

# JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

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SIXTY-EIGHTH DAY, TUESDAY, MAY 11, 2010

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, as we near the end of this Second Regular Session of this 95<sup>th</sup> General Assembly, we thank You for the opportunity to participate in advancing justice and the common good. Give us the mental and physical stamina to give each topic that remains on this week's agenda the attention it deserves.

We pray for all the people of our State, especially those who suffer from unemployment. May the health of the economy soon return and place opportunity before them.

We pray for those who suffer from weakened physical health. May the health care they need be available to them, and may persons of tender loving care be there to take care of them.

To You be glory and honor forever. 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: Dane Foster, Joshua L. Giljum, Emily N. Giljum, Melanie J. Giljum, Joshua L. Giljum Jr., Jack LeVota, Jordan Walker, Jenna Halvorson, Max Ghasemi, Madison Flynn, Taylor Tobin, Kate Eischens, Jakob Capp and Jerrod Swearingen.

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

## SPECIAL RECOGNITION

The Sikeston Jaycees were introduced by Representative Brandom and recognized as Outstanding Missourians.

Robotics Teams from Lee's Summit High School(s) were introduced by Representative Grisamore and recognized for their participation in the 2010 FIRST (For Inspiration and Recognition of Science and Technology) Robotics Competition.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3249 through House Resolution No. 3285

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 583** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Reveiw, to which was referred **HCS SB 741** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 HB 1268, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Justus, Days, Pearce, Lager and Crowell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HBs 1311 & 1341** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Rupp, Schmitt, Crowell, Days and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HBs 1408 & 1514** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lembke, Cunningham, Ridgeway, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1677** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Days, Justus, Pearce, Lager and Crowell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1 and SA 2 to HB 1691** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Pearce, Lager, Schmitt, Days and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1965, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Cunningham, Lembke, Mayer, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 2226, HB 1824, HB 1832 & HB 1990, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Scott, Cunningham, Mayer, Keaveny and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCR 54, as amended**, and has taken up and passed **HCS SCR 54, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 795, as amended**: Senators Mayer, Clemens, Purgason, Barnitz and Shoemyer.

### BILLS CARRYING REQUEST MESSAGES

**HCS SB 987, as amended**, relating to higher education research, was taken up by Representative Hobbs.

Representative Hobbs moved that the House recede from its position on **HCS SB 987, as amended**.

Which motion was adopted.

On motion of Representative Hobbs, **SB 987** was truly agreed to and finally passed by the following vote:

AYES: 094

Atkins	Aull	Bivins	Brandom	Brown 30
Brown 50	Bruns	Burnett	Calloway	Chappelle-Nadal
Colona	Conway	Corcoran	Cox	Cunningham
Curls	Deeken	Dieckhaus	Dixon	Dougherty
Englund	Faith	Fisher 125	Flook	Frame
Franz	Funderburk	Grill	Guernsey	Guest
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Jones 63	Jones 89	Jones 117	Kelly	Kingery
Kirkton	Komo	Kratky	Lampe	Largent
LeBlanc	LeVota	Liese	Loehner	Low
McClanahan	McDonald	McNary	McNeil	Meiners

1443 *Journal of the House*

Morris	Nance	Nasheed	Newman	Nolte
Norr	Oxford	Pace	Parson	Rucker
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schupp	Silvey	Skaggs
Still	Storch	Stream	Sutherland	Talboy
Tilley	Vogt	Wallace	Walsh	Walton Gray
Wasson	Webb	Webber	Weter	Whitehead
Wilson 130	Witte	Zimmerman	Mr Speaker	

NOES: 063

Allen	Ayres	Biermann	Bringer	Brown 149
Burlison	Casey	Cooper	Davis	Day
Denison	Dethrow	Dugger	Dusenberg	Emery
Ervin	Fallert	Fischer 107	Flanigan	Gatschenberger
Grisamore	Harris	Hughes	Hummel	Icet
Keeney	Koenig	Kraus	Kuessner	Lair
Leara	Lipke	McGhee	Meadows	Molendorp
Munzlinger	Nieves	Parkinson	Pollock	Pratt
Quinn	Riddle	Roorda	Sander	Scavuzzo
Schlottach	Schoeller	Schoemehl	Self	Shively
Smith 14	Smith 150	Spreng	Stevenson	Swinger
Thomson	Todd	Viebrock	Wells	Wilson 119
Wright	Yaeger	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Diehl	Kander	Salva	Tracy
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VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

**HCS SCS SBs 842, 799 & 809, as amended**, relating to the MO HealthNet Program, was taken up by Representative Stream.

Representative Stream moved that the House refuse to recede from its position on **HCS SCS SBs 842, 799 & 809, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **BILL IN CONFERENCE**

**HCS SS SCS SB 605, as amended**, relating to county classifications and sales tax, was taken up by Representative Stevenson.

Representative Stevenson moved that the House conferees be allowed to exceed the differences on **HCS SS SCS SB 605, as amended**.

Which motion was adopted by the following vote:

AYES: 101

Allen	Ayres	Biermann	Bivins	Brandom
Brown 30	Brown 50	Brown 149	Bruns	Burlison
Calloway	Conway	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fallert	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hodges	Hoskins 80
Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Largent	Leara	Lipke
Loehner	Meadows	Meiners	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Todd
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wright	Zerr
Mr Speaker				

NOES: 055

Atkins	Aull	Bringer	Burnett	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Englund
Fischer 107	Frame	Grill	Harris	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly
Kirkton	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Morris
Newman	Norr	Oxford	Pace	Roorda
Scavuzzo	Schieffer	Schoemehl	Schupp	Shively
Skaggs	Spreng	Still	Storch	Swinger
Talboy	Vogt	Walsh	Walton Gray	Webb
Webber	Whitehead	Witte	Yaeager	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Carter	Dieckhaus	Dougherty	McGhee	McNary
Tilley				

VACANCIES: 001

**SENATE CONCURRENT RESOLUTIONS**

**HCS SCR 36**, relating to a balanced budget amendment, was taken up by Representative Icet.

On motion of Representative Icet, **HCS SCR 36** was adopted by the following vote:

AYES: 129

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 149	Burlison
Burnett	Calloway	Casey	Conway	Cooper
Corcoran	Cox	Cunningham	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 121
Icet	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Koenig	Komo	Kratky
Kraus	Lair	Lampe	Largent	Leara
Lipke	Loehner	McClanahan	McDonald	McGhee
McNary	McNeil	Meadows	Meiners	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Wasson
Webber	Wells	Weter	Wilson 119	Wilson 130
Witte	Wright	Zerr	Mr Speaker	

NOES: 027

Atkins	Chappelle-Nadal	Colona	Curls	Hoskins 80
Hughes	Hummel	Jones 63	Kirkton	Kuessner
LeBlanc	LeVota	Low	Morris	Newman
Oxford	Pace	Schupp	Spreng	Still
Talboy	Vogt	Walton Gray	Webb	Whitehead
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Bruns	Carter	Diehl	Liese
Roorda				

VACANCIES: 001

**SCR 51**, relating to a Missouri River study, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **SCR 51** was adopted by the following vote:

AYES: 152

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Burlison	Calloway	Casey	Chappelle-Nadal
Colona	Conway	Cooper	Corcoran	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeBlanc
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meadows
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Walton Gray	Wasson	Webb
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 005

Burnett	Hughes	LeVota	Skaggs	Spreng
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PRESENT: 000

ABSENT WITH LEAVE: 005

Bruns	Carter	Diehl	Salva	Vogt
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VACANCIES: 001

**APPOINTMENT OF CONFERENCE COMMITTEES**

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

**SS HCS HBs 1408 & 1514:** Representatives Smith (150), Cox, Smith (14), Holsman and Oxford

**SCS HCS HB 1965:** Representatives McNary, Burlison, Jones (89), Bringer and Low

**SCS HB 2226, HB 1824, HB 1832 & HB 1990:** Representatives Wasson, Wells, Day, Roorda and Norr

**SCS HCS HB 2297:** Representatives Zerr, Nolte, Wallace, Hummel and LeVota

**HCS SB 795:** Representatives Loehner, Munzlinger, Schlottach, Harris and Shively

**SENATE CONCURRENT RESOLUTION**

**SCR 56**, relating to coal-fueled power generation, was taken up by Representative Bivins.

On motion of Representative Bivins, **SCR 56** was adopted by the following vote:

AYES: 152

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Deeken
Denison	Dethrow	Dieckhaus	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeBlanc	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNary
McNeil	Meadows	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Mr Speaker			

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Carter	Day	Diehl	Quinn
Salva	Stevenson	Todd	Vogt	

VACANCIES: 001

### 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 HB 1444**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to notice for certain public meetings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SB 844**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### HOUSE BILL WITH SENATE AMENDMENTS

**SCS HB 1868, as amended**, relating to the State Records Commission, was taken up by Representative Scharnhorst.

Representative Scharnhorst moved that the House refuse to adopt **SCS HB 1868, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference, and that the conferees be allowed to exceed the differences.

