this state by any county, city, town, village, school district, educational institution, drainage district, levee district, nursing home district, hospital district, library district, road district, fire protection district, water supply district, sewer district, housing authority, land clearance for redevelopment authority, special authority created under section 64.920, RSMo, authority created pursuant to the provisions of chapter 238, RSMo, or other municipality, political subdivision or district of this state shall be negotiable, may be issued in bearer form or registered form with or without coupons to evidence interest payable thereon, may be issued in any denomination, and may bear interest at a rate not exceeding ten percent per annum, and may be sold, at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, anything in any proceedings heretofore had authorizing such bonds, notes, or other evidence of indebtedness, or in any law of this state or charter provision to the contrary notwithstanding. Such issue of bonds, notes, or other evidence of indebtedness may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice of such sale, at the best price obtainable, not less than ninety-five percent of the par value thereof; provided, that such bonds, notes, or other evidence of indebtedness may be sold to any agency or corporate or other instrumentality of the state of Missouri or of the federal government at private sale at a rate not exceeding fourteen percent per annum.

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the sale of bonds, notes, or other evidence of indebtedness issued by the state board of public buildings created under section 8.010, RSMo, the state board of fund commissioners created under section 33.300, RSMo, any port authority created under section 68.010, RSMo, the bi-state metropolitan development district authorized under section 70.370, RSMo, any special business district created under section 71.790, RSMo, any county, as defined in section 108.465, exercising the powers granted by sections 108.450 to 108.470, the industrial development board created under section 100.265, RSMo, any planned industrial expansion authority created under section 100.320, RSMo, the higher education loan authority created under section 173.360, RSMo, the Missouri housing development commission created under section 215.020, RSMo, the state environmental improvement and energy resources authority created under section 260.010, RSMo, the agricultural and small business development authority created under section 348.020, RSMo, any industrial development corporation created under section 349.035, RSMo, or the health and educational facilities authority created under section 360.020, RSMo, shall, with respect to the sales price, manner of sale and interest rate, be governed by the specific sections applicable to each of these entities.

3. Notwithstanding other provisions of this section or other law, the sale of bonds, notes or other evidence of indebtedness issued by any housing authority created under section 99.040, RSMo, may be sold at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, and may bear interest at a rate not exceeding fourteen percent per annum. The sale shall be a public sale unless the issuing jurisdiction adopts a resolution setting forth clear justification why the sale should be a private sale except that private activity bonds may be sold either at public or private sale.

4. Notwithstanding other provisions of this section or law, industrial development revenue bonds may be sold at private sale and bear interest at a rate not exceeding fourteen percent per annum at the best price obtainable, not less than ninety-five percent of the par value thereof.

5. Notwithstanding other provisions in subsection 1 of this section to the contrary, revenue bonds issued for airport purposes by any constitutional charter city in this state which now has or may hereafter acquire a population of more than three hundred thousand but less than six hundred thousand inhabitants, according to the last federal decennial census, may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice, at the best price obtainable, not less than ninety-five percent of the par value thereof.

6. For purposes of the interest rate limitations set forth in this section, the interest rate on bonds, notes or other evidence of indebtedness described in this section means the rate at which the present value of the debt service payments on an issue of bonds, notes or other evidence of indebtedness, discounted to the date of issuance, equals the original price at which such bonds, notes or other evidence of indebtedness are sold by the issuer. Interest on bonds, notes or other evidence of indebtedness may be paid periodically at such times as shall be determined by the governing body of the issuer and may be compounded in accordance with section 408.080, RSMo.

7. Notwithstanding any provision of law or charter to the contrary:

(1) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state which entity or political corporation has an annual operating budget for the current year exceeding twenty-five million dollars may, in connection with managing the cost to such entity or political corporation of purchasing fuel, electricity, natural gas, and other commodities used in the ordinary course of its lawful operations, enter into agreements providing for fixing the cost of such commodity, including without limitation agreements commonly referred to as hedges, futures, and options; provided that as of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection; and further provided that no eligible school, as defined in section 393.310, RSMo, shall be authorized by this subsection to enter into such agreements in connection with the purchase of natural gas while the tariffs required under section 393.310, RSMo, are in effect;

(2) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state may, in connection with its bonds, notes, or other obligations then outstanding or to be issued and bearing interest at a fixed or variable rate, enter into agreements providing for payments based on levels of or changes in interest rates, including without limitation certain derivative agreements commonly referred to as interest rate swaps, hedges, caps, floors, and collars, provided that:

(a) As of the date of issuance of the bonds, notes, or other obligations to which such agreement relates, such entity or political corporation will have bonds, notes, or other obligations outstanding in an aggregate principal amount of at least fifty million dollars; and

(b) As of the date of such agreement, such entity's or political corporation's bonds, notes, or other obligations then outstanding or to be issued have received a stand-alone credit rating in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency, or such entity or political corporation has an issuer or general credit rating, in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency; and

(c) As of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection;

(3) Prior to entering into any agreements pursuant to subdivision (1) or (2) of this subsection, the governing body of the entity or political corporations entering into such agreements shall have adopted a written policy governing such agreements. Such policy shall be prepared by integrating the recommended practices published by the Government Finance Officers Association or comparable nationally recognized professional organization and shall provide guidance with respect to the permitted purposes, authorization process, mitigation of risk factors, ongoing oversight responsibilities, market disclosure, financial strategy, and any other factors in connection with such agreements determined to be relevant by the governing body of such entity or political corporation. Such entity or political corporation may enter into such agreements at such times and such agreements may contain such payment, security, default, remedy, and other terms and conditions as shall be consistent with the written policy adopted under this subdivision and as may be approved by the governing body of such entity or other obligated party, including any rating by any nationally recognized rating agency and any other criteria as may be appropriate;

(4) Nothing in this subsection shall be applied or interpreted to authorize any such entity or political corporation to enter into any such agreement for investment purposes or to diminish or alter the special or general power any such entity or political corporation may otherwise have under any other provisions of law including the special or general power of any interstate transportation authority."; and

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

On motion of Representative Sutherland, **House Amendment No. 25** was adopted.

Representative Wilson (119) offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 137.092, Page 97, Line 13, by inserting immediately after the word "**facility**" the following:

"if the owner of the rental or leasing facility knows of or has been made aware of the nature of such personal property"; and

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

On motion of Representative Wilson (119), **House Amendment No. 26** was adopted.

Representative Franz offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 7, Section 50.660, by inserting after all of said section the following:

"50.1250. 1. If a member has less than five years of creditable service upon termination of employment, the member shall forfeit the portion of his or her defined contribution account attributable to board matching contributions or county matching contributions pursuant to section 50.1230. The proceeds of such forfeiture shall be applied towards matching contributions made by the board for the calendar year in which the forfeiture occurs. If the board does not approve a matching contribution, then forfeitures shall revert to the county employees' retirement fund. The proceeds of such forfeiture with respect to county matching contributions shall be applied toward matching contributions made by the respective county in accordance with rules prescribed by the board.

2. A member shall be eligible to receive a distribution of the member's defined contribution account in such form selected by the member as permitted under and in accordance with the rules and regulations formulated and adopted by the board from time to time, and commencing as soon as administratively feasible following separation from service, unless the member elects to receive the account balance at a later time, but no later than his or her required beginning date. Notwithstanding the foregoing, if the value of a member's defined contribution account balance is [five] **one** thousand dollars or less at the time of the member's separation from service, without respect to any board-matching contributions or employer-matching contribution which might be allocated following the member's separation from service, then his or her defined contribution account shall be distributed to the member in a single sum as soon as administratively feasible following his or her separation from service. The amount of the distribution shall be the amount determined as of the valuation date described in section 50.1240, if the member has at least five years of creditable service. If the member has less than five years of creditable service upon his or her separation from service, then the amount of the distribution shall equal the portion of the member's defined contribution account attributable to the member's seed contributions pursuant to section 50.1220, if any, determined as of the valuation date.

3. If the member dies before receiving the member's account balance, the member's designated beneficiary shall receive the member's defined contribution account balance, as determined as of the immediately preceding valuation date, in a single sum. The member's beneficiary shall be his or her spouse, if married, or his or her estate, if not married, unless the member designates an alternative beneficiary in accordance with procedures established by the board."; and

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

On motion of Representative Franz, **House Amendment No. 27** was adopted.

Representative Swinger offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 96, Section 110.150, Line 23, by inserting after all of said line the following:

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

(1) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(2) "Storm shelter", an above-ground safe room or an in-ground shelter in or near the taxpayer's primary residence that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and that is made in America;

(3) "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;

(4) "Taxpayer", any individual subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for the costs incurred in building a storm shelter on or after January 1, 2003. The tax credit amount shall be equal to the lesser of two thousand dollars or fifty percent of the incurred costs. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferable.

3. The department of revenue 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.

4. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

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

On motion of Representative Swinger, **House Amendment No. 28** was adopted.

Representative Frame offered **House Amendment No. 29**.

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting the following after all of said line:

"Section 3. If any water supply district or sewer district provides water services or sewerage services or combined water and sewerage services in any city of the fourth classification with more than five thousand four hundred but less than five thousand five hundred inhabitants and located in more than one county that also provides such services, the water supply district or sewer district cannot charge rates for the water services or sewerage services or combined water and sewerage services that are higher than the rates charged for such services by such city."; and

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

Representative Frame moved that **House Amendment No. 29** be adopted.

Which motion was defeated.

Representative Meadows offered **House Amendment No. 30**.

