

# JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Representative Gary Marble.

Dear Heavenly, thank You for this beautiful day and the many blessings of life. Thank You for the opportunity to serve You in this Honored Body. Thank You for our families who willingly sacrifice every day, so we can serve. And, most of all, thank You for Your son who has given us the hope of eternal life.

Now, Father, I pray, as we look forward to the work before us this day and the coming three weeks; that You will give us wisdom and help us to follow Your directions as found in Micah 6:8: "He has shown You, O man, what does the Lord require of you but to do justly, to love mercy, and to walk humbly with your God."

For it's in Jesus name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicole Ottersburg, Jamie Hillier, Andrew Nabors, Olivia Crain, Cassie Wright, April Willsie, Amber Clifton, Whitney Dameron, Krystal Himes, Amanda Theiler, Elizabeth Kimack, Jennifer Horton, Latasha Brock, Kareema Harrell, Amanda Rackers, Sarah Estep, Honnah Marshall, Grace Miller, Ethan S. Musick, Richie Shy, Clint Blevins and Rob Morgan.

The Journal of the sixty-second day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1669 - Representative Berkstresser  
House Resolution No. 1670 - Representative Champion  
House Resolution No. 1671 - Representative Berkstresser  
House Resolution No. 1672 - Representatives Berkstresser and Robirds  
House Resolution No. 1673 - Representative George  
House Resolution No. 1674 - Representative Davis  
House Resolution No. 1675  
through  
House Resolution No. 1677 - Representative King  
House Resolution No. 1678 - Representatives Bartle and Cunningham  
House Resolution No. 1679 - Representative Wiggins

- House Resolution No. 1680  
and  
House Resolution No. 1681 - Representative Williams  
House Resolution No. 1682 - Representative Ostmann  
House Resolution No. 1683 - Representative Riback Wilson (25), et al  
House Resolution No. 1684 - Representative Walton  
House Resolution No. 1685  
and  
House Resolution No. 1686 - Representative Enz  
House Resolution No. 1687  
through  
House Resolution No. 1693 - Representatives Williams and Berkstresser  
House Resolution No. 1694  
and  
House Resolution No. 1695 - Representative Merideth  
House Resolution No. 1696 - Representative Barry  
House Resolution No. 1697 - Representative Hollingsworth  
House Resolution No. 1698  
through  
House Resolution No. 1711 - Representative Jetton  
House Resolution No. 1712 - Representative Farnen

#### **SECOND READING OF SENATE JOINT RESOLUTION**

**SS SCS SJRs 1 & 4** was read the second time.

#### **SECOND READING OF SENATE BILLS**

**SCS SBs 247 & 330** and **SS SCS SBs 551, 410, 539, 528 & 296** were read the second time.

#### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules, and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS HB 14**, **HCS HB 428** and **HS HB 555**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

#### **THIRD READING OF SENATE BILLS - CONSENT**

**HCS SB 321**, relating to sheltered workshops, was taken up by Representative Crump.

On motion of Representative Crump, **HCS SB 321** was adopted.

On motion of Representative Crump, **HCS SB 321** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Graham Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 008

Gambaro	Green 15	Green 73	Harlan	Hickey
Kelly 36	Reynolds	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 151**, relating to auto insurance, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **HCS SCS SB 151** was adopted.

On motion of Representative Gaskill, **HCS SCS SB 151** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Franklin	Gambaro	Green 15	Hickey	Hilgemann
Hunter	Kelly 36	Long	Reynolds	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Carnahan assumed the Chair.

**SCS SB 234**, relating to the sales/use tax: telecommunications, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **SCS SB 234** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secret	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Green 15	Hickey	Lograsso	Reynolds
Wiggins				

VACANCIES: 003

Representative Carnahan declared the bill passed.

**SB 553**, relating to conveyance in Nodaway County, was taken up by Representative Barnett.

On motion of Representative Barnett, **SB 553** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Foley	Gambaro	Green 15	Green 73	Hickey
Reynolds	Wiggins			

VACANCIES: 003

Representative Carnahan declared the bill passed.

**SCS SB 270**, relating to administrative law judges, was taken up by Representative Monaco.

On motion of Representative Monaco, **SCS SB 270** was truly agreed to and finally passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	King	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Fares	Kennedy	Koller	Murphy	Ostmann
Reid				

PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Burton	Byrd	Gambaro	Green 15
Green 73	Haywood	Henderson	Hickey	Hunter
Kelly 27	Linton	Reynolds	Shields	Surface
Wiggins				

VACANCIES: 003

Representative Carnahan declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

### THIRD READING OF HOUSE BILL - APPROPRIATIONS

**HCS HB 14**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 14** was read the third time and passed by the following vote:

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Ransdall	Reid	Relford	Ridgeway
Rizzo	Robirds	Ross	Scheve	Secrest
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 033

Ballard	Bartelsmeyer	Bearden	Boatright	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Gaskill	Henderson
Hendrickson	Hohulin	Holt	Hunter	Jetton
Linton	Luetkemeyer	Marble	May 149	Portwood
Purgason	Rector	Reinhart	Richardson	Roark
Schwab	Scott	Selby		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 007

Boucher	Gambaro	Green 15	Hickey	Kelly 27
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Liese assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.



**THIRD READING OF HOUSE JOINT RESOLUTION**

**HCS HJR 7**, relating to the transportation commission, was taken up by Representative Koller.

On motion of Representative Koller, **HCS HJR 7** was read the third time and passed by the following vote:

AYES: 091

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Britt	Brooks
Burcham	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Farnen	Foley	Ford
Franklin	Fraser	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Robirds	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 056

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Enz	Fares	Gaskill	Hanaway	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelly 144
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Ross
Schwab	Secrest	Surface	Townley	Troupe
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Bray 84	Froelker
Gambaro	Green 15	Hickey	King	Lawson
Reynolds	Rizzo	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Berkowitz requested a verification of the roll call on the third reading and final passage of **HCS HJR 7**.