**SCS HB 1868, as amended, with motion pending**, was laid over.

### APPOINTMENT OF CONFERENCE COMMITTEE

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

**SCS HCS HBs 1311 & 1341:** Representatives Scharnhorst, Cooper, Nance, LeVota and Grill

Representative Kingery assumed the Chair.

## HOUSE BILL WITH SENATE AMENDMENTS

**SCS HB 1868, as amended, with motion pending**, was again taken up by Representative Scharnhorst.

Representative Scharnhorst again moved that the House refuse to adopt **SCS HB 1868, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference, and that the conferees be allowed to exceed the differences.

Speaker Pro Tem Pratt resumed the Chair.

Representative Witte made a substitute motion that the House refuse to adopt **SCS HB 1868, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference, and allow the conferees to exceed the differences regarding the sections that have to do with pensions for the Water Patrol.

Which motion was adopted.

## APPOINTMENT OF CONFERENCE COMMITTEES

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

**SS#2 HB 1268**: Representatives Meiners, Zerr, Allen, Nolte and LeVota

**SCS HB 1677**: Representatives Hoskins (80), Zerr, Allen, Nolte and Webber

## BILL CARRYING REQUEST MESSAGE

**HCS#2 SB 844**, relating to public officials, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House refuse to recede from its position on **HCS#2 SB 844** and grant the Senate a conference, and that the conferees be allowed to exceed the differences.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke

Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 069

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Colona	Conway
Corcoran	Curls	Dougherty	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Meadows
Meiners	Morris	Newman	Norr	Oxford
Pace	Quinn	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Skaggs
Spreng	Still	Storch	Swinger	Talboy
Todd	Walsh	Walton Gray	Webb	Webber
Whitehead	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Calloway	Carter	Diehl	Salva	Stevenson
Vogt				

VACANCIES: 001

Representative Jones (89) again moved that the House refuse to recede from its position on **HCS#2 SB 844** and grant the Senate a conference, and that the conferees be allowed to exceed the differences.

Which motion was adopted.

### 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 HCS HB 1375**, entitled:

An act to amend chapters 167 and 191, RSMo, by adding thereto two new sections relating to treatment of certain sexually transmitted diseases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 733, as amended**, and has taken up and passed **CCS HCS SCS SB 733**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 842, 799 & 809, as amended**: Senators Schmitt, Crowell, Dempsey, Callahan and Justus.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

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

### **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 HCS HB 1316**, entitled:

An act to repeal sections 52.230, 52.290, 52.312, 52.361, 52.370, 54.010, 55.140, 55.190, 137.180, 137.355, 139.031, 139.040, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.110, 140.150, 140.160, 140.170, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, and 165.071, RSMo, and to enact in lieu thereof thirty-nine new sections relating to property taxes.

With Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1316, Page 8, Section 137.355, Line 50, by inserting after all of said line the following:

"138.431. 1. To hear and decide appeals pursuant to section 138.430, the commission shall appoint one or more hearing officers. The hearing officers shall be subject to supervision by the commission. No person shall participate on behalf of the commission in any case in which such person is an interested party.

2. The commission may assign such appeals as it deems fit to a hearing officer for disposition.

**(1) The assignment shall be deemed made when the scheduling order is first issued by the commission and signed by the hearing officer assigned, unless another hearing officer is assigned to the case for disposition by other language in said order.**

**(2) A change of hearing officer, or a reservation of the appeal for disposition as described in subsection 3 of this section, shall be ordered by the commission in any appeal upon the timely filing of a written application by a party to disqualify the hearing officer assigned. The application shall be filed within thirty days from the assignment of any appeal to a hearing officer and need not allege or prove any cause for such change and need not be verified. No more than one change of hearing officer shall be allowed for each party in any appeal.**

3. The commission may, in its discretion, reserve such appeals as it deems fit to be heard and decided by the full commission, a quorum thereof, or any commissioner, subject to the provisions of section 138.240, and, in such case, the decision shall be final, subject to judicial review in the manner provided in subsection 4 of section 138.470.

[3.] 4. The manner in which appeals shall be presented and the conduct of hearings shall be made in accordance with rules prescribed by the commission for determining the rights of the parties; provided that, the commission, with the consent of all the parties, may refer an appeal to mediation. The commission shall promulgate regulations for mediation pursuant to this section. No regulation or portion of a regulation promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. There shall be no presumption that the assessor's valuation is correct. A full and complete record shall be kept of all proceedings. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

[4.] 5. Unless an appeal is voluntarily dismissed, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall issue a decision and order affirming, modifying, or reversing the determination of the board of equalization, and correcting any assessment which is unlawful, unfair, improper, arbitrary, or capricious. The commission may, prior to the decision being rendered, transfer to another hearing officer the proceedings on an appeal determination before a hearing officer. The complainant, respondent-assessor, or other party shall be duly notified of a hearing officer's decision and order, together with findings of fact and conclusions of law. Appeals from decisions of hearing officers shall be made pursuant to section 138.432.

[5.] 6. All decisions issued pursuant to this section or section 138.432 by the commission or any of its duly assigned hearing officers shall be issued no later than sixty days after the hearing on the matter to be decided is held or the date on which the last party involved in such matter files his or her brief, whichever event later occurs."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1316, Page 27, Section 140.420, Line 11, by inserting immediately after all of said line the following:

**"141.535. 1. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the court shall stay the sale of any tax parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, which is the subject of an action filed under sections 447.620 to 447.640, provided that the party which has brought such an action has paid into the circuit court the principal amount of all land taxes then due and owing under the tax foreclosure judgment, exclusive of penalties, interest, attorney fees, and court costs, prior to the date of any proposed sale under execution. The party bringing such action shall provide written notice of the filing of the action to the court administrator and file with the circuit court in which the action is pending a certificate that such notice has been provided to the court administrator.**

**2. Upon the granting by the court of temporary possession of any property under section 447.632 and again upon the approval by the court of a sheriff's deed under section 447.625, the circuit court shall direct payment to the county collector of all principal land taxes theretofore paid into the circuit court. In addition, in any order granting a sheriff's deed under section 447.625, the court shall also order the permanent extinguishment of liability against the grantee of the sheriff's deed, and all successors in interest; excepting however, any defendant in such action, for penalties, interest, attorney fees, and court costs arising from actions to collect delinquent land taxes due on the subject property. The funds paid into the court for land taxes shall then be paid to the county collector. If an owner of such a property moves the court for restoration of the subject property under section 447.638, the owner shall pay into the circuit court all land tax amounts currently due and owing on the property, including all statutory penalties, interest, attorney fees, and court costs retroactive to the date of accrual.**

**3. If the party which brought the action under sections 447.620 to 447.640 dismisses its action prior to gaining temporary possession of the property, it shall recover any amounts paid into the circuit court prior to that date for principal land taxes.**

**4. In the event that an owner of the tax parcel regains possession under section 447.638, the party which brought the action under sections 447.620 to 447.640 shall recover from that owner an amount equal to that paid into the court by said party and paid to the county collector under this section, and shall be granted judgment thereon."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1316, Page 5, Section 55.190, Line 15, by inserting immediately after all of said line the following:

"67.110. 1. Each political subdivision in the state, except counties and any political subdivision located at least partially within any county with a charter form of government or any political subdivision located at least partially within any city not within a county, shall fix its ad valorem property tax rates as provided in this section not later than September first for entry in the tax books. Each political subdivision located, at least partially, within a county with a charter form of government or within a city not within a county shall fix its ad valorem property tax rates as provided in this section not later than October first for entry in the tax books for each calendar year after December 31, 2008. Before the governing body of each political subdivision of the state, except counties, as defined in section 70.120, RSMo, fixes its rate of taxation, its budget officer shall present to its governing body the following information for each tax rate to be levied: the assessed valuation by category of real, personal and other tangible property in the political subdivision as entered in the tax book for the fiscal year for which the tax is to be levied, as provided by subsection 3 of section 137.245, RSMo, the assessed valuation by category of real, personal and other tangible property in the political subdivisions for the preceding taxable year, the amount of revenue required to be provided from the property tax as set forth in the annual budget adopted as provided by this chapter, and the tax rate proposed to be set. Should any political subdivision whose taxes are collected by the county collector of revenue fail to fix its ad valorem property tax rate by [September first] **the date provided under this section for such political subdivision**, then no tax rate other than the rate, if any, necessary to pay the interest and principal on any outstanding bonds shall be certified for that year.