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 190.305, Page 127, Line 57, by inserting the following after all of said line:

"190.528. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of passengers by stretcher van upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for a stretcher van service issued pursuant to the provisions of sections 190.525 to 190.537 notwithstanding any provisions of chapter 390 or 622, RSMo, to the contrary.

2. Subsection 1 of this section shall not preclude any political subdivision that is authorized to operate a licensed ambulance service from adopting any law, ordinance or regulation governing the operation of stretcher vans that is at least as strict as the minimum state standards, and no such regulations or ordinances shall prohibit stretcher van services that were legally picking up passengers within a political subdivision prior to January 1, 2002, from continuing to operate within that political subdivision and no political subdivision which did not regulate or prohibit stretcher van services as of January 1, 2002, shall implement unreasonable regulations or ordinances to prevent the establishment and operation of such services.

3. In any county with a charter form of government and with more than one million inhabitants, the governing body of the county shall set reasonable standards for all stretcher van services which shall comply with subsection 2 of this section. All such stretcher van services must be licensed by the department. The governing body of such county shall not prohibit a licensed stretcher van service from operating in the county, as long as the stretcher van service meets county standards.

4. Nothing shall preclude the enforcement of any laws, ordinances or regulations of any political subdivision authorized to operate a licensed ambulance service that were in effect prior to August 28, 2001.

5. Stretcher van services may transport passengers.

6. A stretcher van shall be staffed by at least two individuals when transporting passengers.

7. The crew of the stretcher van is required to immediately contact the appropriate ground ambulance service if a passenger's condition deteriorates.

8. [Stretcher van services shall not transport patients, persons currently admitted to a hospital or persons being transported to a hospital for admission or emergency treatment.] Passengers may be transported in a stretcher van provided the patient:

- (1) Needs no medical equipment (except self administered oxygen);
- (2) Needs no medical monitoring;

(3) Needs routine transportation to or from a medical appointment or service if that person is convalescent or otherwise non-ambulatory and does not require medical monitoring, aid, care, or treatment during transport.

9. Stretcher van services shall not transport patients currently admitted to a hospital or patients being transported to a hospital for admission or emergency treatment. A stretcher van shall not transport a patient whom:

- (1) Is acutely ill, wounded, or medically unstable.**
- (2) Is experiencing an emergency medical condition as defined in section 190.100, an acute medical condition, an exacerbation of a chronic medical condition, or a sudden illness or injury;**
- (3) Was administered a medication that might prevent the person from caring for his or her self;**
- (4) Is a hospital in-patient being transported to another hospital for the purpose of receiving a higher level of medical care;**
- (5) Is a hospital in-patient being discharged following treatment that could present the possibility of an adverse reaction;**
- (6) Is being transported to or from medical treatment, including but not limited to dialysis, wound care, and radiation, regardless of whether the treatment facility is a hospital or a freestanding facility.**

10. A stretcher van shall always be operated with:

- (1) Stretchers and mountings that meet or exceed current manufacturer's KKK-A-1822 specifications at the time of manufacture;**
- (2) Vehicles specifically designed, manufactured and equipped for use as a stretcher van which meets current Federal safety standards at the date of vehicle manufacture.**

[9.] **11.** The department of health and senior services shall promulgate regulations, including but not limited to adequate insurance, on-board equipment, vehicle staffing, vehicle maintenance, vehicle specifications, vehicle communications, passenger safety and records and reports.

[10.] **12.** The department of health and senior services shall issue service licenses for a period of no more than five years for each service meeting the established rules.

[11.] **13.** Application for a stretcher van license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.525 to 190.537. The application form shall contain such information as the department deems necessary to make a determination as to whether the stretcher van agency meets all the requirements of sections 190.525 to 190.537 and rules promulgated pursuant to sections 190.525 to 190.537. The department shall conduct an inspection of the stretcher van service to verify compliance with the licensure standards of sections 190.525 to 190.537.

[12.] **14.** Upon the sale or transfer of any stretcher van service ownership, the owner of the stretcher van service shall notify the department of the change in ownership within thirty days prior to the sale or transfer. The department shall conduct an inspection of the stretcher van service to verify compliance with the licensure standards of sections 190.525 to 190.537.

[13.] **15.** Ambulance services licensed pursuant to this chapter or any rules promulgated by the department of health and senior services pursuant to this chapter may provide stretcher van and wheelchair transportation services pursuant to sections 190.525 to 190.537.

[14.] **16.** 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."; and

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

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 30.**

House Amendment No. 1
to
House Amendment No. 30

AMEND House Amendment No. 30 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Section 190.528, Line 15, by striking the word "patient" and replacing it with the word "passenger".

On motion of Representative Roorda, **House Amendment No. 1 to House Amendment No. 30** was adopted.

On motion of Representative Meadows, **House Amendment No. 30, as amended**, was adopted.

Representative Schoeller offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Line 117, by inserting the following after all of said line:

"67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the "Community Improvement District Act".

2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

(1) "Approval" or "approve", for purposes of elections pursuant to sections 67.1401 to 67.1571, a simple majority of those qualified voters voting in the election;

(2) "Assessed value", the assessed value of real property as reflected on the tax records of the county clerk of the county in which the property is located, or the collector of revenue if the property is located in a city not within a county, as of the last completed assessment;

(3) "Blighted area", an area which:

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

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, RSMo, sections 99.800 to 99.865, RSMo, or sections 99.300 to 99.715, RSMo;

(4) "Board", if the district is a political subdivision, the board of directors of the district, or if the district is a not-for-profit corporation, the board of directors of such corporation;

(5) "Director of revenue", the director of the department of revenue of the state of Missouri;

(6) "District", a community improvement district, established pursuant to sections 67.1401 to 67.1571;

(7) "Election authority", the election authority having jurisdiction over the area in which the boundaries of the district are located pursuant to chapter 115, RSMo;

(8) "Municipal clerk", the clerk of the municipality;

(9) "Municipality", any city, village, incorporated town, or county of this state, or in any unincorporated area that is located in any county with a charter form of government and with more than one million inhabitants;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund outstanding obligations;

(11) "Owner", for real property, the individual or individuals or entity or entities who own a fee interest in real property that is located within the district or their legally authorized representative; for business organizations and other entities, the owner shall be deemed to be the individual which is legally authorized to represent the entity in regard to the district;

(12) "Per capita", one head count applied to each individual, entity or group of individuals or entities having fee ownership of real property within the district whether such individual, entity or group owns one or more parcels of

real property in the district as joint tenants, tenants in common, tenants by the entirety [or] , tenants in partnership, **except that with respect to a condominium created under sections 448.1-101 to 448.4-120, RSMo, "per capita" means one head count applied to the applicable unit owners' association and not to each unit owner;**

(13) "Petition", a petition to establish a district as it may be amended in accordance with the requirements of section 67.1421;

(14) "Qualified voters",

(a) For purposes of elections for approval of real property taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property which is to be subject to such real property taxes and is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

(b) For purposes of elections for approval of business license taxes or sales taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property located within the district per the tax records for real property of the county clerk as of the thirtieth day before the date of the applicable election; and

(c) For purposes of the election of directors of the board, registered voters and owners of real property which is not exempt from assessment or levy of taxes by the district and which is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, of the thirtieth day prior to the date of the applicable election; and

(15) "Registered voters", persons who reside within the district and who are qualified and registered to vote pursuant to chapter 115, RSMo, pursuant to the records of the election authority as of the thirtieth day prior to the date of the applicable election."; and

Further amend said substitute, Section 67.1461, Page 42, Line 113, by inserting the following after all of said line:

"67.1485. 1. Any district organized as a nonprofit corporation may merge with another district organized as a nonprofit organization. Such merger shall be conducted under the procedures for merger provided in chapter 355, RSMo, and shall not become effective unless:

(1) The boundaries of the merging districts are contiguous;

(2) The articles of merger required under section 355.361, RSMo, contain a legal description of the surviving district corporation;

(3) The term of existence of the surviving district corporation stated in the articles of merger shall be equal to the shortest length of time remaining for existence of either merging district corporation as determined by the applicable ordinances establishing the merging district corporations;

(4) A copy of the articles of merger is sent to the department of economic development.

2. If two district corporations merge under this section, the board of directors of the surviving district corporation may continue to levy special assessments against such tracts, lots, or parcels listed, and in an amount as provided in, a previously authorized petition under section 67.1521, provided that the level of service stated in such petition is not decreased by the surviving district corporation. A new special assessment petition may be submitted to the surviving district corporation and, if stated in the petition, may supersede or replace the previously authorized special assessment petitions.

3. No merger under this section shall be construed to be a petition for termination under section 67.1481 or to invoke a plan of dissolution as provided in section 67.1481."; and

Further amend said substitute, Section 67.1545, Page 43, Line 54, by inserting the following after all of said line:

"67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question or the effective

date of the resolution levying such special assessment or tax in question **or the effective date of a merger of two districts under section 67.1485.**"; and

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

Representative Flook offered **House Amendment No. 1 to House Amendment No. 31.**

House Amendment No. 1

to

House Amendment No. 31

AMEND House Amendment No. 31 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 1, by inserting before all of said line the following:

'AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Lines 87 through 92, by deleting all of said lines and inserting in lieu thereof the following:

"fewer than six thousand five hundred inhabitants and located in more than one county"; and

Further'.

On motion of Representative Flook, **House Amendment No. 1 to House Amendment No. 31** was adopted.

On motion of Representative Schoeller, **House Amendment No. 31, as amended**, was adopted.

Representative Guest offered **House Amendment No. 32.**

House Amendment No. 32

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 247.060, Page 161, Line 28, by inserting after all of said line the following:

"250.300. 1. Sections 250.300 to 250.330 shall be known and may be cited as the "Wholesale Water and Sewer Authority Act".