**THIRD READING OF HOUSE BILL**

**HB 436**, relating to the Missouri Airport Protection Act, was taken up by Representative Merideth.

On motion of Representative Merideth, **HB 436** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Ford	Franklin	Froelker	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Bearden	Crowell	Dempsey	Foley	Fraser
King	Murphy	Naeger	Roark	Selby

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Gambaro	Green 15	Hickey	Mays 50
O'Connor	Reynolds	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HS HB 349**, relating to protection of the elderly, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HS HB 349** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Luetkemeyer

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Green 15	Henderson	Hickey	Reynolds
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HS HCS HB 488**, relating to tourism, was taken up by Representative Koller.

On motion of Representative Koller, **HS HCS HB 488** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 013

Burcham	Byrd	Cunningham	Hendrickson	Hohulin
Jetton	Kelly 144	Kennedy	Mayer	Murphy
Portwood	Rector	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Copenhaver	Gambaro	Green 15	Green 73
Harlan	Hickey	Kelly 27	Lograsso	O'Connor
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 660**, relating to public school retirement, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **HCS HB 660** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secret	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wright
Mr. Speaker				

NOES: 005

Bray 84	Brooks	Williams	Wilson 25	Wilson 42
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PRESENT: 002

Davis	O'Toole
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ABSENT WITH LEAVE: 007

Baker	Gambaro	Green 15	Harlan	Hickey
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

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AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Graz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 003

Hohulin	Roark	Mr. Speaker
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PRESENT: 001

Hunter

ABSENT WITH LEAVE: 008

Baker	Gambaro	Green 15	Harlan	Hickey
Nordwald	Reynolds	Wiggins		

VACANCIES: 003

**HB 678**, relating to ethics, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 678** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Gambaro	Gratz	Green 15	Harlan	Hickey
Lawson	Nordwald	Reynolds	Surface	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.

**HCS HB 426**, relating to retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HCS HB 426** was read the third time and passed by the following vote:

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AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Hendrickson	Hunter	Treadway
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PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Gratz	Green 15	Harlan
Hickey	Linton	Long	Nordwald	Reynolds
Wiggins				

VACANCIES: 003

Representative Villa declared the bill passed.

**HCS HB 831**, relating to crime victims' compensation, was taken up by Representative Carnahan.

On motion of Representative Carnahan, **HCS HB 831** was read the third time and passed by the following vote:



AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Graz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Green 15	Harlan	Hickey
Lograsso	Long	Nordwald	Reynolds	Surface
Wiggins				

VACANCIES: 003

Representative Villa declared the bill passed.

### PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HB 16, with House Committee Amendment No. 1**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **House Committee Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 16, Page 25, Section 16.170, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”; and

Further amend said bill, Page 25, Section 16.172, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”; and

Further amend said bill, Page 26, Section 16.174, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **HB 16, as amended**, was ordered perfected and printed.

**HB 17, with House Committee Amendment No. 1**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **House Committee Amendment No. 1** was adopted.

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

*House Amendment No. 1*

AMEND House Bill No. 17, Page 27, Section 17.176, Line 2, by deleting from said line the word “**part**” and inserting in lieu thereof the word “**park**”.

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

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

*House Amendment No. 2*

AMEND House Bill No. 17, Page 35, Section 17.218, Lines 1-8, by deleting all of said Section.

Speaker Pro Tem Abel resumed the Chair.

Representative Bray moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 034

Bland	Bowman	Boykins	Bray 84	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Curls	Franklin	Fraser	Hagan-Harrell	Harding
Harlan	Haywood	Hilgemann	Johnson 61	Johnson 90

Jolly	Kelly 27	Lowe	Mays 50	Ostmann
Relford	Scheve	Skaggs	Thompson	Van Zandt
Walton	Williams	Willoughby	Wilson 42	

NOES: 110

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Froelker	Gaskill	George
Green 73	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Kelley 47	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Richardson	Ridgeway	Rizzo	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Ward	Wright	Mr. Speaker

PRESENT: 001

Graham

ABSENT WITH LEAVE: 015

Baker	Fares	Ford	Gambaro	Gratz
Green 15	Hickey	Kelly 144	Naeger	Nordwald
Reynolds	Roark	Surface	Wiggins	Wilson 25

VACANCIES: 003

On motion of Representative Green (73), **HB 17, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 279**, relating to screening of newborns, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HCS HB 279** was adopted.

On motion of Representative Shoemyer, **HCS HB 279** was ordered perfected and printed.

**HCS HBs 981 & 665**, relating to tort immunity for teachers, was taken up by Representative Willoughby.

Representative Willoughby offered **HS HCS HBs 981 & 665**.

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

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 981 & 665, Page 6, Section 160.261, Line 16, by deleting all of said line and inserting in lieu thereof the following:

**“State law, acts of school violence, within the”**.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Substitute for House Committee Substitute for House Bill Nos. 981 & 665, Page 6, Section 160.261, Line 16, by deleting all of said line and inserting in lieu thereof the following:

**“state law, acts of school violence or threatened acts of school violence, within the”**.

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

On motion of Representative Willoughby, **HS HCS HBs 981 & 665, as amended**, was adopted.

On motion of Representative Willoughby, **HS HCS HBs 981 & 665, as amended**, was ordered perfected and printed.