2. The governing body shall hold at least one public hearing on the proposed rates of taxes at which citizens shall be heard prior to their approval. The governing body shall determine the time and place for such hearing. A notice stating the hour, date and place of the hearing shall be published in at least one newspaper qualified under the laws of the state of Missouri of general circulation in the county within which all or the largest portion of the political subdivision is situated, or such notice shall be posted in at least three public places within the political subdivision; except that, in any county of the first class having a charter form of government, such notice may be published in a newspaper of general circulation within the political subdivision even though such newspaper is not qualified under the laws of Missouri for other legal notices. Such notice shall be published or posted at least seven days prior to the date of the hearing. The notice shall include the assessed valuation by category of real, personal and other tangible property in the political subdivision for the fiscal year for which the tax is to be levied as provided by subsection 3 of section 137.245, RSMo, the assessed valuation by category of real, personal and other tangible property in the political subdivision for the preceding taxable year, for each rate to be levied the amount of revenue required to be provided from the property tax as set forth in the annual budget adopted as provided by this chapter, and the tax rates proposed to be set for the various purposes of taxation. The tax rates shall be calculated to produce substantially the same revenues as required in the annual budget adopted as provided in this chapter. Following the hearing the governing body of each political subdivision shall fix the rates of taxes, the same to be entered in the tax book. Failure of any taxpayer to appear at such hearing shall not prevent the taxpayer from pursuit of any other legal remedy otherwise available to the taxpayer. Nothing in this section absolves political subdivisions of responsibilities under section 137.073, RSMo, nor to adjust tax rates in event changes in assessed valuation occur that would alter the tax rate calculations.

3. Each political subdivision of the state shall fix its property tax rates in the manner provided in this section for each fiscal year which begins after December 31, 1976. New or increased tax rates for political subdivisions whose taxes are collected by the county collector approved by voters after September first of any year shall not be included in that year's tax levy except for any new tax rate ceiling approved pursuant to section 71.800, RSMo.

4. In addition to the information required under subsections 1 and 2 of this section, each political subdivision shall also include the increase in tax revenue due to an increase in assessed value as a result of new construction and improvement and the increase, both in dollar value and percentage, in tax revenue as a result of reassessment if the proposed tax rate is adopted."; and

Further amend said bill, Section 137.180, Page 7, Line 78, by inserting immediately after all of said line the following:

"137.243. 1. To determine the "projected tax liability" required by subsections 2 and 3 of section 137.180, subsection 2 of section 137.355, and subsection 2 of section 137.490, the assessor, on or before March first of each **odd-numbered** tax year, shall provide the clerk with the assessment book which for this purpose shall contain the real estate values for that year, the prior year's state assessed values, and the prior year's personal property values. On or before

March fifteenth, the clerk shall make out an abstract of the assessment book showing the aggregate amounts of different kinds of real, personal, and other tangible property and the valuations of each for each political subdivision in the county, or in the city for any city not within a county, entitled to levy ad valorem taxes on property except for municipalities maintaining their own tax or assessment books. The governing body of each political subdivision or a person designated by the governing body shall use such information to informally project a nonbinding tax levy for that year and return such projected tax levy to the clerk no later than April eighth. The clerk shall forward such information to the collector who shall then calculate and, no later than April thirtieth, provide to the assessor the projected tax liability for each real estate parcel for which the assessor intends to mail a notice of increase pursuant to sections 137.180, 137.355, and 137.490.

2. Political subdivisions located at least partially within two or more counties, which are subject to divergent time requirements, shall comply with all requirements applicable to each such county and may utilize the most recent available information to satisfy such requirements.

3. Failure by an assessor to timely provide the assessment book or notice of increased assessed value, as provided in this section, may result in the state tax commission withholding all or a part of the moneys provided under section 137.720 and all state per-parcel reimbursement funds which would otherwise be made available to such assessor.

4. Failure by a political subdivision to provide the clerk with a projected tax levy in the time prescribed under this section shall result in a twenty percent reduction in such political subdivision's tax rate for the tax year, unless such failure is a direct result of a delinquency in the provision of, or failure to provide, information required by this section by the assessor or the clerk. If a political subdivision fails to provide the projected tax rate as provided in this section, the clerk shall notify the state auditor who shall, within seven days of receiving such notice, estimate a nonbinding tax levy for such political subdivision and return such to the clerk. The clerk shall notify the state auditor of any applicable reduction to a political subdivision's tax rate.

5. Any taxing district wholly within a county with a township form of government may, through a request submitted by the county clerk, request that the state auditor's office estimate a nonbinding projected tax rate based on the information provided by the county clerk. The auditor's office shall return the projected tax rate to the county clerk no later than April eighth.

6. The clerk shall deliver the abstract of the assessment book to each taxing district with a notice stating that their projected tax rates be returned to the clerk by April eighth."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1316, Page 5, Section 55.190, Line 15, by inserting after all of said line the following:

"92.715. 1. The collectors of cities operating under the provisions of sections 92.700 to 92.920 shall proceed to collect the taxes contained in the back tax book or [record] **recorded** list of the delinquent land and lots in the collector's office as herein required.

2. Any person interested in or the owner of any tract of land or lot contained in the back tax book or in the recorded list of delinquent lands and lots in the collector's office may redeem such tract of land or town lot, or any part thereof, from the state's or such city's lien thereon, by paying to the proper collector the amount of the original taxes, together with interest from the date of delinquency at the rate of [one] **two** percent per month with a maximum rate of [ten] **eighteen** percent per annum and the costs. [For any delinquency occurring after January 1, 2000, the rate shall not exceed the prime rate, which shall mean the average predominant prime rate quoted by commercial banks to large businesses, as determined by the board of governors of the Federal Reserve System.]

3. If suit shall have been commenced against any tract of land or town lot for the collection of taxes, the person desiring to redeem any such land before judgment, in addition to the original tax, interest and costs including attorney's fee accruing under this law, shall pay to the city collector all necessary costs incurred in the court where the suit is pending, and the city collector shall account to the clerk of the court in which said suit is filed for the court costs so collected.

4. The provisions of the law with reference to the compromise of taxes shown on the back tax book or recorded list of delinquent land and lots in the collector's office shall apply to and shall also authorize the compromise of any judgment for taxes after the same had been rendered therefor and up to that time when the property shall be sold under execution issued on said judgment; such compromise to be authorized by the same officials and under the same conditions as set forth under existing law for the compromise of taxes. The comptroller of any city operating under the

provisions of sections 92.700 to 92.920 shall serve in lieu of the county commission. The comptroller shall also have the right to correct manifest errors."; and

Further amend said bill, Page 14, Section 140.080, Line 7, by inserting after all of said line the following:

"140.100. 1. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent per month or fractional part thereof. [In any city not within a county which elects to operate under the provisions of this chapter pursuant to section 141.970, RSMo, the maximum penalty on any delinquency occurring after January 1, 2000, shall not exceed the prime rate, which shall mean the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.]

2. For making and recording the delinquent land lists, the collector and the clerk shall receive ten cents per tract or lot and the clerk shall receive five cents per tract or lot for comparing and authenticating such list."; and

Further amend said bill, Page 27, Section 140.420, Line 11, by inserting after all of said line the following:

"141.830. 1. The collectors of such cities not within a county shall proceed to collect the taxes contained in the back tax book or recorded list of the delinquent land and lots in the collector's office as herein required.

2. Any person interested in or the owner of any tract of land or lot contained in the back tax book or in the recorded list of delinquent lands and lots in the collector's office may redeem such tract of land or town lot, or any part thereof, from the state's or such city's lien thereon, by paying to the proper collector the amount of the original taxes, together with interest from the date of delinquency at the rate of ten percent per annum and the costs until January 1, 1983, and beginning on January 1, 1983, at the rate of **two percent per month, not to exceed** eighteen percent per annum and the costs. [For any delinquency occurring after January 1, 2000, the rate shall not exceed the prime rate, which shall mean the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.]

3. If suit shall have been commenced against any person owing taxes on any tract of land or town lot for the collection of taxes, the person desiring to redeem any such land before judgment, in addition to the original tax, interest and costs including attorney's fee accruing under this law, shall pay to the city collector all necessary costs incurred in the court where the suit is pending, and the city collector shall account to the clerk of the court in which such suit is filed for the court costs so collected."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SB 844**: Senators Shields, Scott, Vogel, Green and McKenna.

#### **HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HCS HB 1764**, relating to domestic insurance companies, was taken up by Representative Diehl.

Representative Leara assumed the Chair.