2. As used in sections 250.300 to 250.330, the following terms mean:

- (1) "Authority", a wholesale water and sewer authority organized under sections 250.300 to 250.330;**
- (2) "Obligations", bonds, notes, or other agreements issued by the authority in accordance with sections 250.300 to 250.330 to finance or refinance the costs of projects;**
- (3) "Project", facilities and distribution systems used for wholesale water supply or distribution, or facilities and collection systems used for wholesale wastewater treatment or collection;**
- (4) "Provider", any political subdivision of the state owning or operating, or which has the authority to own and operate, a water system or a wastewater system, or both, which petitions for the formation of an authority or which is added to the membership of an authority after such authority is formed.**

250.303. 1. An authority may be created to fund, promote, plan, design, construct, improve, acquire, maintain, and operate one or more projects or to assist in such activity.

2. To create an authority, two or more providers shall file a petition in the circuit court of any county in which all or a portion of a project is proposed to be located requesting creation of an authority.

3. The petition shall set forth:

(1) A recital that the governing bodies of the providers have approved filing of the petition. A resolution or ordinance of each such governing bodies calling for the establishment of the authority shall be attached to the petition;

(2) A general description of the initial project or projects proposed to be undertaken by the authority, including a description of the approximate location thereof;

(3) The number of initial members of the board of directors of the authority;

(4) The name of the proposed authority;

(5) A proposal for initial funding for the authority in accordance with sections 250.300 to 250.330; and

(6) A request that the court enter its judgment that the authority is thereby formed as a political subdivision of the state.

4. Upon the filing of a petition, the circuit clerk shall provide notice to the public by causing one or more newspapers of general circulation serving the proposed providers to publish once a week for four consecutive weeks a notice in substantially the following form:

"NOTICE OF PETITION FOR THE CREATION AND FUNDING OF A WHOLESALE WATER AND SEWER AUTHORITY

Notice is hereby given to all persons residing in (here specifically describe the proposed providers), within the state of Missouri, that a petition has been filed requesting that a wholesale water and sewer authority by the name of "..... Wholesale Water and Sewer Authority" be formed for the purpose of developing the following project: (here summarize the proposed project or projects). A copy of this petition is on file and available at the office of the clerk of the circuit court of County, located at, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the wholesale water and sewer authority and requesting a declaratory judgment, as required by law, no later than the day of, 20... You may show cause, if any, why such petition is defective or why the proposed wholesale water and sewer authority or its funding method, as set forth in the petition, is illegal, unconstitutional, unjust, or unreasonable and should not be approved by this court.

.....
Clerk of the Circuit Court of County".

5. The circuit court may also order a public hearing on the question of the creation and funding of the proposed authority, if deemed appropriate by the court, under such terms and conditions as the court deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in subsection 4 of this section. The court, for good cause shown, may continue the case or hearing thereon from time to time until final disposition thereof.

250.306. 1. Any resident of any provider may join in or file a petition supporting or answer opposing the creation of the authority and seeking a declaratory judgment respecting such same issues within thirty days after the date notice is last published by the circuit clerk.

2. The court shall hear the case without a jury. If the court shall thereafter determine the petition is defective or the proposed authority is illegal, unconstitutional, unjust, or unreasonable, the court shall enter a declaratory judgment to that effect and shall refuse to make the certifications requested in the pleadings. If the court determines that any proposed funding method is illegal, unconstitutional, unjust, or unreasonable, the court shall enter a judgment striking such funding method in whole or in part. If the court determines the petition is not legally defective and the proposed authority and method of funding is not illegal, unconstitutional, unjust, or unreasonable, the court shall enter a judgment to such effect and declare the authority organized as a political subdivision of the state.

3. Any party that files an answer or petition may appeal the circuit court's order or declaratory judgment in the same manner as provided for other appeals.

250.309. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition shall be paid by the petitioner. If an authority is organized under sections 250.300 to 250.330, the petitioner may be reimbursed for such costs out of the revenues received by the authority.

250.312. Following approval of the formation of the authority by the court, an authority may add to its membership providers not joining in the original petition. Such additional providers may be added in accordance with the procedure prescribed in this section. The authority shall hold a public hearing regarding the proposed additional provider and shall provide notice to the public by causing one or more newspapers of general circulation serving the existing providers and proposed additional provider to publish once a week for two consecutive weeks prior to the week in which the public hearing is held a notice in substantially the following form:

"NOTICE OF NEW PROVIDER FOR THE WHOLESALE WATER AND SEWER AUTHORITY

Notice is hereby given to all persons residing in (here specifically describe the applicable providers), within the state of Missouri, that the "..... Wholesale Water and Sewer Authority" will be holding a public hearing on (insert date) at (insert time) regarding the following: (here summarize the addition of proposed providers).".

The authority shall receive all public comments at the public hearing and following the closure thereof may by a vote of a majority of the board of directors add such provider to the membership of the authority.

250.315. The presiding officer, or the presiding officer's designee, of each provider shall, with the consent of the governing body of the provider, appoint one member and an alternate to the board of directors. Each director or alternate shall reside within the boundaries of the provider appointing such director or alternate and each such provider may remove the director or alternate representing such entity with or without cause. Each director or alternate shall serve until removed by the provider appointing such director or alternate, or until disqualified.

250.318. 1. The board shall possess and exercise all of the authority's legislative and executive powers, as such powers are described in sections 250.300 to 250.330.

2. The board shall meet within thirty days after the formation of the authority. At the first meeting, the board shall elect a chair from its members. The chair shall preside at all meetings of the board and, except as otherwise delegated by the board, shall execute all legal instruments of the authority. The chair shall be the principle executive officer of the authority with full responsibility for the planning, operations, and administrative affairs of the authority and the coordination thereof under policies and programs approved by the board from time to time and shall perform such other duties as the board may prescribe. The chair may conduct the ordinary and customary business of the authority between meetings of the board.

3. The board shall appoint an authority secretary and such other officers and employees as it deems necessary.

4. At the first meeting, the board shall define by resolution the first and subsequent fiscal years of the authority and may adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board and approve any board resolution, except a resolution to authorize obligations which shall require the approval of a majority of the entire board of directors.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and shall not be compensated; except that a director may be reimbursed for actual expenses incurred in the performance of the director's duties on behalf of the authority.

250.321. 1. The board of directors of the authority shall have the following powers:

(1) To accept by gift or grant from any person or entity, or from this state, any other state, or any political subdivision or municipality thereof, or from the United States any moneys or property or any interest therein for the uses and purposes of the authority and to hold title thereto in trust or otherwise and to bind the authority to apply the same according to the terms of such gift or grant;

(2) To sue and be sued;

(3) To enter into franchises, contracts, and agreements with this state, any other state, or the United States, or any municipality, political subdivision, or authority thereof, or any of their agencies or instrumentalities, or any public or private person, partnership, association, or corporation of this state, any other state, or the United States to fund, promote, plan, design, develop, construct, acquire, maintain, or operate any

project for the wholesale supply of water, including the purchase of guaranteed minimum or maximum quantities, or for any other service rendered to, for, or by the authority for such term of years as the board of directors of the authority may approve; and any such municipality, political subdivision, authority, or any of their agencies or instrumentalities, and any such public or private person, partnership, association, or corporation is hereby authorized to enter into contracts and agreements with such authority for such term of years as may be approved by such persons or the governing bodies of such entities, as applicable, to fund, promote, plan, design, develop, construct, acquire, maintain, or operate any facility for the wholesale supply of water, including the purchase of guaranteed minimum or maximum quantities, the provision of wastewater services, including the purchase of guaranteed minimum or maximum quantities, or for any other service rendered to, for, or by the authority;

(4) To borrow money and evidence the same by obligations as hereinafter provided in sections 250.300 to 250.330, and to refund the same by the issuance of refunding obligations;

(5) To acquire land and interests in land and other property by sale, lease, gift, purchase, or exchange, and to sell, lease, abolish, or otherwise dispose of such land, interests therein, or other property;

(6) To acquire by purchase or lease facilities for the wholesale production, distribution, and utilization of water and the wholesale collection and treatment of wastewater;

(7) To operate and maintain any of the facilities owned and acquired by the authority;

(8) To establish a system of fees and charges for services provided by the authority;

(9) To provide wholesale water service and wholesale wastewater service to providers utilizing the projects acquired or constructed by the authority, and to furnish retail water service and sewer service to end users, provided that in the case of provision of retail water or sewer service the authority receives the prior written consent, whether in blanket form or otherwise, of a provider or other political subdivision in this state in which the end user is located, and further provided that in the case of provision of retail service, such service is provided as incident to an agreement between the authority and one or more property owners related to acquisition of real property or rights therein for the purpose of constructing a portion of a project to be owned by an authority;

(10) To have the general management, control, and supervision of all the business, affairs, property, and facilities of the authority, and of the construction, installation, operation, and maintenance of authority improvements, and to establish regulations relating thereto;

(11) To hire and retain agents, employees, engineers, and attorneys and to determine their compensation;

(12) To adopt and amend rules and regulations not in conflict with the constitution and laws of this state which are necessary for the carrying on of business, objects, and affairs of the board of directors and of the authority;

(13) To invest the funds of the authority not needed for current operations in either open time deposits or certificates of deposit secured under sections 110.010 and 110.020, RSMo; or in bonds of the state of Missouri, the United States, or any wholly owned corporation of the United States, or in other short-term obligations of the United States, or any obligation or instrument described in subdivisions (1) to (12) of subsection 1 of section 30.270, RSMo; and

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes of sections 250.300 to 250.330.