**HCS HB 780**, relating to economic development, was taken up by Representative Scheve.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 780, Page 8, Section 135.200, Line 52, by deleting all of said line and inserting in lieu thereof the following:

**"thousand eight hundred and classified as SIC 7011 or NAICS 72111. Notwithstanding any other provisions of law to the contrary, hotel and motel activities as defined in this subdivision shall not be eligible for state enterprise zone tax credits but shall be eligible for the real property improvements exemption provided in subsection 1 of section 135.215, regardless of the number of new jobs created and maintained;"**; and

Further amend said bill, Page 13, Section 135.208, Line 87, by deleting all of said line and inserting in lieu thereof the following: **"population of at least one thousand four hundred but less than one thousand four hundred fifty inhabitants and"**; and

Further amend said bill, Page 13, Section 135.208, Lines 90 and 91, by deleting all of said lines and inserting in lieu thereof the following: "**rule city with a population of at least twenty-two thousand two hundred but less than twenty-two thousand four hundred inhabitants and located in a county of the first**"; and

Further amend said bill, Page 14, Section 135.208, Lines 96 and 97, by deleting all of said lines and inserting in lieu thereof the following: "**fourth class city with a population of at least two thousand seven hundred but less than two thousand seven hundred ten inhabitants and located in a county of the first classification with**"; and

Further amend said bill, Page 17, Section 135.411, Line 8, by inserting after all of said line the following:

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

(1) "Department", the department of economic development;

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

(3) "Distressed community", as defined in section 135.530;

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

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

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

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

(8) "New residence", a residence constructed on land which if located within a distressed community has either been vacant for at least two years or is or was occupied by a structure which has been condemned by the local entity in which the structure is located or which, if located outside of a distressed community but within a census block group as described in subdivision (6) or (10) of this section, either replaces a residence forty years of age or older demolished for purposes of constructing a replacement residence, or which is constructed on vacant property which has been classified for not less than forty continuous years as residential or utility, commercial, railroad or other real property pursuant to article X, section 4(b) of the Missouri Constitution, as defined in section 137.016, RSMo, **or, if not a first class county with a charter form of government, vacant property classified residential or agricultural and horticultural property, as defined in section 137.016, RSMo;** except that, no new residence shall be constructed in a flood plain or on property used for agricultural purposes. In a distressed community, the term "new residence" shall include condominiums, owner-occupied units or other units intended to be owner-occupied in multiple unit structures;

(9) "Project", new construction, rehabilitation or substantial rehabilitation of a residence **or residences, whether comprised of one structure containing multiple single-family residences or multiple individual structures** that [qualifies] **qualify** for a tax credit pursuant to sections 135.475 to 135.487;

(10) "Qualifying residence", a single-family residence, forty years of age or older, located in this state which is occupied or intended to be occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is located in a metropolitan statistical area or nonmetropolitan statistical area within a United States census

block group which has a median household income of less than seventy percent of the median household income for the metropolitan statistical area or nonmetropolitan area, respectively, or which is located within a distressed community. A qualifying residence shall include a condominium or residence within a multiple residential structure or a structure containing multiple single-family residences which is located within a distressed community;

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

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

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

135.481. 1. (1) Any taxpayer who incurs eligible costs for a new residence located in a distressed community or within a census block group as described in subdivision (6) or (10) of section 135.478, or for a multiple unit condominium described in subdivision (2) of this subsection, shall receive a tax credit equal to [fifteen] **twenty** percent of such costs against his or her tax liability. The tax credit shall not exceed forty thousand dollars per new residence in any ten-year period.

(2) For the purposes of this section, a "multiple unit condominium" is one that is intended to be owner occupied, which is constructed on property subject to an industrial development contract as defined in section 100.310, RSMo, and which lies within an area with a city zoning classification of urban redevelopment district established after January 1, 2000, and before December 31, 2001, and which is constructed in connection with the qualified rehabilitation of a structure more than ninety years old eligible for the historic structures rehabilitation tax credit described in sections 253.545 to 253.559, RSMo, and is under way by January 1, 2000, and completed by January 1, 2002.

[2. Any taxpayer who incurs eligible costs for a new residence located within a census block as described in subdivision (6) of section 135.478 shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed twenty-five thousand dollars per new residence in any ten-year period.]

[3.] **2.** Any taxpayer who is not performing substantial rehabilitation and who incurs eligible costs for rehabilitation of an eligible residence or a qualifying residence shall receive a tax credit equal to twenty-five percent of such costs against his or her tax liability. The minimum eligible costs for rehabilitation of an eligible residence shall be ten thousand dollars. The minimum eligible costs for rehabilitation of a qualifying residence shall be five thousand dollars. The tax credit shall not exceed twenty-five thousand dollars in any ten-year period.

[4.] **3.** Any taxpayer who incurs eligible costs for substantial rehabilitation of a qualifying residence shall receive a tax credit equal to thirty-five percent of such costs against his or her tax liability. The minimum eligible costs for substantial rehabilitation of a qualifying residence shall be ten thousand dollars. The tax credit shall not exceed seventy thousand dollars in any ten-year period.

[5.] **4.** A taxpayer shall be eligible to receive tax credits for new construction or rehabilitation pursuant to only one subsection of this section.

[6.] **5.** No tax credit shall be issued pursuant to this section for any structure which is in violation of any municipal or county property, maintenance or zoning code.

[7.] **6.** No tax credit shall be issued pursuant to sections 135.475 to 135.487 for the construction or rehabilitation of rental property."; and

Further amend said bill, Page 17, Section 135.484, Line 3, by deleting from said line the word "**initially**"; and

Further amend said bill, Page 18, Section 135.484, Line 16, by deleting from said line the word "**sixty**"; and

Further amend said bill, Page 18, Section 135.484, Lines 17 and 18, by deleting all of said lines and inserting in lieu thereof the following: "The maximum tax credit for a project [consisting of multiple-unit qualifying residences in a distressed community] shall not exceed [three] **one million five hundred thousand** dollars."; and

Further amend said bill, Page 18, Section 135.484, Line 35, by inserting after all of said line the following:

"135.487. 1. To obtain any credit allowed pursuant to sections 135.475 to 135.487, a taxpayer shall submit to the department, for preliminary approval, an application for tax credit. The director shall, upon final approval of an application and presentation of acceptable proof of substantial completion of construction, issue the taxpayer a certificate of tax credit. **In the case of projects involving the new construction, rehabilitation or substantial**