Representative Icet assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Silvey assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Hobbs	Hoskins 121
Icet	Jones 89	Jones 117	Keeney	Kingery
Koenig	Kraus	Lair	Largent	Leara
Lipke	Loehner	McGhee	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright	Zerr	Mr Speaker		

NOES: 068

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Curls	Dougherty	Englund
Fallert	Fischer 107	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Meadows
Morris	Newman	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Schupp	Shively	Skaggs	Spreng
Still	Storch	Swinger	Talboy	Todd
Walsh	Walton Gray	Webb	Webber	Whitehead
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Carter	Frame	McNary	Meiners	Salva
Vogt				

VACANCIES: 001

On motion of Representative Diehl, **SS SCS HCS HB 1764** was adopted by the following vote:

AYES: 108

Allen	Ayres	Biermann	Bivins	Brandom
Brown 30	Brown 149	Bruns	Burlison	Casey
Conway	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Icey	Jones 89	Jones 117	Keeney
Kingery	Koenig	Komo	Kraus	Lair
Largent	Leara	Liese	Lipke	Loehner
McGhee	Meadows	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Riddle	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Wells	Weter	Wilson 119	Wilson 130
Wright	Zerr	Mr Speaker		

NOES: 048

Atkins	Aull	Bringer	Brown 50	Burnett
Calloway	Chappelle-Nadal	Colona	Corcoran	Curls
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Kratky	Kuessner
Lampe	LeBlanc	LeVota	Low	McClanahan
McDonald	McNeil	Morris	Newman	Norr
Oxford	Pace	Quinn	Rucker	Schupp
Skaggs	Spreng	Still	Storch	Talboy
Walsh	Walton Gray	Webb	Webber	Whitehead
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Carter	McNary	Meiners	Salva	Vogt
Wasson				

VACANCIES: 001

On motion of Representative Diehl, **SS SCS HCS HB 1764** was truly agreed to and finally passed by the following vote:

AYES: 108

Allen	Ayres	Biermann	Bivins	Brandom
Brown 30	Brown 149	Bruns	Burlison	Casey
Conway	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Icey	Jones 89	Jones 117	Keeney
Kingery	Koenig	Komo	Kraus	Lair
Largent	Leara	Liese	Lipke	Loehner
McGhee	Meadows	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Riddle	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright	Zerr	Mr Speaker		

NOES: 047

Atkins	Aull	Bringer	Brown 50	Burnett
Calloway	Chappelle-Nadal	Colona	Curls	Holsman
Hoskins 80	Hughes	Hummel	Jones 63	Kander
Kelly	Kirkton	Kratky	Kuessner	Lampe
LeBlanc	LeVota	Low	McClanahan	McDonald
McNeil	Morris	Newman	Norr	Oxford
Pace	Quinn	Rucker	Schupp	Skaggs
Spreng	Still	Storch	Talboy	Walsh
Walton Gray	Webb	Webber	Whitehead	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Corcoran	McNary	Meiners	Salva
Stevenson	Vogt			

VACANCIES: 001

Representative Silvey declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1868, as amended**, and grants the House a conference thereon and that the conferees be allowed to exceed the difference regarding the sections that have to do with pensions for the Water Patrol.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **HCS#2 SB 844** are allowed to exceed the differences.

Speaker Richard assumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEES

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

**SCS HB 1868:** Representatives Scharnhorst, Bruns, Hoskins (121), Roorda and Whitehead  
**HCS SCS SBs 842, 799 & 809:** Representatives Stream, Sater, Jones (89), McClanahan and McDonald

Representative Silvey resumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SB 791, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending**, relating to utilities, was taken up by Representative Emery.

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

**House Amendment No. 1** was withdrawn.

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 791, Page 6, Section 250.233, Line 11, by inserting after all of said line the following:

“386.390. 1. Complaint may be made by the commission of its own motion, or by the public counsel or any corporation or person, chamber of commerce, board of trade, or any civic, commercial, mercantile, traffic, agricultural or manufacturing association or organization, or any body politic or municipal corporation, by petition or complaint in writing, setting forth any act or thing done or omitted to be done by any corporation, person or public utility, including any rule, regulation or charge heretofore established or fixed by or for any corporation, person or public utility, in violation, or claimed to be in violation, of any provision of law, or of any rule or order or decision of the commission; provided, that no complaint shall be entertained by the commission, except upon its own motion, as to the reasonableness of any rates or charges of any gas, electrical, water, sewer, or telephone corporation, unless the same be signed by the public counsel or the mayor or the president or chairman of the board of aldermen or a majority of the council, commission or other legislative body of any city, town, village or county, within which the alleged violation occurred,

or not less than twenty-five consumers or purchasers, or prospective consumers or purchasers, of such gas, electricity, water, sewer or telephone service.

2. All matters upon which complaint may be founded may be joined in one hearing, and no motion shall be entertained against a complaint for misjoinder of causes of action or grievances or misjoinder or nonjoinder of parties; and in any review by the courts of orders or decisions of the commission the same rule shall apply with regard to the joinder of causes and parties as herein provided.

3. The commission shall not be required to dismiss any complaint because of the absence of direct damage to the complainant. Upon the filing of a complaint, the commission shall cause a copy thereof to be served upon the public utility, corporation or person complained of.

4. Service in all hearings, investigations and proceedings pending before the commission may be made upon any person upon whom summons may be served in accordance with the provisions of the code of civil procedure of this state, and may be made personally or by mailing in a sealed envelope with postage prepaid.

5. The commission shall fix the time when and the place where a hearing will be had upon the complaint and shall serve notice thereof, not less than ten days before the time set for such hearing, unless the commission shall find that the public necessity requires that such hearing be held at an earlier date. **When the complainant files a complaint alleging that the current rates of an electrical corporation, water corporation, or sewer corporation are unjust and unreasonable, the commission shall issue its order deciding the complaint and prescribing the rates that it finds to be just and reasonable no late than one hundred sixty five days after the complaint was filed. The rates prescribed by the commission shall take effect no later than twenty days after the issuance of the commission's order under this subsection.**”; and

Further amend said bill, Page 8, Section 386.715, Lines 50-56, by deleting all of said lines; and

Further amend said bill, Page 9, Section 393.150, Line 34, by inserting after the word “remaining.” the following:

**“The commission may in its discretion permit parties other than the corporation to file cross-surrebuttal to address issues raised by parties other than the corporation in rebuttal testimony on the same date that the corporation has the opportunity to submit surrebuttal testimony.”**; 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 Bill No. 791, Page 2, Line 5, by deleting the word **“When”** and inserting in lieu thereof the word **“Where”**; and

Further amend said amendment, Page 2, Line 8, by deleting the words **“late than one hundred sixty five”** and inserting in lieu thereof the following words **“later than two hundred fifty”**; and

Further amend said amendment, Page 2, Line 12, by inserting after all of said line the following:

‘Further amend said bill, Page 8, Section 393.150, Line 23, by deleting the words “[six] **two months.**” and inserting in lieu thereof the following **“six months if the suspension pertains to a filing made prior to January 1, 2011, or, for a further period not to exceed one hundred fifty days if the suspension pertains to a filing made on January 1, 2011 or thereafter.”**; 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.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Hobbs	Hoskins 121
Icet	Jones 89	Jones 117	Keeney	Kingery
Koenig	Kraus	Lair	Largent	Leara
Lipke	Loehner	McGhee	McNary	Molendorp
Munzlinger	Nance	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 068

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Curls	Dougherty	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Meadows
Nasheed	Newman	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Schupp	Shively	Skaggs	Spreng
Still	Storch	Swinger	Talboy	Todd
Walsh	Walton Gray	Webb	Webber	Whitehead
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Corcoran	Meiners	Morris	Salva
Stevenson	Vogt			

VACANCIES: 001

On motion of Representative Bivins, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 122

Allen	Aull	Ayres	Bivins	Brandom
Brown 30	Brown 50	Brown 149	Bruns	Burlison
Calloway	Casey	Colona	Conway	Cooper
Cox	Cunningham	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher 125	Flanigan	Flook
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Hobbs	Hodges	Holsman
Hoskins 121	Hummel	Icey	Jones 89	Jones 117
Kander	Keeney	Kingery	Koenig	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeBlanc	LeVota	Liese	Lipke	Loehner
McDonald	McGhee	McNary	McNeil	Meadows
Meiners	Molendorp	Munzlinger	Nance	Nasheed
Nieves	Nolte	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Wasson	Webb	Webber	Wells
Weter	Wilson 119	Wilson 130	Wright	Yaeger
Zerr	Mr Speaker			

NOES: 034

Atkins	Biermann	Bringer	Burnett	Chappelle-Nadal
Curls	Englund	Fischer 107	Frame	Harris
Hoskins 80	Hughes	Jones 63	Kelly	Kirkton
Komo	Kratky	Low	McClanahan	Newman
Norr	Oxford	Pace	Schupp	Skaggs
Spreng	Still	Storch	Talboy	Walsh
Walton Gray	Whitehead	Witte	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Carter	Corcoran	Morris	Salva	Stevenson
Vogt				

VACANCIES: 001

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 791, Section 393.320, Page 10, Lines 17 through 26, by removing all of said lines from the bill and inserting in lieu thereof the following:

**“2. The procedures contained in section 393.320 may be chosen by a large water public utility, and if so chosen shall be used by the public service commission to establish the ratemaking rate base of a small water utility during an acquisition.”; and**

Further amend said section, Line 3, by deleting from said line the word: **“The”** and inserting in lieu thereof the word: **“An”**; and

Further amend said section, Line 30, by inserting after the phrase: **“who is”** the word: **“a”**; and

Further amend said section, Line 31, by deleting from said line the word: **“appraisers”** and inserting in lieu thereof the word: **“appraiser”**; and

Further amend said section, Page 11, Lines 37 and 38, by deleting said lines and inserting in lieu thereof the following:

**“public utility in a reasonable and timely manner.”; and**

Further amend said section, Page 11, Lines 41 through 45, by removing all of said lines from the bill and inserting in lieu thereof the following:

**“4. Nothing in this section shall prohibit a party from declining to proceed with an acquisition or be deemed as establishing the final purchase price of an acquisition.”; and**

Further amend said section, Page 11, Line 65, by deleting from said line the phrase: **“paid prior to the sale”** and inserting in lieu thereof the phrase:

**“resolved prior to the transfer of ownership”**; and

Further amend said section, Page 12, Lines 70 through 72, by deleting all of said lines and inserting in lieu thereof the following:

**“6. Any new permit issued pursuant to chapters 640 and 644, when a small water system is acquired by a large water public utility, shall include a plan to resolve all outstanding permit compliance issues. After the transfer of ownership, the acquiring large public water utility shall continue providing service to all customers that were served by the small water utility at the time of sale.**

**7. This section is intended for the specific and unique purpose of determining the ratemaking rate base of small water utilities and shall be exclusively applied to large water public utilities in the acquisition of a small water utility.”; and**

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

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

Representative Silvey requested a parliamentary ruling.