250.324. 1. In addition to the other powers granted the authority and providers in sections 250.300 to 250.330, providers or any other political subdivision of this state owning or operating, or which has the authority to own and operate, a water system or a wastewater system, or both, may enter into purchase agreements with the authority for the purchase, sale, exchange, or transmission of wholesale water or wastewater service whereby they are obligated to make payments in amounts which shall be sufficient to enable the authority to meet its expenses, interest and principal payments, whether at maturity or upon sinking fund redemption, for its obligations, reasonable reserves for debt service, operation, and maintenance, and renewals and replacements, and the requirements of any rate covenants with respect to debt service coverage contained in any resolution, trust indenture, or other security instrument. Purchase agreements may contain such other terms and conditions as may be determined by the parties, including provisions obligating payments for wholesale water or wastewater service irrespective of whether such wholesale water or wastewater services is produced or delivered, or collected or delivered to the authority, or whether any project contemplated by any such agreement is completed, operable, or operating, and notwithstanding suspension, interruption, interference, reduction, or curtailment of the services

of such project. Such agreements may be for a term covering the life of a project or for any other term, or for an indefinite period. Such agreement may provide that if one or more of the providers or users of any project or facility default in the payment of its obligations under any such agreement, the remaining providers or users which also have such agreements shall be required to accept and pay for and shall be entitled proportionately to use or otherwise dispose of the wholesale water or wastewater service purchased by the defaulting provider or user.

2. The obligations of a provider or user of a project or facility under a purchase agreement with an authority or arising out of the default by any other provider or user with respect to such an agreement shall not be construed to constitute debt of the provider or user. To the extent provided in the purchase agreement, such obligations shall constitute special obligations of the provider or user, payable solely from revenues and other moneys derived by the provider or user from its utility and shall be treated as expenses of operating the utility.

250.327. 1. An authority may at any time authorize or issue obligations for the purpose of paying all or any part of the cost of any project. Every issue of such obligations shall be payable from the net revenues of the wholesale water system, wholesale sewer system, or a combination thereof as the case may be, of the authority, including without limitation the proceeds of any agreement with any provider or user for the sale of wholesale water or wastewater services, and may be further secured by other property of the authority which may be pledged, assigned, mortgaged, or a security interest granted for such payment without preference or priority of the first obligations issued subject to any agreement with the holders of any other obligations pledging any specified property or revenues. Such obligations shall be authorized by resolution of the majority of the entire board of directors of the authority and, if issued by the authority, shall bear such date or dates and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest obligations, compound interest obligations, variable rate obligations, convertible obligations, or zero coupon obligations, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding the provisions of section 108.170, RSMo. The obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the authority shall determine.

2. Any issue of authority obligations outstanding may be refunded at any time by the authority by issuing its refunding obligations in such amount as the authority may deem necessary. Such obligations may not exceed the amount sufficient to refund the principal of the obligations so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected either by sale of the refunding obligations and the application of the proceeds thereof to the payment of the obligations being refunded or by the exchange of the refunding obligations for the obligations being refunded with the consent of the holder or holders of the obligations being refunded. Refunding obligations may be issued regardless of whether the obligations being refunded were issued in connection with the same project or a separate project and regardless of whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. Obligations issued under this section shall exclusively be the responsibility of the authority payable solely out of authority funds and property provided in sections 250.300 to 250.330 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state, or any of the providers or users. The authority shall not be obligated to pay such obligations with any funds other than those specifically pledged to repayment of the obligations. Any obligations issued by an authority shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the authority.

4. Obligations issued under this section, the interest thereon, or any proceeds from such obligations shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

5. The authority may enter into funding or financing arrangements or any other contract or agreement with any person or business entity, or any federal, state, or local government agency or authority deemed necessary or desirable to fund, finance, or effectuate any project, including without limitation credit enhancement, credit support or interest rate agreements.

250.330. 1. Proceedings for the dissolution of an authority shall be substantially the same as proceedings for the formation of the authority, as follows: A petition describing the authority sought to be dissolved shall be filed with the clerk of the circuit court of the county wherein the petition to form the authority was filed. Such

petition shall allege that further operation of the authority is inimicable to the best interests of the providers which are members of the authority, that the authority should in the interest of the public welfare and safety be dissolved, that an alternative for the services of the projects owned and operated by the authority is available and better able to serve the providers that are members of the authority, and such other information as may be useful to the court in determining whether the petition should be granted and a decree of dissolution entered. Such petition shall also include a detailed plan for payment of all debt and obligations of the authority at the time of dissolution. Such petition shall be accompanied by a cash deposit of fifty dollars as an advancement of the costs of the proceeding and the petition shall be signed by a majority of the providers that are members of the authority. The authority shall be a party and, if the board of directors in its discretion determines that such dissolution is not in the public interest, the authority shall oppose such petition and pay all cost and expense thereof.

2. Upon the filing of the petition, the petition shall be presented to the circuit court and such court shall fix a date for a hearing on such petition as provided in this section. Thereupon, the clerk of the court shall give notice of the filing of the petition in some newspaper of general circulation in each of the providers that are members of the authority. The notice shall contain a description of the general purposes of the petition and shall set forth the date fixed for the hearing on the petition, which shall not be less than seven nor more than twenty-one days after the date of the last publication of the notice and shall be on some regular judicial day of the court wherein the petition is pending. Such notice shall be signed by the clerk of the circuit court and shall be published in three successive issues of a weekly newspaper or in twenty successive issues of a daily newspaper.

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions to the dissolution of an authority may be made by any voter of the providers that are members of the authority and by the authority as herein provided. Such exceptions shall be filed not less than five days prior to the date set for the hearing on the petition, and shall specify the grounds upon which the exceptions are filed and the court shall take them into consideration in passing upon the petition and shall also consider the evidence in support of the petition and in support of the exceptions made. Unless petitioners prove that all debts and financial obligations of the authority can be paid in full upon dissolution, the petition shall be dismissed at the cost of the petitioners.

5. If the court finds that it would not be to the public interest to dissolve an authority, the petition shall be dismissed at the costs of the petitioners. If, however, the court finds in favor of the petitioners, the court shall enter its interlocutory decree of dissolution which decree shall provide for the submission of the question to the voters of the authority in substantially the following form:

"Shall Wholesale Water and Sewer Authority be dissolved?".

6. The decree of dissolution shall not become final and conclusive until it shall have been submitted to the voters residing within the boundaries of each provider that is a member of the authority and until it shall have been assented to by a majority of two-thirds of the voters voting on the proposition. The decree shall provide for the submission of the question and shall fix the date thereof. The returns shall be certified by the election authorities to the circuit court having jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and declaring the result of such election.

7. If upon canvass and declaration it is found and determined that the question shall have been assented to by a majority of two-thirds of the voters voting on such proposition, the court shall in such order declaring the result of the election enter a further order declaring the decree of dissolution to be final and conclusive. If, however, the court finds that the question had not been assented to by the majority required, the court shall enter a further order declaring such decree of dissolution to be void and of no effect. No appeal shall lie from any of the aforesaid orders. If the court declares the decree of dissolution to be final, as provided in this section, the clerk of the circuit court shall file certified copies of such decree of dissolution and of such final order with the secretary of state of the state of Missouri and with the recorder of deeds of the county or counties in which the authority does business and with the clerk of the county commission of the county or counties in which the authority does business.

8. Notwithstanding any other provision of this section to the contrary, no authority shall be dissolved until after all of its debts shall have been paid and the court in its decree of dissolution provides for the disposition of the property of the authority."; and

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

Representative Guest moved that **House Amendment No. 32** be adopted.

Which motion was defeated.

Representative Schlottach offered **House Amendment No. 33**.

House Amendment No. 33

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 154, Section 228.110, by inserting after all of said section the following:

"228.190. 1. All roads in this state that have been established by any order of the county commission, and have been used as public highways for a period of ten years or more, shall be deemed legally established public roads; and all roads that have been used as such by the public for ten years continuously, and upon which there shall have been expended public money or labor for such period, shall be deemed legally established roads; and nonuse by the public for five years continuously of any public road shall be deemed an abandonment and vacation of the same.

2. From and after January 1, 1990, any road in any county that has been identified as a county road for which the county receives allocations of county aid road trust funds from or through the department of transportation for a period of at least five years shall be conclusively deemed to be a public county road without further proof of the status of the road as a public road. No such public road shall be abandoned or vacated except through the actions of the county commission declaring such road vacated after public hearing, or through the process set out in section 228.110.

3. In any litigation where the subject of a public road is at issue under this section, an exact location of the road is not required to be proven. Once the public road is determined to exist, the judge may order a survey to be conducted to determine the exact location of the public road and charge the costs of the survey to the party who asserted that the public road exists."; and

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

On motion of Representative Schlottach, **House Amendment No. 33** was adopted.

Representative Swinger offered **House Amendment 34**.

House Amendment No. 34

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 94.875, Page 83, Line 5, by deleting both sets of opening and closing brackets "[]" on said line, and by deleting the word "**may**"; and

Further amend said section and page, Line 6 and Line 8, by deleting the opening bracket "[" on Line 6, and by deleting the first closing bracket "]" on Line 8; and

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

Representative Swinger moved that **House Amendment No. 34** be adopted.

Which motion was defeated.

Representative Roorda offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.320, Page 18, Line 7, by deleting the words "**in all subject areas of the county's orders and ordinances**" and inserting in lieu thereof "**, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control**"; and

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

On motion of Representative Roorda, **House Amendment No. 35** was adopted.

Representative Kelly offered **House Amendment No. 36**.