**rehabilitation of more than one residence, one application for tax credit may be submitted to the department for preliminary approval for the entire project, and the director shall issue the taxpayer a certificate of tax credit upon final approval of an application and presentation of acceptable proof of substantial completion of construction for each individual residence rather than delaying issuance of a tax credit pursuant to sections 135.475 to 135.487 until substantial completion of the entire project.** The director shall issue all credits allowed pursuant to sections 135.475 to 135.487 in the order the applications are received. In the case of a taxpayer other than an owner-occupant, the director shall not delay the issuance of a tax credit pursuant to sections 135.475 to 135.487 until the sale of a residence at market rate for owner-occupancy. A taxpayer, taxpayer other than an owner-occupant who receives a certificate of tax credit pursuant to sections 135.475 to 135.487 shall, within thirty days of the date of the sale of a residence, furnish to the director satisfactory proof that such residence was sold at market rate for owner-occupancy. If the director reasonably determines that a residence was not in good faith intended for long-term owner occupancy, the director make revoke any tax credits issued and seek recovery of any tax credits issued pursuant to section 620.017, RSMo.

2. The department may cooperate with a municipality or a county in which a project is located to help identify the location of the project, the type and eligibility of the project, the estimated cost of the project and the completion date of the project.

3. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of sections 135.475 to 135.487. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

4. The department shall conduct annually a comprehensive program evaluation illustrating where the tax credits allowed pursuant to sections 135.475 to 135.487 are being utilized, explaining the economic impact of such program and making recommendations on appropriate program modifications to ensure the program's success."; and

Further amend said bill, Page 19, Section 135.500, Lines 17 and 18, by deleting from said lines the following: **"or qualified Missouri agricultural business"**; and

Further amend said bill, Page 19, Section 135.500, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

**"(4) "Certified capital investment", an investment of cash by an investor in a Missouri certified capital company that fully funds either the investor's equity interest in a certified capital company, a qualified debt instrument that a certified capital company issues, or both;"**; and

Further amend said bill, Page 19, Section 135.500, Line 38, by deleting all of said line and inserting in lieu thereof the following:

**"(11) "Qualified debt instrument", a debt instrument that a certified capital company issues at par value or at a premium that:**

- (a) Has an original maturity date of at least five years from the date on which it was issued;**
- (b) Has a repayment schedule that is no faster than a level principal amortization; and**
- (c) Until the certified capital company may make distributions other than qualified distributions, the interest, distribution or payment features of which are not related to the certified capital company's profitability or the performance of its investment portfolio;**

**(12) "Qualified distribution", any distribution of payment to equity holders of a certified"; and**

Further amend said bill, Page 19, Section 135.500, Lines 42 and 43, by deleting all of said lines and inserting in lieu thereof the following:

**"(b) Management fees for managing and operating the certified capital company [; and] which, on an annual basis, do not exceed two and one-half percent of the certified capital company's total certified capital;**

**(c) Reasonable and necessary fees paid for professional services related to the operation of the certified capital company; and**

**[(c)] (d) Any increase in federal or state taxes, penalties and interest, including those related"; and**

Further amend said bill, Page 19, Section 135.500, Line 46, by deleting the number "(12)" and inserting in lieu thereof the following: "[~~(12)~~ (13)"; and

Further amend said bill, Page 19, Section 135.500, Lines 47 and 48, by deleting all of said lines and inserting in lieu thereof the following:

"company in such a manner as to acquire capital in a qualified Missouri business. **The investment must also be for the purchase of an equity security of the qualified business or a debt security of the qualified business, provided the debt has a maturity of at least one year. Other than debt securities issued by a qualified business located in a distressed community or by a qualified Missouri agricultural business, the debt security must be unsecured or be convertible into equity securities or equity participation instruments such as options or warrants. As a condition of the investment, the qualified business must agree to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment;**" and

Further amend said bill, Page 19, Section 135.500, Line 49, by deleting therefrom the number "(13)" and inserting in lieu thereof the following: "(14)"; and

Further amend said bill, Page 20, Section 135.500, Lines 59 to 75, by deleting all of said lines and inserting in lieu thereof the following:

"[~~(13)~~ (15) "Qualified Missouri business", an independently owned and operated business, which is headquartered and [located] **has its principal business operations** in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business:

- (a) Shall have no more than two hundred employees[.];
- (b) **Shall have at least** eighty percent of [which are] **its employees** employed in Missouri[. Such business];
- (c) Shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians[.];
- (d) If [such business] it has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars[.];
- (e) **Shall certify that it will maintain its headquarters and principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment; and**

(f) If any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the [other] qualifications of **paragraphs (a), (b) and (d) of this [subsection] subdivision** at the time of such follow-on investments, **provided, however, that such business continues to meet the other requirements set forth in this subdivision, and such business reaffirms its intention to maintain its headquarters and its principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation;**" and

Further amend said bill, Page 20, Section 135.500, Line 76, by deleting the number "(15)" and inserting in lieu thereof the following: "(16)"; and

Further amend said bill, Page 21, Section 135.503, Line 24, by deleting from said line the opening bracket "["; and

Further amend said bill, Page 21, Section 135.503, Lines 30 to 38, by deleting all of said lines and inserting in lieu thereof the following: "to subsection 1 of this section. During any calendar year in which the limitation described in this subsection will limit"; and



Further amend said bill, Page 22, Section 135.503, Line 50, by deleting all of said line and inserting in lieu thereof the following: "following: for calendar year 1999 [and for any year thereafter,] an amount to be determined by the"; and

Further amend said bill, Page 22, Section 135.503, Line 52, by inserting after the word "year" the following: "**and for calendar year 2002, an amount to be determined by the director, but not to exceed forty million dollars, entitling all Missouri certified capital company investors in the applicable funds to take aggregate credits not to exceed four million dollars for any year,**"; and

Further amend said bill, Page 22, Section 135.503, Line 56, by inserting after the number "4" the following: "**or 5**"; and

Further amend said bill, Page 22, Section 135.503, Lines 60 to 64, by deleting all of said lines and inserting in lieu thereof the following:

"subdivision [(13)] **(15)** of subsection 2 of section 135.500 means:

**(a)** A Missouri business that is located in a distressed community as defined in section 135.530, **has at least eighty percent of its employees in distressed communities**, and meets all of the requirements of subdivision [(13)] **(15)** of subsection 2 of section 135.500, except that its gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; **or**

**(b) With respect to certified capital invested in 2002, a qualified Missouri agricultural business.** During any calendar year in which the limitation described in this subsection limits the amount"; and

Further amend said bill, Page 22, Section 135.503, Line 79, by inserting after the number "4" the following: "**or 5**"; and

Further amend said bill, Page 23, Section 135.503, Line 81, by inserting after all of said line the following:

**"7. In no event shall the cumulative amount of tax credits authorized by this section exceed one hundred eighty million dollars.**

135.508. **1.** The department may certify profit or not-for-profit entities which submit an application to be designated as a Missouri certified capital company. The department shall review the organizational documents for each applicant for certification and the business history of the applicant, determine that the Missouri certified capital company's cash, marketable securities and other liquid assets are at least five hundred thousand dollars, determine that the liquid asset base for certified companies is at least five hundred thousand dollars at all times during the company's participation in the program authorized by sections 135.500 to 135.529, and determine that the officers and the board of directors, partners, trustees or managers are thoroughly acquainted with the requirements of sections 135.500 to 135.529.

**2. To be certified, at least two of the principals have a minimum of five years of experience making venture capital investments out of private equity funds, with no less than twenty million dollars being provided by third-party investors for investment in the early stage of operating businesses. At least one full-time manager or principal of the certified capital company who has such experience must be primarily located in an office of the certified capital company which is based in this state.**

**3. To be certified, there must be no evidence that the applicant has:**

**(1) Violated any provision of this law;**  
**(2) Made a material misrepresentation or false statement or concealed any essential or material fact from any person during the application process or with respect to information and reports required of certified capital companies pursuant to this law;**

**(3) Been convicted of, or entered a plea of guilty or nolo contendere to, a crime against the laws of this state or any other state or of the United States or any other country or government, including a fraudulent act in connection with the operation of a certified capital company, or in connection with the performance of fiduciary duties in another capacity;**

**(4) Been adjudicated liable in a civil action on grounds of fraud, embezzlement, misrepresentation or**

deceit; or

**(5) Been the subject of any decision, finding, injunction, suspension, prohibition, revocation, denial, judgment or administrative order by any court of competent jurisdiction, administrative law judge, or any state or federal agency, national securities, commodities, or option exchange, or national securities, commodities or option association, involving a material violation of any federal or state securities or commodities law or any rule or regulation adopted pursuant to such law, or any rule or regulation of any national securities, commodities or options exchange, or national securities, commodities or options association; or**

**(6) Been the subject of any injunction or adverse administrative order by a state or federal agency regulating banking, insurance, finance or small loan companies, real estate, mortgage brokers or other related or similar industries.**

4. No insurance company which receives tax credits permitted under sections 135.500 to 135.529 for an investment in a Missouri certified capital company shall, individually or with or through one or more affiliates, be a managing general partner of or control the direction of investments of that Missouri certified capital company. Within seventy-five days of application, the department shall either issue the certification and notify the department of revenue and the director of the department of insurance of such certification or shall refuse the certification and communicate in detail to the applicant the grounds for the refusal, including the suggestions for the removal of those grounds.

5. The department shall be responsible for the administration of the tax credits authorized by sections 135.500 to 135.529. No rule or portion of a rule promulgated under the authority of sections 135.500 to 135.529 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void."; and

Further amend said bill, Page 23, Section 135.516, Lines 11 to 14, by deleting all of said lines and inserting in lieu thereof the following: **"capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in"**; and

Further amend said bill, Page 24, Section 135.516, Lines 38 to 46, by deleting all of said lines and inserting in lieu thereof the following:

"which has been placed in qualified investments and can be received by the company[, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate]:

- (a) Shall be held in a financial institution or held by a registered broker-dealer;**
- (b) Shall not be invested in a certified investor of the certified capital company or any affiliate of the certified investor of the certified capital company other than a result of an investment permitted by subparagraph c of paragraph (c) of subdivision (5) of subsection 1 of this section;**
- (c) Shall be invested only in:**
  - a. Any United States Treasury obligations;**
  - b. Certificates of deposit or other obligations, maturing within three years after acquisitions of such certificates or obligations, issued by a financial institution or trust company incorporated pursuant to the laws of the United States;**
  - c. Obligations which (i) are rated "A" or better by any nationally recognized credit rating agency, or (ii) issued by, or guaranteed with respect to payment by, an entity whose unsecured indebtedness is rated "A" or better by any nationally recognized credit rating agency and which is not subordinated to other unsecured indebtedness of the issuer or guarantor, as the case may be;**
  - d. Mortgage-backed securities, with an average life of five years or less, after the acquisition of such securities, which are rated "A" or better by any nationally recognized credit rating agency;**
  - e. Collateralized mortgage obligations and real estate mortgage investment conduits that are direct obligations of an agency of the United States government, are not private-label issues, are in book-entry form, and do not include the classes of interest only, principal only, residual or zero; or**

**f. Interests in money market funds, the portfolio of which is limited to cash and obligations described in subparagraphs a to e of this paragraph.**

2. The"; and

Further amend said bill, Page 24, Section 135.516, Line 51, by deleting from said line the number "2." and inserting in lieu thereof the following: "[2.] 3."; and

Further amend said bill, Page 24, Section 135.516, Lines 54 to 56, by deleting all of said lines and inserting in lieu thereof the following: "investments. Cumulative distributions to equity holders, other than"; and

Further amend said bill, Page 25, Section 135.516, Line 72, by inserting after all of said line the following:

**"4. In the event that a business in which a qualified investment is made fails to comply with its agreement to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment, by relocating its headquarters or principal business operations of such business within the state to another state, the cumulative amount of qualified investment shall be reduced for purposes of this subsection only by the amount of such qualified investment, unless:**