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 791, Page 1, Section A, Line 4, by inserting after all of said line the following:

**"67.2800. 1. Sections 67.2800 to 67.2835 shall be known and may be cited as the "Property Assessment Clean Energy Act".**

**2. The general assembly hereby finds, determines, and declares that:**

**(1) The development, production, and efficient use of renewable energy, as well as the installation and implementation of energy efficiency improvements to privately and publicly owned property, will create jobs for residents of the state, advance the economic well-being and public and environmental health of the state, and contribute to the energy independence of the nation; and**

**(2) The financing of energy efficiency and renewable energy improvement projects and privately and publicly owned property, as provided by sections 67.2800 to 67.2835, will serve a valid public purpose and the primary intent of sections 67.2800 to 67.2835 is to promote such public purpose.**

**3. As used in sections 67.2800 to 67.2835, the following words and terms shall mean:**

**(1) "Assessment contract", a contract entered into between a clean energy development board and a property owner under which the property owner agrees to pay an annual assessment for a period of up to twenty years in exchange for financing of an energy efficiency improvement or a renewable energy improvement;**

**(2) "Authority", the state environmental improvement and energy resources authority established under section 260.010;**

**(3) "Bond", any bond, note, or other similar instrument issued by or on behalf of a clean energy development board;**

**(4) "Clean energy conduit financing", the financing of energy efficiency improvements or renewable energy improvements for a single parcel of property or a unified development consisting of multiple adjoining parcels of property under section 67.2825;**

**(5) "Clean energy development board", a board formed by one or more municipalities under section 67.2810;**

**(6) "Director", the director of the department of economic development;**

**(7) "Energy efficiency improvement", any acquisition, installation, or modification on or of publicly or privately owned property designed to reduce the energy consumption of such property, including but not limited to:**

**(a) Insulation in walls, roofs, attics, floors, foundations, and heating and cooling distribution systems;**  
**(b) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective windows and doors, and other window and door improvements designed to reduce energy consumption;**

**(c) Automatic energy control systems;**

**(d) Heating, ventilating, or air conditioning distribution system modifications and replacements;**

**(e) Caulking and weatherstripping;**

**(f) Replacement or modification of lighting fixtures to increase energy efficiency of the lighting system without increasing the overall illumination of the building unless the increase in illumination is necessary to conform to applicable state or local building codes;**

**(g) Energy recovery systems; and**

**(h) Daylighting systems;**

**(8) "Municipality", any county, city, or incorporated town or village of this state;**

**(9) "Project", any energy efficiency improvement or renewable energy improvement;**

**(10) "Property assessed clean energy local finance fund", the fund established by the authority for the purpose of making loans to clean energy development boards to establish and maintain property assessed clean energy programs;**

**(11) "Property assessed clean energy program", a program established by a clean energy development board to finance energy efficiency improvements or renewable energy improvements under section 67.2820;**

**(12) "Renewable energy improvement", any acquisition and installation of a fixture, product, system, device, or combination thereof on publicly or privately owned property that produces energy from renewable resources, including, but not limited to photovoltaic systems, solar thermal systems, wind systems, biomass systems, or geothermal systems.**

4. All projects undertaken under sections 67.2800 to 67.2835 are subject to the applicable municipality's ordinances and regulations, including, but not limited to those ordinances and regulations concerning zoning, subdivision, building, fire safety, and historic or architectural review.

67.2805. 1. The authority may, as needed, promulgate administrative rules and regulations relating to the following:

(1) Guidelines and specifications for administering the property assessed clean energy local finance fund; and

(2) Any clarification to the definitions of energy efficiency improvement and renewable energy improvement as the authority may determine is necessary or advisable.

2. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 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, 2010, shall be invalid and void.

67.2810. 1. One or more municipalities may form clean energy development boards for the purpose of exercising the powers described in sections 67.2800 to 67.2835. Each clean energy development board shall consist of not less than three members, as set forth in the ordinance or order establishing the clean energy development board. Members shall serve terms as set forth in the ordinance or order establishing the clean energy development board and shall be appointed:

(1) If only one municipality is participating in the clean energy development board, by the chief elected officer of the municipality with the consent of the governing body of the municipality; or

(2) If more than one municipality is participating, in a manner agreed to by all participating municipalities.

2. A clean energy development board shall be a separate body politic and corporate and shall have all powers necessary and convenient to carry out and effectuate the provisions of sections 67.2800 to 68.2835, including, but not limited to the following:

(1) To adopt, amend, and repeal bylaws, which are not inconsistent with sections 67.2800 to 68.2835;

(2) To adopt an official seal;

(3) To sue and be sued;

(4) To make and enter into contracts and other instruments with public and private entities;

(5) To accept grants, guarantees, and donations of property, labor, services, and other things of value from any public or private source;

(6) To employ or contract for such managerial, legal, technical, clerical, accounting, or other assistance it deems advisable;

(7) To levy and collect special assessments under an assessment contract with a property owner and to record such special assessments as a lien on the property;

(8) To borrow money from any public or private source and issue bonds and provide security for the repayment of the same;

(9) To finance a project under an assessment contract;

(10) To collect reasonable fees and charges in connection with making and servicing assessment contracts and in connection with any technical, consultative, or project assistance services offered;

(11) To invest any funds not required for immediate disbursement in obligations of the state of Missouri or of the United States or any agency or instrumentality thereof, or in bank certificates of deposit; provided, however, the limitations on investments provided in this subdivision shall not apply to proceeds acquired from the sale of bonds which are held by a corporate trustee; and

(12) To take whatever actions necessary to participate in and administer a clean energy conduit financing or a property assessed clean energy program.

3. No later than July first of each year, the clean energy development board shall file with each municipality that participated in the formation of the clean energy development board, an annual report for the preceding calendar year that includes:

(1) A brief description of each project financed by the clean energy development board during the preceding calendar year;

(2) The amount of assessments due and the amount collected during the preceding calendar year;

(3) The amount of clean energy development board administrative costs incurred during the preceding calendar year;

(4) The estimated cumulative energy savings resulting from all energy efficiency improvements financed during the preceding calendar year; and

(5) The estimated cumulative energy produced by all renewable energy improvements financed during the preceding calendar year.

4. No lawsuit to set aside the formation of a clean energy development board or to otherwise question the proceedings related thereto shall be brought after the expiration of sixty days from the effective date of the ordinance or order creating the clean energy development board. No lawsuit to set aside the approval of a project, an assessment contract, or a special assessment levied by a clean energy development board, or to otherwise question the proceedings related thereto shall be brought after the expiration of sixty days from the date that the assessment contract is executed.

67.2815. 1. A clean energy development board shall not enter into an assessment contract or levy or collect a special assessment for a project without making a finding that there are sufficient resources to complete the project and that the estimated economic benefit expected from the project during the financing period is equal to or greater than the cost of the project.

2. An assessment contract shall be executed by the clean energy development board and the benefitted property owner or property owners and shall provide:

(1) A description of the project, including the estimated cost of the project and details on how the project will either reduce energy consumption or create energy from renewable sources;

(2) A mechanism for:

(a) Verifying the final costs of the project upon its completion; and

(b) Ensuring that any amounts advanced or otherwise paid by the clean energy development board toward costs of the project will not exceed the final cost of the project;

(3) An acknowledgment by the property owner that the property owner has received or will receive a special benefit by financing a project through the clean energy development board that equals or exceeds the total assessments due under the assessment contract;

(4) An agreement by the property owner to pay annual special assessments for a period not to exceed twenty years, as specified in the assessment contract;

(5) A distribution of assessment amounts among all parcels of real property subject to the assessment contract;

(6) A statement that the obligations set forth in the assessment contract, including the obligation to pay annual special assessments, are a covenant that shall run with the land and be obligations upon future owners of such property; and

(7) An acknowledgment that no subdivision of property subject to the assessment contract shall be valid unless the assessment contract or an amendment thereof divides the total annual special assessment due between the newly subdivided parcels pro rata to the special benefit realized by each subdivided parcel.

3. The total special assessments levied against a property under an assessment contract shall not exceed the sum of the cost of the project, including any required energy audits and inspections, or portion thereof financed through the participation in a property assessed clean energy program or clean energy conduit financing, including the costs of any audits or inspections required by the clean energy development board, plus such administration fees, interest, and other financing costs reasonably required by the clean energy development board.

4. The clean energy development board shall provide a copy of each signed assessment contract to the local county assessor and county collector and shall cause a copy of such assessment contract to be recorded in the real estate records of the county recorder of deeds.