House Amendment No. 36

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting immediately after said line the following:

"Section 3. 1. In any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, the governing body of any fire protection district may impose a sales tax in an amount up to one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district submits to the voters of such fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the fire protection district to impose a tax pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

"Shall.....(insert name of fire protection district) impose a sales tax of(insert amount up to one) percent for the purpose of providing revenues for the operation of the(insert name of fire protection district) and the total property tax levy on properties in the(insert name of the fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

Yes

No

If you are favor of the question, plan an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such fire protection district resubmits a proposal to authorize the governing body of the fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in two special trust funds, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. Ninety-five percent of the sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited into the "Ambulance or Fire Protection District Sales Tax Trust Fund" pursuant to section 321.552, RSMo. The remaining five percent of the sales taxes collected by the director of revenue pursuant to this section shall be deposited in a special trust fund,

which is hereby created, to be known as the "Distressed Fire Protection District Fund". The moneys in the distressed fire protection district fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month in equal parts to the governing body of any fire protection district located within any county with a charter form of government and with more than one million inhabitants, with a median household income of seventy percent or less of the median household income for the county in which such fire protection is located; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

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

Representative Bruns offered **House Amendment No. 1 to House Amendment No. 36.**

House Amendment No. 1

to

House Amendment No. 36

AMEND House Amendment No. 36 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 168, Section 320.200, Lines 7-11, by deleting all of said lines and inserting in lieu thereof the following:

"(3) "Fire department", an agency or organization that provides fire suppression and related activities, including but not limited to, fire prevention, rescue, emergency medical services, hazardous material response, or special operation to a population within a fixed and legally recorded geographical area. The term "fire department" shall include any municipal fire department or any fire protection district as defined in section 321.010, RSMo, or voluntary fire protection association as defined in section 320.300, engaging in this type of activity."; and

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

On motion of Representative Bruns, **House Amendment No. 1 to House Amendment No. 36** was adopted.

On motion of Representative Kelly, **House Amendment No. 36, as amended**, was adopted.

Representative Dixon offered **House Amendment No. 37.**

House Amendment No. 37

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 432.070, Page 184, Line 14, by inserting the following after all of said line:

"451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant, provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number. The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. [Upon the expiration of three days after] After the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. [Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4.] Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

[5.] 4. Common-law marriages shall be null and void.

[6.] 5. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage."; and

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

On motion of Representative Dixon, **House Amendment No. 37** was adopted.

Representative Lembke offered **House Amendment No. 38**.

House Amendment No. 38

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 14, Section 66.010, Line 58, by inserting after all of said line the following:

"66.450. No county with a charter form of government and with more than one million inhabitants shall enact any charter provision governing the establishment of areas within the unincorporated areas of such county for the collection and transfer of waste and recovered materials, or authorizing bids or proposals for the provision of such services. Any such charter provision shall be void."; and

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

On motion of Representative Lembke, **House Amendment No. 38** was adopted.

Representative McClanahan offered **House Amendment No. 39**.

House Amendment No. 39

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 104, Section 137.115, Line 163, by inserting after all of said line the following:

"137.1040. 1. In addition to other levies authorized by law, the governing body of any county, city, town, township, or village in their discretion may levy an additional tax, not to exceed one quarter of one cent on each one hundred dollars assessed valuation, on all taxable real property located within such county, city, town, township, or village.

2. To the extent necessary to comply with article X, section 22(a) of the Missouri Constitution, for any county, city, town, township, or village with a tax levy at or above the limitations provided under article X, section 11(b), no ordinance adopted under this section shall become effective unless the governing body submits to the voters of the county, city, town, township, or village at a state general, primary, or special election a proposal to authorize the imposition of a tax under this section. The tax authorized under this section shall be levied and collected in the same manner as other real property taxes are levied and collected. Such tax shall be in addition to all other taxes imposed on real property, and shall be stated separately from all other charges and taxes. Such tax shall not become effective unless the governing body, by order or ordinance, submits to the voters a proposal to authorize the county, city, town, township, or village to impose a tax under this section on any day available to hold elections or at a special election called for that purpose.

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

"Shall (insert the name of the county, city, town, township, or village) impose a tax on all real property situated in (name of county) at a rate of one quarter of one cent per one hundred dollars assessed valuation percent for the sole purpose of providing funds for the maintenance, upkeep, and preservation of cemeteries museum?"

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 immediately following notification to the collector of revenue for such county, city, town, township, or village. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. The tax imposed under this section shall be known as the "Cemetery Maintenance Tax". Each county, city, town, township, or village imposing a tax under this section shall establish separate trust funds to be known as the "Cemetery Maintenance Trust Fund". The treasurer shall deposit the revenue derived from the tax imposed under this section for cemetery purposes in the cemetery maintenance trust fund. The proceeds of such tax shall be appropriated by the governing body exclusively for the maintenance, upkeep, and preservation of cemeteries located within the county, city, town, township, or village.

5. All applicable provisions in this chapter relating to property tax shall apply to the collection of any tax imposed under this section."; and

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

Representative McClanahan moved that **House Amendment No. 39** be adopted.

Which motion was defeated.

Representative Villa offered **House Amendment No. 40**.

House Amendment No. 40

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 537.035, Page 189, by inserting after all of said section the following:

"537.610. 1. The commissioner of administration, through the purchasing division, and the governing body of each political subdivision of this state, notwithstanding any other provision of law, may purchase liability insurance for tort claims, made against the state or the political subdivision, but the maximum amount of such coverage shall not exceed two million dollars for all claims arising out of a single occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the

Missouri workers' compensation law, chapter 287, RSMo, and no amount in excess of the above limits shall be awarded or settled upon. Sovereign immunity for the state of Missouri and its political subdivisions is waived only to the maximum amount of and only for the purposes covered by such policy of insurance purchased pursuant to the provisions of this section and in such amount and for such purposes provided in any self-insurance plan duly adopted by the governing body of any political subdivision of the state.

2. The liability of the state and its public entities on claims within the scope of sections 537.600 to 537.650, shall not exceed two million dollars for all claims arising out of a single accident or occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, chapter 287, RSMo.

3. The liability of the state or any public entities created pursuant to sections 99.010 to 99.230, RSMo, and any officer or employee of such public entities arising out of the operation of a motor vehicle being operated within the course and scope of their office or employment with such public entities, shall not exceed two million dollars for all claims against all such public entities or individuals arising out of a single accident or occurrence. When a claim against the state or one of its public entities created pursuant to sections 99.010 to 99.230, RSMo, arises out of the operation of a motor vehicle as described in subdivision (1) of subsection 1 of section 537.600 and a claim is also brought against an officer or employee of such public entities arising out of the same accident or occurrence, the maximum allowable recovery against the state, such public entities, or any officer or employee of such public entities shall be reduced by any amount paid towards the claim by the state, such public entities or officers or employees of the same.

4. The liability of the state or public entities created pursuant to sections 99.010 to 99.230, RSMo, and officer or employee of such public entities arising out of any dangerous condition of property which the officer or employee allegedly caused or contributed to cause, shall not exceed two million dollars for all claims against all such public entities or individuals arising out of the single accident or occurrence, and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence. When a claim against the state or such public entities arises out of a dangerous condition of property as described in subdivision (2) of subsection 1 of section 537.600, and the claim is also brought against an officer or employee of such public entities for causing or contributing to cause the dangerous condition, then the maximum allowable recovery against the state or such public entities or any officer or employee of such public entities who allegedly caused or contributed to cause the dangerous condition shall be reduced by the amount paid toward the claim made by the state, such public entities, or any officer or employee of the same.

5. The liability of the state or any public entities created pursuant to sections 99.010 to 99.230, RSMo, for operation of a motor vehicle is vicarious to the liability of the operator of the motor vehicle. Should the operator of the motor vehicle owned or operated on behalf of the state or such public entities be found to be immune from liability for operation of a motor vehicle because of official immunity or otherwise, the state or its public entities shall also have no liability arising from the operation of the motor vehicle.

[3.] 6. No award for damages on any claim against a public entity within the scope of sections 537.600 to 537.650, shall include punitive or exemplary damages.

[4.] 7. If the amount awarded to or settled upon multiple claimants exceeds two million dollars, any party may apply to any circuit court to apportion to each claimant his proper share of the total amount limited by subsection 1 of this section. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the accident or occurrence, but the share shall not exceed three hundred thousand dollars.

[5.] 8. The limitation on awards for liability provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021, RSMo.

[6.] 9. Any claim filed against any public entity under this section shall be subject to the penalties provided by supreme court rule 55.03."; and

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

On motion of Representative Villa, **House Amendment No. 40** was adopted.

Representative Burnett offered **House Amendment No. 41.**

House Amendment No. 41

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 479.010, Page 185, Lines 2-3, by deleting said lines and inserting in lieu thereof the following:

"before divisions of the circuit court as hereinafter provided in this chapter. **"Heard and determined", for purposes of this chapter, shall mean any process under which the court in question**"; and

Further amend said substitute, Section 479.011, Page 185, Line 3, by inserting a comma "," after the word **"civil"**; and

Further amend said section, Page 186, Lines 31-33, by deleting said lines and inserting in lieu thereof the following:

"subject to review under chapter 536, RSMo, **or, at the request of the defendant made within ten days, a trial de novo in the circuit court.** After expiration of the judicial review period under chapter 536, RSMo, unless stayed by a court of competent jurisdiction, the administrative"; and

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

On motion of Representative Burnett, **House Amendment No. 41** was adopted.