**(1) The certified capital company invests an amount of at least equal to the investment of certified capital in the relocated business in a qualified business located in the state or in a distressed community, if the investment is to be credited to a distressed community allocation, within six months of the relocation; or**

**(2) The business demonstrates that it has returned its principal business operations to Missouri or a distressed community, if the investment is to be credited to a distressed community allocation, within three months of such relocation.";** and

Further amend said bill, Page 25, Section 135.516, Line 73, by deleting the number "3." and inserting in lieu thereof the following: "[3.] 5."; and

Further amend said bill, Page 25, Section 135.516, Line 76, by deleting the number "4." and inserting in lieu thereof the following: "[4.] 6."; and

Further amend said bill, Page 25, Section 135.516, Line 79, by deleting the number "5." and inserting in lieu thereof the following: "[5.] 7."; and

Further amend said bill, Page 25, Section 135.516, Line 94, by inserting after all of said line the following:

**"135.527. 1. On an annual basis, on or before January thirty-first, each certified capital company shall file with the department, on forms or in a manner prescribed by the department, a report for the period ending December thirty-first of the immediately preceding calendar year:**

**(1) The total dollar amount the certified capital company received from certified investors, the identity of the certified investors and the amount received from each certified investor;**

**(2) The total dollar amount the certified capital company invested and the amount invested in qualified businesses, together with the identity and location of those businesses and the amount invested in each qualified business; and**

**(3) The total number of permanent, full-time jobs either created or retained by the qualified business, the average wage of the jobs created or retained, the industry sectors in which the qualified businesses operate and any additional capital invested in qualified businesses from sources other than certified capital companies.**

**2. The report shall be verified by one or more principals of the certified capital company submitting the form.**

**3. The department may audit and examine the accounts, books or records of certified capital companies, certified investors and qualified Missouri businesses that received qualified investments for the purpose of ascertaining the correctness of any report filed, and to ascertain a certified capital company's compliance with the provisions of sections 135.500 to 135.529.**

**4. Beginning on March 31, 2002, and on March thirty-first of each even-numbered year thereafter, the**

department shall report on a biennial basis to the governor, the speaker of the house of representatives, and the president pro tempore of the senate on or before April first:

(1) The total dollar amount each certified capital company received from all certified investors and any other investor, the identity of the certified investors, and the total amount of premium tax credit used by each certified investor for the previous calendar year;

(2) The total dollar amount invested by each certified capital company and that portion invested in qualified businesses, the identity and location of those businesses, the amount invested in each qualified business and the total number of permanent, full-time jobs created or retained by each qualified business; and

(3) The return for the state as a result of the certified capital company investments, including the extent to which:

(a) Certified capital company investments have contributed to employment growth;

(b) The wage level of businesses in which certified capital companies have invested exceeds the average wage for the county in which the jobs are located; and

(c) The investments of the certified capital companies in qualified businesses have contributed to expanding or diversifying the economic base of the state."; and

Further amend said bill, Page 25, Section 135.530, Line 8, by deleting all of said line and inserting in lieu thereof the following: "statistical area which has a population of at least [two thousand] five hundred, and each block"; and

Further amend said bill, Page 26, Section 135.530, Lines 17 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"decennial census. **In metropolitan statistical areas, the definition shall include areas that are designated as either a federal empowerment zone, a federal enhanced enterprise community, or a state enterprise zone that was originally designated prior to January 1, 1986.**"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 780, Page 11, Section 67.1360, Line 52, by inserting after all of said line the following:

"135.205. For purposes of sections 135.200 to 135.256, an area must meet all the following criteria in order to qualify as an enterprise zone:

(1) The area is one of pervasive property, unemployment, and general distress;

(2) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the area must be at least four thousand but not more than seventy-two thousand at the time of designation as an enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau; or, if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation must be at least one thousand but not more than [twenty] **twenty-five** thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; provided, however, no enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds

one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis.”; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 780, Page 17, Section 135.230, Line 110, by inserting after all of said line the following:

**"135.406. Notwithstanding sections 135.403 and 135.405, no more than one million dollars of the total amount of Missouri small business tax credits available for qualified investments in Missouri small businesses shall be used and made available for qualified investments in Missouri small businesses, which are enterprises which consist of one or more establishments assigned a SIC code of 8731 and the results of the activities of which are designed to be used by establishments assigned a SIC code of 2834, engaged solely in pharmaceutical research and development; but in the event this one million dollar set aside is not used in its entirety by September first of any year, the balance of the credit may be used by other entities qualifying for tax credits under the capital tax credit program as defined in sections 135.400 to 135.430. The limitations of subsection 2 of section 135.403 and section 135.405 upon the amounts of qualified investments, the aggregate of tax credits authorized and the maximum tax credits which may be evidenced by certificates of tax credit issued or owned by a single taxpayer shall not apply to amounts allocated by this section. The director shall give preference in issuing certificates of tax credit to applicants under this section.";** and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 780, Page 17, Section 135.230, Line 110, by inserting after said line the following:

**"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of [five] **ten** years and is to be a tax credit against the tax otherwise due.";** and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 780, Page 28, Line 3, by adding the following:

**“the owner of a recreational facility located in a third class county of less than 30,000 inhabitants bordered by a state line and two other third class counties shall be eligible for an 80% tax credit for improvements made to such facility. The maximum allowable tax credit for such facility shall be \$10,000.”.**

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 780, Page 26, Section 620.1450, Line 2, by inserting immediately after said line the following:

**"Section 1. For real property tax increment allocation redevelopment projects, no project with the portion of total redevelopment project costs pursuant to section 99.805, RSMo, for retail equal to fifty percent or more of such total costs shall be approved beginning August 28, 2001 to March 1, 2003 in a county of the first classification having a charter form of government and a population greater than nine hundred thousand inhabitants.";** and

Further amend title, enacting clause and intersectional references accordingly.