5. Special assessments agreed to under an assessment contract shall be a lien on the property against which it is assessed on behalf of the applicable clean energy development board from the date that each annual assessment under the assessment contract becomes due. Such special assessments shall be collected by the county collector in the same manner and with the same priority as ad valorem real property taxes. Once collected, the county collector shall pay over such special assessment revenues to the clean energy development board in the same manner in which revenues from ad valorem real property taxes are paid to other taxing districts. Such special assessments shall be collected as provided in this subsection from all subsequent property owners, including the state and all political subdivisions thereof, for the term of the assessment contract.

6. Any clean energy development board that contracts for outside administrative services to provide financing origination for a project shall offer the right of first refusal to enter into such a contract to a federally insured depository institution with a physical presence in Missouri upon the same terms and conditions as would otherwise be approved by the clean energy development board. Such right of first refusal shall not be applicable to the origination of any transaction that involves the issuance of bonds by the clean energy development board.

67.2820. 1. Any clean energy development board may establish a property assessed clean energy program to finance energy efficiency improvements or renewable energy improvements. A property assessed clean energy program shall consist of a program whereby a property owner may apply to a clean energy development board to finance the costs of a project through annual special assessments levied under an assessment contract.

2. A clean energy development board may establish application requirements and criteria for project financing approval as it deems necessary to effectively administer such program and ration available funding among projects, including but not limited to requiring projects to meet certain energy efficiency standards.

3. A clean energy development board may require an initial energy audit as defined in subdivision (4) of subsection 1 of section 640.153, as a prerequisite to project financing through a property assessed clean energy program as well as inspections to verify project completion.

67.2825. 1. In lieu of financing a project through a property assessed clean energy program, a clean energy development board may seek to finance any number of projects to be installed within a single parcel of property or within a unified development consisting of multiple adjoining parcels of property by participating in a clean energy conduit financing.

2. A clean energy conduit financing shall consist of the issuance of bonds under section 67.2830 payable from the special assessment revenues collected under an assessment contract with the property owner participating in the clean energy conduit financing and any other revenues pledged thereto.

67.2830. 1. A clean energy development board may issue bonds payable from special assessment revenues generated by assessment contracts and any other revenues pledged thereto. The bonds shall be authorized by resolution of the clean energy development board, shall bear such date or dates, and shall mature at such time or times as the resolution shall specify, provided that the term of any bonds issued for a clean energy conduit financing shall not exceed twenty years. The bonds shall be in such denomination, bear interest at such rate, be in such form, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide. Notwithstanding any provision to the contrary under this section, issuance of the bonds shall conform to the requirements of subsection 1 of section 108.170.

2. Any bonds issued under this section shall not constitute an indebtedness of the state or any municipality. Neither the state nor any municipality shall be liable on such bonds, and the form of such bonds shall contain a statement to such effect.

67.2835. The director of the department of economic development is authorized to allocate the state's residual share, or any portion thereof, of the national qualified energy conservation bond limitation under Section 54D of the Internal Revenue Code of 1986, as amended, for any purposes described therein to the authority, any clean energy development board, the state, any political subdivision, instrumentality, or other body corporate and politic."; and

Further amend said bill, Page 6, Section 250.233, Line 11, by inserting after all of said line the following:

"260.005. As used in sections 260.005 to 260.125, the following words and terms mean:

(1) "Authority", the state environmental improvement and energy resources authority created by sections 260.005 to 260.125;

(2) "Bonds", bonds issued by the authority pursuant to the provisions of sections 260.005 to 260.125;

(3) "Cost", the expense of the acquisition of land, rights-of-way, easements and other interests in real property and the expense of acquiring or constructing buildings, improvements, machinery and equipment relating to any project, including the cost of demolishing or removing any existing structures, interest during the construction of any project and engineering, research, legal, consulting and other expenses necessary or incident to determining the feasibility or practicability of any project and carrying out the same, all of which are to be paid out of the proceeds of the bonds or notes authorized by sections 260.005 to 260.125;

- (4) "Disposal of solid waste or sewage", the entire process of storage, collection, transportation, processing and disposal of solid wastes or sewage;
- (5) "Energy conservation", the reduction of energy consumption;
- (6) "Energy efficiency", the increased productivity or effectiveness of energy resources use, the reduction of energy consumption, or the use of renewable energy sources;
- (7) "Notes", notes issued by the authority pursuant to sections 260.005 to 260.125;
- (8) "Pollution", the placing of any noxious substance in the air or waters or on the lands of this state in sufficient quantity and of such amounts, characteristics and duration as to injure or harm the public health or welfare or animal life or property;
- (9) "Project", any facility, including land, disposal areas, incinerators, buildings, fixtures, machinery, equipment, and devices or modifications to a building or facility, acquired or constructed, or to be acquired or constructed for the purpose of developing energy resources or preventing or reducing pollution or the disposal of solid waste or sewage or providing water facilities or resource recovery facilities or carrying out energy efficiency modifications in, but not limited to, buildings owned by the state or providing for energy conservation or increased energy efficiency **or renewable energy**;
- (10) **"Renewable energy", the production of energy from renewable resources, including, but not limited to, photovoltaic systems, solar thermal systems, wind systems, biomass systems, or geothermal systems;**
- (11) "Resource recovery", the recovery of material or energy from solid waste;
- [(11)] (12) "Resource recovery facility", any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse;
- [(12)] (13) "Resource recovery system", a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues;
- [(13)] (14) "Revenues", all rents, installment payments on notes, interest on loans, revenues, charges and other income received by the authority in connection with any project and any gift, grant, or appropriation received by the authority with respect thereto;
- [(14)] (15) "Sewage", any liquid or gaseous waste resulting from industrial, commercial, agricultural or community activities in such amounts, characteristics and duration as to injure or harm the public health or welfare or animal life or property;
- [(15)] (16) "Solid waste", garbage, refuse, discarded materials and undesirable solid and semisolid residual matter resulting from industrial, commercial, agricultural or community activities in such amounts, characteristics and duration as to injure or harm the public health or welfare or animal life or property;
- [(16)] (17) "Synthetic fuels", any solid, liquid, or gas or combination thereof, which can be used as a substitute for petroleum or natural gas (or any derivatives thereof, including chemical feedstocks) and which is produced by chemical or physical transformation (other than washing, coking, or desulfurizing) of domestic sources of coal, including lignite and peat; shale; tar sands, including heavy oils; water as a source of hydrogen only through electrolysis, and mixtures of coal and combustible liquids including petroleum; and
- [(17)] (18) "Water facilities", any facilities for the furnishing of water for industrial, commercial, agricultural or community purposes including, but not limited to, wells, reservoirs, dams, pumping stations, water lines, sewer lines, treatment plants, stabilization ponds, storm sewers, related equipment and machinery.

260.080. No part of the funds of the authority shall inure to the benefit of or be distributable to its members or other private persons except that the authority is authorized and empowered to pay reasonable compensation for services rendered as herein provided for **and to otherwise carry out the provisions of sections 260.005 to 260.125.**"; and

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

Representative Calloway raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

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

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

Representative Cox raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying amendment.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Hobbs	Hoskins 121
Icet	Jones 89	Jones 117	Keeney	Kingery
Koenig	Kraus	Lair	Largent	Leara
Lipke	Loehner	McGhee	McNary	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stream	Sutherland
Thomson	Tilley	Tracy	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 065

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Curls	Dougherty	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low
McClanahan	McDonald	McNeil	Meadows	Newman
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Still	Storch	Swinger
Talboy	Todd	Walsh	Walton Gray	Webb
Webber	Whitehead	Witte	Yaegeer	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Corcoran	LeBlanc	Meiners	Morris
Salva	Spreng	Stevenson	Viebrock	Vogt

VACANCIES: 001

On motion of Representative Emery, **HCS SB 791, as amended**, was adopted.