Representative Brown (30) offered **House Amendment No. 42.**

House Amendment No. 42

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 160, Section 238.275, Line 36, by inserting immediately after said line the following:

"246.005. 1. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, which has, prior to April 8, 1994, been granted an extension of the time of corporate existence by the circuit court having jurisdiction, shall be deemed to have fully complied with all provisions of law relating to such extensions, including the time within which application for the extension must be made, unless, for good cause shown, the circuit court shall set aside such extension within ninety days after April 8, 1994.

2. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, shall have [five] **ten** years after the lapse of the corporate charter in which to reinstate and extend the time of the corporate existence by the circuit court having jurisdiction, and such circuit court judgment entry and order shall be deemed to have fully complied with all provisions of law relating to such extensions."; and

Further amend said bill, Page 192, Section B, Line 14, by inserting immediately after said line the following:

"Section C. Because of the need for continued flood protection, the repeal and reenactment of section 246.005 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 246.005 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Brown (30), **House Amendment No. 42** was adopted.

Representative St. Onge offered **House Amendment No. 43.**

House Amendment No. 43

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 98, Section 137.100, Lines 1 to 62, by deleting all of said section; and

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

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 43.**

House Amendment No. 1

to

House Amendment No. 43

AMEND House Amendment No. 43 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof the following:

'137.100, Lines 6 through 10, by deleting all of said lines and inserting in lieu thereof the following:

"and equipments, and on public squares and lots kept open for health, use or ornament;" ' ; and

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

On motion of Representative Pratt, **House Amendment No. 1 to House Amendment No. 43** was adopted.

On motion of Representative St. Onge, **House Amendment No. 43, as amended**, was adopted.

Representative Dusenberg offered **House Amendment No. 44.**

House Amendment No. 44

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 260.831, Page 163, Line 26, by inserting after all of said section and line the following:

"287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. "Loss of hearing due to industrial noise" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. "Harmful noise" means sound capable of producing occupational deafness.

5. "Radiation disability" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590, RSMo, if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department **or paid police officers of a paid police department certified under chapter 590, RSMo**, if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease."; and

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

On motion of Representative Dusenbergh, **House Amendment No. 44** was adopted.

Representative Stevenson offered **House Amendment No. 45**.

House Amendment No. 45

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 107, Section 144.030, Lines 72 to 73, by deleting all of said lines and inserting in lieu thereof the following:

"more or trailers used by common carriers, as defined in section 390.020, RSMo, [solely] in the transportation of persons or property [in interstate commerce]"; and

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

On motion of Representative Stevenson, **House Amendment No. 45** was adopted.

Representative Portwood offered **House Amendment No. 46**.

House Amendment No. 46

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 165, Section 302.010, Line 88, by inserting after all of said line the following:

"320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited."; and

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

Representative Corcoran offered **House Amendment No. 1 to House Amendment No. 46.**

House Amendment No. 1
to
House Amendment No. 46

AMEND House Amendment No. 46 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Line 7, by inserting the following immediately after "accredited":

";

4. Unless the voters of a city not within a county vote to supersede this section by the same majority needed to change the charter of said city by September 1, 2008, this section shall be in force for the city not within a county. In addition, any employee who resides outside the city will forfeit one percent of his or her salary for the time the employee is not living in the city to offset any lost revenue to the city.

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

Shall . . . (insert name of city) be allowed to prevent fire department employees from paying one percent of their salaries to the city in order to reside outside the city limits when the public school system is or has been unaccredited or provisionally accredited?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES"> If you are opposed to the question, place an "X" in the box opposite "NO" " and

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

On motion of Representative Corcoran, **House Amendment No. 1 to House Amendment No. 46** was adopted by the following vote:

AYES: 105

Avery	Bearden	Bivins	Brown 50	Bruns
Burnett	Casey	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 86	Daus	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Hobbs	Hodges
Holsman	Ice	Jones 89	Kelly	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Low 39	Lowe 44	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Talboy

1883 *Journal of the House*

Thomson	Threlkeld	Tilley	Viebrock	Villa
Walsh	Weter	Wildberger	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 048

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Chappelle-Nadal	Cooper 120	Curls
Davis	Day	Dusenberg	El-Amin	Emery
Ervin	Harris 110	Haywood	Hoskins	Hubbard
Hughes	Hunter	Jones 117	Komo	Kuessner
Lipke	Loehner	Marsh	McClanahan	Nasheed
Oxford	Pollock	Robinson	Sater	Scharnhorst
Schlottach	Stevenson	Swinger	Todd	Vogt
Wallace	Walton	Wasson	Wells	Whorton
Wilson 119	Witte	Wright-Jones		

PRESENT: 002

Darrough	Spreng
----------	--------

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Ruestman	Wilson 130	Zweifel		

Representative Villa offered **House Amendment No. 2 to House Amendment No. 46.**

House Amendment No. 2
to
House Amendment No. 46

AMEND House Amendment No. 46 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Section 320.097, Line 9, by inserting before the word "no" the following:

"upon approval of the Board of Aldermen,".

Representative Cooper (120) resumed the Chair.

On motion of Representative Villa, **House Amendment No. 2 to House Amendment No. 46** was adopted by the following vote:

AYES: 097

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Curls	Daus
Davis	Day	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Fallert	Fares
Flook	Frame	George	Grill	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Jones 117	Komo
Kratky	Kuessner	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
Munzlinger	Nance	Nasheed	Nolte	Norr
Oxford	Parson	Pearce	Pollock	Quinn 7

Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sater	Scharnhorst	Schieffer
Schlottach	Schneider	Schoemehl	Shively	Skaggs
Spreng	Swinger	Talboy	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Witte	Wood	Wright-Jones	Yaeger
Young	Mr Speaker			

NOES: 051

Avery	Bearden	Bivins	Bruns	Cooper 158
Corcoran	Cunningham 86	Deeken	Dempsey	Denison
Dixon	Ervin	Faith	Fisher	Franz
Funderburk	Grisamore	Guest	Harris 23	Ice
Jones 89	Kelly	Kraus	Lampe	Lembke
Liese	McGhee	Moore	Muschany	Nieves
Onder	Page	Portwood	Pratt	Salva
Sander	Scavuzzo	Schaaf	Schad	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Wildberger	Wright 159
Yates				

PRESENT: 007

Brown 50	Darrough	Meadows	Roorda	Storch
Wilson 119	Zimmerman			

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Sutherland	Wilson 130	Zweifel		

On motion of Representative Portwood, **House Amendment No. 46, as amended**, was adopted by the following vote:

AYES: 085

Avery	Bearden	Bivins	Bruns	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fisher	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Hobbs	Holsman
Hunter	Ice	Jones 117	Kelly	Komo
Kraus	Lampe	Lembke	Liese	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nieves	Norr	Onder	Page
Parson	Pearce	Portwood	Pratt	Richard
Roorda	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Talboy	Thomson	Tilley	Wasson	Weter
Wildberger	Wright 159	Yaeger	Yates	Zimmerman

NOES: 068

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Daus	Denison	Dethrow
Dougherty	El-Amin	Fallert	Flook	George
Harris 110	Haywood	Hodges	Hoskins	Hubbard
Hughes	Jones 89	Kratky	Kuessner	LeVota
Lipke	Loehner	Low 39	Lowe 44	Marsh
Nance	Nasheed	Nolte	Oxford	Pollock
Quinn 7	Quinn 9	Robb	Robinson	Rucker
Sater	Schlottach	Schneider	Schoemehl	Shively
Skaggs	Spreng	Swinger	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Whorton	Witte	Wood
Wright-Jones	Young	Mr Speaker		

PRESENT: 003

Darrough	Fares	Wilson 119
----------	-------	------------

ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Wilson 130	Zweifel			

Representative Wilson (119) offered **House Amendment No. 47.**

House Amendment No. 47

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 41.655, Page 4, Line 46, by inserting the following after all of said line:

"49.700. 1. The governing body of any county without a charter form of government may enact a noise ordinance or order that:

(1) Prohibits a person from creating noise above a specified decibel level that is disturbing to other persons in the surrounding area during certain specified times of the day; or

(2) Prohibits any owner, occupant, or other person or legal entity with the legal right to use or enjoy the property from allowing another person to create noise above a specified decibel level that is disturbing to other persons in the surrounding area during a certain specified time of the day.

2. No noise ordinance or order enacted under this section shall supercede the immunities granted to the owners of firearm ranges under section 537.294, RSMo.

3. No governing body of any county of the first, second, third, or fourth classification shall have the authority to enact any noise ordinance or order under this section governing any railroad company, telecommunications or wireless company, public utility, rural electric cooperative, or municipal utility.

4. No governing body of any county of the first, second, third, or fourth classification shall enact a noise ordinance or order under this section governing agricultural operations."; and

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

On motion of Representative Wilson (119), **House Amendment No. 47** was adopted.

Representative Cunningham (86) offered **House Amendment No. 48.**

House Amendment No. 48

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Line 117, by inserting the following after all of said line:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall [hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.] **submit the question of creating such a district to all qualified voters residing within the proposed district at a general or special election called for that purpose.**

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not for profit corporation and if it is to be a not for profit corporation, the name of the not for profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; and

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property

.....

Signature of person signing for owner	Date
---------------------------------------	------

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

.....
Notary Public
My Commission Expires:

4. [After the close of the public hearing required pursuant to subsection 1 of this section,] the governing body of the municipality may adopt an ordinance [approving the petition and] establishing a district as set forth in the petition **when the question of creating such district has been approved by two-thirds of the qualified voters voting thereon.** [and] **The governing body also** may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area.