On motion of Representative Emery, **HCS SB 791, as amended**, was read the third time and passed by the following vote:

AYES: 114

Allen	Atkins	Aull	Ayres	Bivins
Brandom	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Calloway	Colona	Conway	Cooper
Corcoran	Cox	Curls	Davis	Day
Deeken	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Emery	Ervin	Faith
Fallert	Fisher 125	Flanigan	Flook	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 89
Jones 117	Kander	Keeney	Kingery	Koenig
Kuessner	Lair	Lampe	Largent	Leara
Liese	Lipke	Loehner	McDonald	McGhee
McNary	McNeil	Meiners	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Parkinson	Parson	Pollock	Pratt	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Schoemehl	Silvey	Smith 14
Smith 150	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Wallace
Walsh	Walton Gray	Webb	Webber	Wells
Weter	Yaeger	Zerr	Mr Speaker	

NOES: 039

Biermann	Bringer	Burnett	Casey	Chappelle-Nadal
Cunningham	Dethrow	Dusenberg	Englund	Fischer 107
Frame	Harris	Kelly	Kirkton	Komo
Kratky	Kraus	LeVota	Low	McClanahan
Meadows	Newman	Oxford	Quinn	Scavuzzo
Schieffer	Schupp	Self	Shively	Skaggs
Still	Storch	Wasson	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Zimmerman	

PRESENT: 001

Jones 63

1471 *Journal of the House*

ABSENT WITH LEAVE: 008

Carter	LeBlanc	Morris	Pace	Spreng
Stevenson	Viebrock	Vogt		

VACANCIES: 001

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 048

Allen	Ayres	Bivins	Brown 149	Bruns
Burlison	Cooper	Cox	Cunningham	Denison
Dieckhaus	Diehl	Dougherty	Dugger	Emery
Faith	Fisher 125	Flook	Franz	Funderburk
Guernsey	Guest	Hobbs	Lair	Loehner
McNary	Meiners	Nasheed	Nolte	Pollock
Roorda	Sander	Schad	Scharnhorst	Schlottach
Schoeller	Silvey	Smith 14	Stream	Sutherland
Thomson	Tilley	Viebrock	Webb	Wells
Yaeger	Zerr	Mr Speaker		

NOES: 103

Atkins	Aull	Biermann	Brandom	Bringer
Brown 30	Brown 50	Burnett	Calloway	Casey
Chappelle-Nadal	Colona	Conway	Corcoran	Curls
Davis	Day	Deeken	Dethrow	Dixon
Dusenberg	Englund	Ervin	Fallert	Fischer 107
Flanigan	Frame	Gatschenberger	Grill	Grisamore
Harris	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lampe
Largent	Leara	LeVota	Liese	Lipke
Low	McClanahan	McDonald	McGhee	McNeil
Meadows	Molendorp	Munzlinger	Nance	Newman
Nieves	Norr	Oxford	Pace	Parkinson
Parson	Pratt	Quinn	Riddle	Rucker
Ruestman	Salva	Sater	Scavuzzo	Schaaf
Schieffer	Schoemehl	Schupp	Self	Shively
Skaggs	Smith 150	Still	Storch	Swinger
Talboy	Todd	Tracy	Walsh	Walton Gray
Wasson	Webber	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Zimmerman		

PRESENT: 001

Jones 63

ABSENT WITH LEAVE: 010

Carter	Hughes	LeBlanc	Morris	Ruzicka
Spreng	Stevenson	Vogt	Wallace	Wright

VACANCIES: 001

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1612**, relating to sewer district trustees, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **SCS HB 1612** was adopted by the following vote:

AYES: 151

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Hoskins 80	Hoskins 121
Hummel	Ice	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meadows
Meiners	Molendorp	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Walsh	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Zimmerman

Mr Speaker

NOES: 002

Bringer	Schieffer
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PRESENT: 000

1473 *Journal of the House*

ABSENT WITH LEAVE: 009

Carter	Dieckhaus	Holsman	Hughes	LeBlanc
Morris	Spreng	Vogt	Wallace	

VACANCIES: 001

On motion of Representative Molendorp, **SCS HB 1612** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Hoskins 80	Hoskins 121	Hummel
Ice	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Lipke	Loehner	Low	McClanahan	McDonald
McGhee	McNary	McNeil	Meadows	Molendorp
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharmhorst
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 002

Bringer	Schieffer
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PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Dieckhaus	Frame	Holsman	Hughes
LeBlanc	Meiners	Morris	Rucker	Spreng
Vogt	Wallace			

VACANCIES: 001

Representative Silvey declared the bill passed.

Representative Bivins assumed the Chair.

**SS HCS HB 1806, as amended**, relating to county assessed valuation, was taken up by Representative Franz.

On motion of Representative Franz, **SS HCS HB 1806, as amended**, was adopted by the following vote:

AYES: 149

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Casey	Chappelle-Nadal	Colona	Conway	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meadows
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Pace	Parkinson	Parson	Pollock	Pratt
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webb	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Mr Speaker	

NOES: 005

Oxford	Quinn	Still	Webber	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 008

Carter	Cooper	Flanigan	Grisamore	Hughes
LeBlanc	Spreng	Vogt		

VACANCIES: 001

On motion of Representative Franz, **SS HCS HB 1806, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flanigan	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNary
McNeil	Meadows	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Pace	Parkinson	Parson
Pollock	Pratt	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Walton Gray	Wasson	Webb
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Mr Speaker

NOES: 005

Oxford	Quinn	Still	Webber	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Carter	Hughes	LeBlanc	Salva
Spreng	Vogt			

VACANCIES: 001

Representative Bivins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 121

Aull	Ayres	Bivins	Brandom	Brown 30
Brown 50	Brown 149	Bruns	Burlison	Casey
Colona	Conway	Cooper	Corcoran	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Frame	Franz	Funderburk
Gatschenberger	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 121	Hummel	Icet
Jones 89	Jones 117	Keeney	Kelly	Kingery
Kirkton	Koenig	Kratky	Kraus	Lair
Lampe	Largent	Leara	Liese	Lipke
Loehner	Low	McGhee	McNary	Meadows
Meiners	Molendorp	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Parkinson	Parson
Pollock	Pratt	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wright	Yaeger	Zerr
Mr Speaker				

NOES: 034

Atkins	Biermann	Bringer	Burnett	Calloway
Chappelle-Nadal	Grill	Hoskins 80	Jones 63	Kander
Komo	Kuessner	LeVota	McClanahan	McDonald
McNeil	Morris	Newman	Oxford	Pace
Quinn	Scavuzzo	Schieffer	Schupp	Shively
Skaggs	Still	Talboy	Walton Gray	Webb
Webber	Whitehead	Witte	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Carter	Grisamore	Hughes	LeBlanc
Spreng	Vogt			

VACANCIES: 001

### THIRD READING OF SENATE BILL

**HCS#2 SCS SB 778**, relating to conveyances of state property, was taken up by Representative McGhee.

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

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

Representative Bivins requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative McGhee, **HCS#2 SCS SB 778** was adopted.

On motion of Representative McGhee, **HCS#2 SCS SB 778** was read the third time and passed by the following vote:

AYES: 110

Allen	Atkins	Aull	Bivins	Brandom
Brown 30	Brown 50	Brown 149	Burlison	Casey
Colona	Conway	Cooper	Curls	Davis
Day	Denison	Dieckhaus	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Frame	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Harris	Hodges	Holsman
Hoskins 80	Hoskins 121	Ice	Jones 63	Jones 89
Kander	Keeney	Kelly	Kingery	Koenig
Kratky	Kraus	Lair	Lampe	Leara
Liese	Lipke	McDonald	McGhee	McNary
Meadows	Molendorp	Morris	Munzlinger	Nance
Nieves	Nolte	Pace	Parkinson	Pollock
Pratt	Quinn	Riddle	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schoemehl	Self	Shively
Silvey	Smith 14	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray
Webb	Wells	Weter	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Mr Speaker

NOES: 043

Biermann	Bringer	Bruns	Burnett	Calloway
Cox	Cunningham	Deeken	Dethrow	Franz
Grisamore	Hobbs	Hughes	Hummel	Jones 117
Kirkton	Komo	Kuessner	Largent	LeVota
Loehner	Low	McClanahan	McNeil	Nasheed
Newman	Norr	Oxford	Parson	Roorda
Sater	Schad	Schlottach	Schoeller	Schupp
Skaggs	Smith 150	Still	Talboy	Wasson
Webber	Whitehead	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 009

Ayres	Carter	Chappelle-Nadal	Corcoran	Diehl
LeBlanc	Meiners	Spreng	Vogt	

VACANCIES: 001

Representative Bivins declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 095

Allen	Aull	Ayres	Bivins	Brandom
Brown 30	Brown 50	Brown 149	Burlison	Casey
Colona	Conway	Cox	Cunningham	Davis
Day	Denison	Dieckhaus	Dixon	Dougherty
Dugger	Dusenberg	Emery	Ervin	Faith
Fischer 107	Fisher 125	Flanigan	Franz	Funderburk
Gatschenberger	Guernsey	Guest	Harris	Hoskins 121
Icey	Jones 89	Keeney	Kingery	Koenig
Kratky	Kraus	Lair	Lampe	Largent
Leara	Liese	Lipke	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Pace	Parkinson	Pollock	Pratt	Quinn
Riddle	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Scharnhorst	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wright	Zerr	Mr Speaker

NOES: 056

Atkins	Biermann	Bringer	Bruns	Burnett
Calloway	Curls	Deeken	Dethrow	Englund
Fallert	Frame	Grill	Grisamore	Hobbs
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Jones 117	Kander	Kelly	Kirkton
Komo	Kuessner	LeVota	Loehner	Low
McClanahan	McDonald	McNeil	Meadows	Morris
Nasheed	Newman	Norr	Oxford	Parson
Roorda	Scavuzzo	Schad	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Skaggs	Still
Walton Gray	Webb	Webber	Whitehead	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Chappelle-Nadal	Cooper	Corcoran	Diehl
Flook	LeBlanc	Meiners	Spreng	Talboy
Vogt				

VACANCIES: 001

Speaker Pro Tem Pratt resumed the Chair.

## COMMITTEE REPORTS

**Committee on Insurance Policy**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Standing Committee on General Laws, to which was referred **SCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Workforce Development and Workplace Safety**, Chairman Fisher (125) reporting:

Mr. Speaker: Your Special Standing Committee on Workforce Development and Workplace Safety, to which was referred **SB 1026**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Parson reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 616**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 684**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 753**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 793**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 815**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 829**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 834**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 894**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 943**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 1007**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 793** - Fiscal Review (Fiscal Note)  
**HCS SCS SB 815** - Fiscal Review (Fiscal Note)  
**HCS SCS SB 829** - Fiscal Review (Fiscal Note)  
**HCS SB 894** - Fiscal Review (Fiscal Note)  
**HCS SS SB 943** - Fiscal Review (Fiscal Note)

#### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 1311 & 1341**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1311 & 1341, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1311 & 1341;
2. The House recede from its position on House Committee Substitute for House Bill Nos. 1311 & 1341;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1311 & 1341, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Dwight Scharnhorst  
/s/ Wayne Cooper  
/s/ Bob Nance  
/s/ Paul LeVota  
/s/ Jason Grill

FOR THE SENATE:

/s/ Scott Rupp  
/s/ Eric Schmitt  
/s/ Jason Crowell  
/s/ Rita Heard Days  
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2226, HOUSE BILL NO. 1824, HOUSE BILL NO. 1832  
AND  
HOUSE BILL NO. 1990**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2226, House Bill No. 1824, House Bill No. 1832, and House Bill No. 1990, with Senate Amendment Nos. 1, 2, 3, 6, 7, 11, 12, and 14, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2226, House Bill No. 1824, House Bill No. 1832, and House Bill No. 1990, as amended;
2. That the House recede from its position on House Bill No. 2226, House Bill No. 1824, House Bill No. 1832, and House Bill No. 1990;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2226, House Bill No. 1824, House Bill No. 1832, and House Bill No. 1990, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jay Wasson  
/s/ David Day  
/s/ Don Wells  
/s/ Jeff Roorda  
/s/ Charlie Norr

FOR THE SENATE:

/s/ Delbert Scott  
/s/ Jane Cunningham  
/s/ Robert Mayer  
/s/ Joseph P. Keaveny  
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 733**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 733, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 733, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 733;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 733, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce  
/s/ Kurt Schaeffer  
/s/ Rita Heard Days  
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Gayle Kingery  
/s/ Mike Thomson  
/s/ Steve Hobbs  
/s/ Sue Schoemehl  
/s/ Jill Schupp

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, May 12, 2010.

## COMMITTEE MEETINGS

### FISCAL REVIEW

Wednesday, May 12, 2010, 9:00 a.m. House Chamber south gallery.

All bills referred to committee.

Executive session may follow. CORRECTED

### FISCAL REVIEW

Thursday, May 13, 2010, 8:00 a.m. House Chamber south gallery.

All bills referred to committee.

Executive session may follow. CORRECTED

### RULES - PURSUANT TO RULE 25(32)(f)

Wednesday, May 12, 2010, Hearing Room 7 upon morning recess.

Any bills referred to committee.

Possible Executive session.

### RULES - PURSUANT TO RULE 25(32)(f)

Thursday, May 13, 2010, 8:00 a.m. Hearing Room 7.

Any bills referred to committee.

Possible Executive session.

## HOUSE CALENDAR

SIXTY-NINTH DAY, WEDNESDAY, MAY 12, 2010

### HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJRs 45, 69 & 70 - Kingery

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1684, as amended, HA 2, pending - Zerr
- 2 HCS HB 2026 - Hobbs
- 3 HB 1254 - Wilson (119)
- 4 HCS HB 2053 - Wallace
- 5 HB 1960 - Ruestman
- 6 HCS#2 HB 1812 - Kingery
- 7 HCS HB 1905 - Wilson (130)
- 8 HB 1945 - Brown (149)
- 9 HB 2250 - Curls
- 10 HCS HB 1238 - Davis
- 11 HCS HB 1383 - Nolte
- 12 HCS HB 1451 - Lipke
- 13 HCS HB 1833 - Munzlinger
- 14 HCS HB 2388 - Wasson
- 15 HB 1647 - Cooper

- 16 HB 1911 - Schad
- 17 HCS HB 2042 - Brown (30)
- 18 HCS HB 2102 - Munzlinger
- 19 HCS HB 2152 - Hobbs
- 20 HCS#2 HB 2225 - Loehner
- 21 HCS HB 1583 - Jones (117)
- 22 HCS HB 1725 - Davis
- 23 HB 2255 - Jones (89)

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 77, (4-21-10, Pages 1036-1037) - Franz

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 63 - Parson

**HOUSE BILLS FOR THIRD READING**

HCS HB 2156 - Molendorp

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 67, (4-29-10, Pages 1179-1182) - Sutherland
- 2 HCR 79, (4-27-10, Pages 1097-1098) - Webb

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SBs 586 & 617, Part I, Part II, Part III, Part IV, pending - Emery
- 2 HCS SCS SB 777 - Jones (89)
- 3 HCS SB 686, E.C. - Sutherland
- 4 HCS SCS SB 808, E.C. - Sutherland
- 5 HCS#2 SB 848 - Loehner
- 6 HCS SS SCS SB 920 - Stevenson
- 7 HCS SB 981, E.C. - Sutherland
- 8 HCS SB 741 - Dugger
- 9 HCS SCS SB 583, E.C. - Hobbs
- 10 HCS SB 940 - Hoskins (121)
- 11 SCS SB 616 - Wasson
- 12 HCS SB 684 - Stevenson
- 13 SB 753 - Parkinson
- 14 SS SCS SB 793, (Fiscal Review 5-11-10) - Pratt
- 15 HCS SCS SB 815, (Fiscal Review 5-11-10) - Wallace
- 16 HCS SCS SB 829, (Fiscal Review 5-11-10), E.C. - Lipke

1485 *Journal of the House*

- 17 SCS SB 834 - Diehl
- 18 HCS SB 894, (Fiscal Review 5-11-10) - Wilson (130)
- 19 SB 900 - Wilson (130)
- 20 HCS SS SB 943, (Fiscal Review 5-11-10), E.C. - Wallace
- 21 HCS SS SB 1007, E.C. - Cooper

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HB 1336, SA 1 - Brandom
- 2 SCS HB 1941, as amended - Parson
- 3 HB 1942, SA 1 - Parson
- 4 HB 1643, SA1, SA2 - Brown (50)
- 5 HCS HB 1977, SA1, SA2 - Wasson
- 6 SS SCS HB 2317, as amended, E.C. - Tracy
- 7 SCS HB 1392 - Kirkton
- 8 SCS HB 1892 - Nasheed
- 9 SS HCS HB 1848 - Holsman
- 10 SCS HCS HB 1903, E.C. - Icet
- 11 SS HB 1713, (Fiscal Review 5-5-10) - Sander
- 12 SCS HCS HB 1831 - Jones (117)
- 13 HCS#2 HB 1472, SA 1, E.C. - Franz
- 14 HCS HBs 2262 & 2264, SA 1, E.C. - Day
- 15 SCS HCS HB 1516 - Smith (150)
- 16 SCS HCS HB 1858 - Zimmerman
- 17 HCR 38, SCA 1 - Icet
- 18 HB 1894, SA 1, SA 2 - Bringer
- 19 SS HCS HB 2357, as amended - Smith (150)
- 20 SCS HB 1444 - Jones (89)
- 21 SCS HCS HB 1375 - Cooper
- 22 SCS HCS HB 1316, as amended - Deeken

**BILLS IN CONFERENCE**

- 1 CCR SS SCS HB 1442, as amended, E.C. - Jones (89)
- 2 SCS HCS HB 2297, as amended - Molendorp
- 3 HCS SCS SB 754, as amended - Wasson
- 4 HCS SS SCS SB 605, as amended, E.C. - Stevenson
- 5 CCR HCS SCS SB 733, as amended, E.C. - Kingery
- 6 HCS SB 795, as amended, E.C. - Loehner
- 7 CCR SCS HCS HBs 1311 & 1341 - Scharnhorst
- 8 SS#2 HB 1268, as amended, E.C. - Meiners
- 9 SCS HB 1677, E.C. - Hoskins (80)
- 10 SCS HCS HB 1965, as amended - McNary
- 11 CCR SCS HB 2226, HB 1824, HB 1832 & HB 1990, as amended - Wasson
- 12 HB 1691, SA 1, SA 2 - Kraus

- 13 SS HCS HBs 1408 & 1514, E.C. - Smith (150)
- 14 HCS SCS SBs 842, 799 & 809, as amended, E.C. - Stream
- 15 HCS#2 SB 844 - Jones (89)
- 16 SCS HB 1868, as amended, E.C. - Scharnhorst

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 31, (2-24-10, Pages 384-385) - Hoskins (121)
- 2 HCS SCR 55, (5-4-10, Pages 1282-1283) - Dixon

**HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION - INFORMAL**

HCS HB 2300 - Wilson (130)

**SENATE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION - INFORMAL**

SS#2 SCS SB 577 - Wilson (130)