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

[67.1431. 1. Within a reasonable time, not to exceed forty-five days, after the receipt of the verified petition from the municipal clerk, the governing body shall hold or cause to be held a public hearing on the establishment of the proposed district and shall give notice of the public hearing in the manner provided in subsection 3 of this section. All reasonable protests, objections and endorsements shall be heard at the public hearing.

2. The public hearing may be continued to another date without further notice other than a motion to be entered on the minutes fixing the date, time and place of the continuance of the public hearing.

3. Notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication in a newspaper of general circulation within the municipality once a week for two consecutive weeks prior to the week of the public hearing. Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the notice via registered or certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district. The published and mailed notices shall include the following:

- (1) The date, time and place of the public hearing;
- (2) A statement that a petition for the establishment of a district has been filed with the municipal clerk;
- (3) The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists; and a map illustrating the proposed boundaries;
- (4) A statement that a copy of the petition is available for review at the office of the municipal clerk during regular business hours; and
- (5) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.]

67.1441. 1. Upon the written request of any real property owner within the district, the governing body of the municipality may hold a public hearing for the removal of real property from a district and such real property may be removed from such district by ordinance, provided that:

- (1) The board consents to the removal of such property;
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed; and
- (3) The public hearing is conducted [in the same manner as required by section 67.1431] with notice of the hearing given in the same manner as required by **subsection 2 of this section**, [section 67.1431 and such] **which** notice shall include:
 - (a) The date, time and place of the public hearing;
 - (b) The name of the district;
 - (c) The boundaries by street location, or other readily identifiable means if no street location exists of the real property proposed to be removed from the district, and a map illustrating the boundaries of the existing district and the real property proposed to be removed; and
 - (d) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

2. With the consent of the board, real property may be added to the district by ordinance upon receipt of a proper petition and after a public hearing is held by the governing body of the municipality on the addition of the real property [in the manner provided in section 67.1431]. Notice of the public hearing shall be given by publication and mailed to the owners of real property within the boundaries of the district and the area proposed to be added [in the manner provided in section 67.1431.] The notice shall include the following information:

- (1) The time, date and place of the public hearing;
- (2) The name of the proposed or established district;
- (3) The boundaries by street location, or other readily identifiable means if no street location exists, of the real property to be added to the district, and a map showing the boundaries of the existing district and the real property proposed to be added to the district;
- (4) A statement that a copy of the petition is available for review during regular business hours at the office of the municipal clerk; and
- (5) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

For the purposes of this section, a proper petition is one which meets the requirements of section 67.1421, which requirements shall only apply as to the real property proposed to be added.

3. A public hearing may be held to amend the petition and notice of such amendments given simultaneously with a public hearing to alter the district boundaries."; and

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

1889 *Journal of the House*

On motion of Representative Cunningham (86), **House Amendment No. 48** was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kraus	Liese	Lipke	Loehner	Marsh
May	McGhee	Meadows	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	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	McClanahan	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Cunningham 145	Johnson	Kingery	Lembke
Low 39	Lowe 44	Meiners	Zweifel	

Representative Faith offered **House Amendment No. 49**.

House Amendment No. 49

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 537.035, Page 189, Line 88, by inserting the following after all of said line:

"644.123. Repayment of principal and interest on loans or assistance awarded from the wastewater loan fund shall be credited to the wastewater loan fund. Any administrative fees pursuant to section 644.106 shall be paid to the

director of revenue and deposited in the state treasury to the credit of an appropriate subaccount of the natural resources protection fund created in section 640.220, RSMo, and, subject to appropriation by the general assembly, shall be used by the department to carry out the general administration of programs and projects financed, in part, by assistance from the water pollution control fund or the wastewater loan fund. **Administrative fees charged under section 644.106 may be used by the department for eligible activities under the federal Safe Drinking Water Act, as amended, or the federal Clean Water Act, as amended.**"; and

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

On motion of Representative Faith, **House Amendment No. 49** was adopted.

Representative Cox offered **House Amendment No. 50**.

House Amendment No. 50

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Line 5, by inserting after "206.090,":

"**221.040**,"; and

Page 2, Line 23, inserting after "206.090,":

"**221.040**,"; and

Page 114, Section 206.090, by inserting after all of this section the following:

"221.040. 1. It shall be the duty of the sheriff and jailer to receive, from constables and other officers, all persons who shall be apprehended by such constable or other officers, for offenses against this state, or who shall be committed to such jail by any competent authority; and if any sheriff or jailer shall refuse to receive any such person or persons, he or she shall be adjudged guilty of a misdemeanor, and on conviction shall be fined in the discretion of the court.

2. The sheriff and jailer shall not be required to receive or detain a prisoner in custody under subsection 1 of this section until the arresting constable or other officer has had the prisoner examined by a physician or competent medical personnel if the prisoner appears to be:

- (1) Unconscious;
- (2) Suffering from a serious illness;
- (3) Suffering from a serious injury; or
- (4) Seriously impaired by alcohol, a controlled substance as defined in section 195.017, RSMo, a drug other than a controlled substance, or a combination of alcohol, a controlled substance, or drugs.

3. The cost of the examination and resulting treatment under subsection 2 of this section is the financial responsibility of the prisoner receiving the examination or treatment."; and

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

On motion of Representative Cox, **House Amendment No. 50** was adopted.

On motion of Representative Schneider, **HCS SS SCS SB 22, as amended**, was adopted.

1891 *Journal of the House*

On motion of Representative Schneider, **HCS SS SCS SB 22, as amended**, was read the third time and passed by the following vote:

AYES: 102

Avery	Bearden	Bivins	Bland	Brandom
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Curls	Day	Deeken	Dempsey
Denison	Dixon	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Funderburk
Guest	Hobbs	Hoskins	Hughes	Hunter
Ice	Jones 89	Jones 117	Kelly	Kratky
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Young	Mr Speaker			

NOES: 052

Aull	Baker 25	Baker 123	Bringer	Brown 50
Darrough	Daus	Davis	Dethrow	Donnelly
El-Amin	Ervin	Flook	Frame	Franz
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Komo
Kraus	Kuessner	LeVota	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Pollock	Quinn 9	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Spreng	Todd	Vogt
Walsh	Whorton	Witte	Wright-Jones	Yaeger
Yates	Zimmerman			

PRESENT: 002

Skaggs	Smith 14
--------	----------

ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Salva	Zweifel			

Representative Cooper (120) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 023

Bivins	Bruns	Cooper 158	Cox	Dempsey
Denison	Ervin	Fisher	Marsh	May

Nance	Nieves	Page	Schaaf	Self
Smith 150	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Weter	Wood		

NOES: 134

Aull	Avery	Baker 25	Baker 123	Bearden
Bland	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nasheed	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Spreng	Stevenson	St. Onge
Storch	Stream	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Walsh	Walton
Wasson	Wells	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Zweifel				

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 **SCS HCR 20**.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, in May 2005, the United States Congress enacted the REAL ID Act of 2005 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act (PL 109-13), which was signed by President Bush on May 11, 2005, and which becomes effective May 11, 2008; and

WHEREAS, some of the requirements of the REAL ID Act are that states shall:

(1) Issue a driver's license or state identification card in a uniform format, containing uniform information, as prescribed by the federal Department of Homeland Security;

(2) Verify the issuance, validity, and completeness of all primary documents used to issue a driver's license, such as those showing that the bearer is a United States citizen or a lawful alien, a lawful refugee, or a person holding a valid visa;

(3) Provide for secure storage of all primary documents that are used to issue a federally approved driver's license or state identification card;

(4) Provide fraudulent document recognition training to all persons engaged in issuing driver's licenses or state identification cards; and

(5) Issue a driver's license or state identification card in a prescribed format if it is a license or card that does not meet the criteria provided for a federally approved license or identification card; and

WHEREAS, use of the federal minimum standards for state driver's licenses and state-issued identification cards will be necessary for any type of federally regulated activity for which an identification card must be displayed, including flying in a commercial airplane, making transactions with a federally licensed bank, entering a federal building, or making application for federally supported public assistance benefits, including Social Security; and

WHEREAS, some of the intended privacy requirements of the REAL ID Act, such as the use of common machine-readable technology and state maintenance of a database that can be shared with the United States government and agencies of other states, may actually make it more likely that a federally required driver's license or state identification card, or the information about the bearer on which the license or card is based, will be stolen, sold, or otherwise used for purposes that were never intended or that are criminally related than if the REAL ID Act had not been enacted; and

WHEREAS, these potential breaches in privacy that could result directly from compliance with the REAL ID Act may violate the right to privacy secured in the Missouri Constitution, for thousands of residents of Missouri; and

WHEREAS, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures have estimated, in an impact analysis dated September 2006, that the cost to the states to implement the REAL ID Act will be more than \$11 billion over 5 years, and it is estimated that the implementation of the REAL ID Act will cost Missouri millions to fully implement the Act, none of such costs being paid for by the federal government; and

WHEREAS, for all of these reasons, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures, in a letter dated March 17, 2005, to the majority and minority leaders of the United States Senate, opposed the adoption of the REAL ID Act, but the opposition of those groups, and the groups' request that Congress rely on driver's license security provisions already passed by Congress in the Intelligence Reform and Terrorism Prevention Act of 2004, was largely ignored by Congress; and

WHEREAS, the regulations that are to be adopted by the U.S. Department of Homeland Security to implement the requirements of the REAL ID Act have yet to be adopted and, in reality, will probably not become effective until the Spring of 2007, effectively giving the states only one year in which to become familiar with the implementing regulations and comply with those regulations and the requirements of the REAL ID Act; and

WHEREAS, the mandate to the states, through federal legislation that provides no funding for its requirements, to issue what is, in effect, a national identification card appears to be an attempt to "commandeer" the political machinery of the states and to require the states to be agents of the federal government, in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution, as interpreted by the United States Supreme Court in *New York v. United States*, 488 U.S. 1041 (1992), *United States v. Lopez*, 514 U.S. 549 (1995), and *Printz v. United States*, 521 U.S. 898 (1997);

WHEREAS, state legislatures in Georgia, Massachusetts, Montana, New Mexico, New Hampshire, and Washington, have, through legislation or resolutions, opposed the implementation of the REAL ID Act; and

WHEREAS, the Missouri General Assembly affirms its abhorrence of and opposition to global terrorism, and affirms its commitment to protecting the civil rights and civil liberties of all Missouri residents and opposes any measures, including the REAL ID Act, that unconstitutionally infringe upon those civil rights and civil liberties:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives, Ninety-Fourth General Assembly, First Regular Session, the Senate concurring therein, hereby calls on Congress to repeal the REAL ID Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution and be immediately transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives; and each member of Congress from the State of Missouri.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 54, as amended**, and has taken up and passed **HCS SCS SB 54, as amended**.

Mr. 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 SBs 62 & 41, as amended**, and has taken up and passed **CCS HCS SCS SBs 62 & 41**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the Conference Committee Report No. 2 on **HCS SCS SB 64, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS SCS SB 198** and has taken up and adopted **HCS SCS SB 198** and has taken up and passed **HCS SCS SB 198**.

Mr. 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 No. 2 on **HCS#2 SB 406, as amended**, and has taken up and passed **CCS#2 HCS#2 SB 406**.

Mr. 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 416**, and has taken up and passed **CCS HCS SB 416**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 577, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILL IN CONFERENCE

CCR HB 488, with Senate Amendment No. 1, relating to a credit for idle reduction technology, was taken up by Representative Wasson.

On motion of Representative Wasson, **CCR HB 488, as amended**, was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal

1895 *Journal of the House*

Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	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
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 012

Curls	Davis	Donnelly	Frame	George
Harris 110	Hughes	Nasheed	Norr	Oxford
Whorton	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Grill	Johnson	Kingery
Marsh	Meiners	Zweifel		

On motion of Representative Wasson, **CCS HB 488** was read the third time and passed by the following vote:

AYES: 138

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 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hunter	Icet
Jones 89	Jones 117	Kelly	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May

McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	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	Vogt	Walsh	Walton
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 013

Curls	Davis	Donnelly	Frame	George
Harris 110	Hughes	Low 39	Nasheed	Norr
Oxford	Whorton	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Cunningham 145	El-Amin	Hoskins	Hubbard
Johnson	Kingery	Marsh	Meiners	Wallace
Wasson	Zweifel			

Representative Cooper (120) declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 159, relating to dam and reservoir safety, was taken up by Representative Bivins.

Representative Bivins moved that the House refuse to adopt **SCS HCS HB 159** and request the Senate to recede from its position and, failing to do so, grant the House a conference, allowing the conferees to exceed the differences so as to exclude the 2nd, 3rd and 4th class counties from the entire bill, and bind the conferees to thereon.

Which motion was adopted.

SS SCS HCS HB 780, as amended, relating to the Division of Professional Registration, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to adopt **SS SCS HCS HB 780, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 86, as amended, relating to a tax credit for children in crisis, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS SCS SB 86, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SCS SB 577, as amended, relating to the Missouri HealthNet Program, was taken up by Representative Schaaf.

Representative Schaaf moved that the House refuse to recede from its position on **HCS SS SCS SB 577, as amended**, and grant the Senate a conference.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kraus
Lipke	Loehner	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	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Bowman	Brown 50	Corcoran
Cunningham 145	Dixon	Dougherty	Johnson	Kingery
Kratky	Lembke	Marsh	Meiners	Robinson
Salva	Schneider	Vogt	Zweifel	

Representative Schaaf again moved that the House refuse to recede from its position on **HCS SS SCS SB 577, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

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

SS SCS HB 255: Representatives Bruns, Cooper (158), Sater, Corcoran and Walsh

Representative Cooper (120) resumed the Chair.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SB 40 - Fiscal Review (Fiscal Note)
HCS#2 SCS SB 163 - Fiscal Review (Fiscal Note)
HCS SCS SB 368 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 428 - Fiscal Review (Fiscal Note)
SCS SB 611 - 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 SS SCS SB 3**, 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.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SS SCS SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 62 & 41**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, with House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1 as amended, and House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 62 & 41;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Carl Vogel
/s/ Scott Rupp
/s/ Jolie Justus
/s/ Frank Barnitz

FOR THE HOUSE:

/s/ Marilyn Ruestman
/s/ Stanley Cox
/s/ Brian Munzlinger
/s/ Rachel Bringer
/s/ Brad Robinson

The following member's presence was noted: Meiners.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Tuesday, May 15, 2007.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Tuesday, May 15, 2007, Senate Lounge upon morning recess.
Conference Committee on HCS SS SCS SB 577, as amended,
will meet pending appointment of House Conferees.

CONFERENCE COMMITTEE NOTICE

Wednesday, May 16, 2007, 9:45 a.m. Senate Committee Room No. 2.
Conference Committee HCS SCS SB 156

FISCAL REVIEW

Tuesday, May 15, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 16, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HOUSE CALENDAR

SEVENTY-FIFTH DAY, TUESDAY, MAY 15, 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
- 5 HCS HJR 31 - Lembke

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)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt

- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

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

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

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
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 4 HCS SCS SB 520 - Hunter
- 5 HCS SB 593 & SCS SB 594 - May
- 6 SB 648 - Kelly
- 7 HCS SS SCS SB 320 - Quinn (7)
- 8 SCS SB 418 - Weter
- 9 HCS SB 218 - Deeken
- 10 HCS SS SB 112 - Faith
- 11 SB 271 - Pearce
- 12 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 13 HCS SB 315 - Munzlinger
- 14 HCS SCS SB 52, (Fiscal Review 5-07-07) E.C. - St. Onge
(150 minutes debate on Third Reading)
- 15 SB 162 - Deeken
- 16 SB 171 - Wasson
- 17 HCS SCS SB 197 - Yates
- 18 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 19 SS SB 417 - Parson
- 20 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 21 HCS SCS SB 497 - Wilson (119)
- 22 SCS SB 525 - Wasson

1903 *Journal of the House*

- 23 SCS SB 526 - Wasson
- 24 SCS SB 66 - Yates
- 25 HCS SS SCS SB 5, E.C. - Cox
- 26 HCS SS SCS SB 85, (Fiscal Review 5-10-07) - Dixon
- 27 SS SCS SB 215, HCA 1 - Yates
- 28 HCS SCS SB 299 & SS SCS SB 616 - Cooper (120)
- 29 HCS SB 323 - Baker (25)
- 30 HCS SB 325 - Yates
- 31 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 32 HCS SS SCS SB 429, (Fiscal Review 5-10-07) - Stream
(90 minutes debate on Third Reading)
- 33 SB 481 - Pratt
- 34 SCS SB 482 - Bearden
- 35 HCS SB 582, (Fiscal Review 5-10-07) - Sutherland
(90 minutes date on Third Reading)
- 36 SB 671 - Pratt
- 37 HCS#2 SCS SB 313 - Sutherland
- 38 HCS SB 516, (Fiscal Review 5-11-07) - Pratt
- 39 HCS#2 SCS SB 333 - Cooper (155)
- 40 SS SCS SB 21, E.C. - Schlottach
- 41 HCS SS SB 40, (Fiscal Review 5-14-07) - Ervin
- 42 HCS SCS SBs 45 & 39 - Stevenson
- 43 HCS SCS SB 75 - Day
- 44 HCS#2 SCS SB 163, (Fiscal Review 5-14-07) - Pratt
- 45 HCS SCS SB 368, (Fiscal Review 5-14-07) - Pratt
- 46 HCS SS SCS SB 428, (Fiscal Review 5-14-07), E.C. - Quinn (7)
- 47 SB 605 - St. Onge
- 48 SCS SB 611, (Fiscal Review 5-14-07) - Pratt
- 49 HCS SS SB 654 - Kratky

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 744, as amended - St. Onge
- 2 SS HB 134 - Guest
- 3 SCS HCS HB 298 - Cooper (120)
- 4 SS HB 579, E.C. - Dempsey
- 5 SCS HCR 20 - Guest

BILLS CARRYING REQUEST MESSAGES

- 1 CCR#2 HCS SCS SB 64, as amended - Wallace
(Senate refuse to adopt CCR#2/request House grant further conference)
- 2 SCS HCS HB 159 - Bivins
(request Senate recede/grant conference/exceed differences/bind conferees)
- 3 SS SCS HCS HB 780, as amended - Wasson
(request Senate recede/grant conference)

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SCS SB 308, as amended - Wasson
- 3 CCR HCS SB 81, as amended, E.C. - Schlottach
- 4 CCR HCS SB 25, as amended - Franz
- 5 HB 574, SA 1, SA 3, E.C. - St. Onge

- 6 SS HB 665, as amended - Ervin
- 7 CCR#2 HCS#2 SB 406, as amended - Wallace
- 8 HCS SCS SB 82, as amended - Tilley
- 9 HCS SB 84, as amended - Franz
- 10 CCR HCS SB 416 - Pratt
- 11 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 12 CCR HCS SCS SBs 62 & 41, as amended - Ruestman
- 13 SS SCS HB 255, as amended, E.C. - Bruns
- 14 HCS SCS SB 86, as amended, E.C. - Sutherland
- 15 HCS SS SCS SB 577, as amended, E.C. - Schaaf

HOUSE RESOLUTION

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