Representative Scheve raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Reid moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Baker	Bearden	Boatright	Bray 84	Burcham
Crawford	Cunningham	Enz	Fraser	Hampton
Henderson	Hendrickson	Hohulin	Hunter	Johnson 90
Kelly 27	Marble	Moore	Murphy	Phillips
Purgason	Reid	Selby	Townley	Williams

NOES: 106

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Bowman	Britt	Brooks
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Froelker	Gaskill
George	Graham	Griesheimer	Hagan-Harrell	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hilgemann

Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Jolly	Kelley 47	King	Koller
Lawson	Legan	Levin	Liese	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 029

Ballard	Boucher	Boykins	Burton	Ford
Franklin	Gambaro	Gratz	Green 15	Green 73
Harlan	Hickey	Holand	Kelly 144	Kelly 36
Kennedy	Linton	Lograsso	Long	Luetkemeyer
Nordwald	Portwood	Reynolds	Roark	Scott
Surface	Troupe	Wiggins	Wilson 25	

VACANCIES: 003

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

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 780, Page 26, Line 2, by inserting after all of said line the following:

"447.700. As used in sections 447.700 to 447.718, the following terms mean:

(1) "Abandoned property", real property previously used for, or which has the potential to be used for, commercial or industrial purposes which reverted to the ownership of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure; or a privately owned property endorsed by the city, or county if the property is not in a city, for inclusion in the program which will be transferred to a person other than the potentially responsible party as defined in chapter 260, RSMo, and has been vacant for a period of not less than three years from the time an application is made to the department of economic development;

(2) "Allowable cost", all or part of the costs of project facilities, including the costs of acquiring the property, relocating any remaining occupants, constructing, reconstructing, rehabilitating, renovating, enlarging, improving, equipping or furnishing project facilities, demolition, site clearance and preparation, supplementing and relocating public capital improvements or utility facilities, designs, plans, specifications, surveys, studies and estimates of costs, expenses necessary or incident to determining the feasibility or practicability of assisting an eligible project or providing project facilities, architectural, engineering and legal service fees and expenses, the costs of conducting any other activities as part of a voluntary remediation and such other expenses as may be necessary or incidental to the establishment or development of an eligible project and reimbursement of moneys advanced or applied by any governmental agency or other person for allowable costs. **In any third class city with a population of more than eleven thousand but less than twelve thousand inhabitants located in a county of the first classification with a population of more than eighty thousand but less than eighty-two thousand inhabitants, allowable costs shall also include the demolition of any building or structure which is located on the site of an abandoned or underutilized property;**

(3) "Applicant", the person that submits an application for consideration of a project or location or real property for financial, tax credit or other assistance pursuant to sections 447.700 to 447.718; an applicant may not be any party

who intentionally or negligently caused the release or potential release of hazardous substances at the eligible project as that term is defined pursuant to chapter 260, RSMo;

(4) "Eligible project", abandoned or underutilized property to be acquired, established, expanded, remodeled, rehabilitated or modernized for industry, commerce, distribution or research or any combination thereof, the operation of which, alone or in conjunction with other facilities, will create new jobs or preserve existing jobs and employment opportunities, attract new businesses to the state, prevent existing businesses from leaving the state and improve the economic welfare of the people of the state. The term "eligible project", without limitation, includes voluntary remediation conducted pursuant to sections 260.565 to 260.575, RSMo. To be an "eligible project" pursuant to sections 447.700 to 447.718, the obligations of the prospective applicant and the governmental agency shall be defined in a written agreement signed by both parties. The facility, when completed, shall be operated in compliance with applicable federal, state and local environmental statutes, regulations and ordinances. An "eligible project" shall be determined by consideration of the entire project. The definition or identification of an "eligible project" shall not be segmented into parts to separate commercial and industrial uses from residential uses;

(5) "Financial assistance", direct loans, loan guarantees, and grants pursuant to sections 447.702 to 447.706; and tax credits, inducements and abatements pursuant to section 447.708;

(6) "Governmental action", any action by a state, county or municipal agency relating to the establishment, development or operation of an eligible project and project facilities that the governmental agency has authority to take or provide for the purpose under law, charter or ordinance, including but not limited to, actions relating to contracts and agreements, zoning, building, permits, acquisition and disposition of property, public capital improvements, utility and transportation service, taxation, employee recruitment and training, and liaison and coordination with and among governmental agencies;

(7) "Governmental agency", the state, county and municipality and any department, division, commission, agency, institution or authority, including a municipal corporation, township, and any agency thereof and any other political subdivision or public corporation; the United States or any agency thereof; any agency, commission or authority established pursuant to an interstate compact or agreement and any combination of the above;

(8) "Person", any individual, firm, partnership, association, limited liability company, corporation or governmental agency, and any combination thereof;

(9) "Project facilities", buildings, structures and other improvements and equipment and other property or fixtures, excluding small tools, supplies and inventory, and public capital improvements;

(10) "Public capital improvements", capital improvements or facilities owned by a governmental agency and which such agency has authority to acquire, pay the costs of, maintain, relocate or operate, or to contract with other persons to have the same done, including but not limited to, highways, roads, streets, electrical, gas, water and sewer facilities, railroad and other transportation facilities, and air and water pollution control and solid waste disposal facilities;

(11) "Underutilized", real property of which less than thirty-five percent of the commercially usable space of the property and improvements thereon, are used for their most commercially profitable and economically productive use; or property that was used by the state of Missouri as a correctional center for a period of at least one hundred years and which requires environmental remediation before redevelopment can occur, if approval from the general assembly has been given for any improvements to, or remediation, lease or sale of, said property;

(12) "Voluntary remediation", an action to remediate hazardous substances and hazardous waste pursuant to sections 260.565 to 260.575, RSMo."; and

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 780, Page 1, Line 11 of the title, by deleting the words "**economic development**" and inserting in lieu thereof the following: "**tax credits and enterprise zones**".



Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 780, Page 1, Line 11 in the title, by adding immediately after the words “**relating to**” the following: “**programs administered by the department of**”.

On motion of Representative Scheve, **House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

On motion of Representative Scheve, **HCS HB 780, as amended**, was adopted.

On motion of Representative Scheve, **HCS HB 780, as amended**, was ordered perfected and printed.

**HOUSE BILL WITH SENATE AMENDMENTS**

**HCS HB 274, with Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended**, relating to school attendance, was taken up by Representative Shields.

On motion of Representative Shields, the House concurred in **Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended**, by the following vote:

AYES: 125

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Foley	Franklin	Fraser	Froelker
Gaskill	George	Graham	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Phillips	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Secret	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge

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Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 005

Boatright	Brooks	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 030

Ballard	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Haywood	Hickey	Holand	Kelly 144	Linton
Lograsso	Long	Luetkemeyer	Mays 50	Nordwald
O'Toole	Portwood	Reynolds	Ridgeway	Roark
Schwab	Scott	Surface	Wiggins	Wilson 25

VACANCIES: 003

On motion of Representative Shields, **HCS HB 274, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 122

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Boatright	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 034

Ballard	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Hampton	Haywood	Hickey	Holand	Hoppe
Kelly 144	Kennedy	Linton	Lograsso	Long
Luetkemeyer	Mays 50	Nordwald	O'Toole	Portwood
Reynolds	Roark	Schwab	Scott	Surface
Troupe	Wiggins	Williams	Wilson 25	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Phillips
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Boatright	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 032

Baker	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Hampton	Haywood	Hickey	Holand	Kelly 144

Kennedy	Linton	Lograsso	Long	Luetkemeyer
Mays 50	Nordwald	O'Toole	Portwood	Reynolds
Roark	Schwab	Scott	Surface	Wiggins
Williams	Wilson 25			

VACANCIES: 003

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HS HB 555** - Fiscal Review and Government Reform (Fiscal Note)

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS #2 SCS SBs 22 & 106** - Children, Families and Health

**SS SCS SBs 89 & 37** - Criminal Law

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Vice-Chairman Shoemyer reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 462**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 72**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Conservation, State Parks and Mining**, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **SS SCR 13**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the United States Fish and Wildlife Service has recommended that the United States Army Corps of Engineers implement the so-called "spring rise-split season" plan for operation of the Missouri River mainstem reservoir system. This plan would result in an increase in the flow of the Missouri River in the spring and a reduction of the flow in the summer of each year, purportedly to improve habitat for the threatened and endangered pallid sturgeon, least tern and piping plover; and

WHEREAS, additional changes under consideration by the United States Army Corps of Engineers to the Missouri River Master Manual would result in the storage of more water in the upstream reservoirs while decreasing the amount of water available downstream for designated uses. These changes would shorten the navigation season on the Missouri River by twenty-seven days in November and put at risk Mississippi River navigation as well; and

WHEREAS, analysis of the proposed changes by the state of Missouri and the United States Army Corps of Engineers has indicated these changes will fail to improve and will potentially diminish habitat for the species in question, will increase the risk of flooding along the Missouri River, and will result in a decrease in river levels in early summer and fall which will impact navigation and other designated uses on the Missouri and Mississippi Rivers; and

WHEREAS, habitat restoration along the lower Mississippi River has demonstrated great success in aiding the recovery of these species and a similar approach should be given the opportunity to succeed on the Missouri River; and

WHEREAS, these plans have the potential for severe impact on any industry which uses the Missouri River or Mississippi River to transport products and the potential to increase risk of flooding in river communities and on farm land in the Missouri and lower Mississippi River basins; and

WHEREAS, these proposals do not adequately address the concerns and needs of states in the lower Missouri and Mississippi River basin, and will not realize the purported benefit of increasing habitat for endangered species; and

WHEREAS, the Missouri departments of natural resources, conservation and transportation have opposed these plans and have informed the Fish and Wildlife Service and the United States Army Corps of Engineers of their concerns regarding the potential impact on the state's river communities, lands, businesses and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Governor to protest against any proposals that would so negatively impact beneficial uses of the lower Missouri and Mississippi Rivers and would not significantly improve conditions for the species of concern; and

BE IT FURTHER RESOLVED that the members of the General Assembly urge the Department of Natural Resources, the Department of Conservation and the Department of Transportation to continue to insist that any plan involving the operations of the Missouri River improve the Missouri River for all beneficial uses and be sure any river management changes are based on sound science; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Governor of Missouri, the Director of the Department of Natural Resources, the Director of the Department of Conservation and the Director of the Department of Transportation.

**Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan**  
reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 511**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, the Windfall Elimination Provision of WEP was added to the federal Social Security Act in 1983 to prevent unfairly inflated benefits for persons who held highly compensated government positions that were not covered by Social Security and who also had brief, relatively low-paying Social Security covered employment; and

WHEREAS, the WEP has had the unintended consequence of undermining the retirement plans of individuals who have been teachers and who often continue to hold Social Security covered employment during summers and holidays; and

WHEREAS, Missouri and other states are anticipating an increased rate of teacher retirement and difficulty attracting young adults into the education field; and

WHEREAS, the WEP also serves to discourage mid-life career changes from Social Security covered employment to employment covered by public pensions such as teaching; and

WHEREAS, the WEP often works in conjunction with another income-reducing feature, the government pension offset (GPO) that bears disproportionately on women, to doubly affect the teacher corps which is still primarily made up of women; and

WHEREAS, the formula of the WEP assumes retirees have had a higher-paying position over the entire course of their careers, an assumption which is contrary to the fact for teachers; and

WHEREAS, many teachers need a second income and therefore work in Social Security covered positions, thereby activating the WEP; and

WHEREAS, the continuation of the WEP and GPO impacts presently retired teachers, teachers near retirement, and young adults entering the education field, all who are essential parts of our national education corps:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the 107th Congress to rescind the Windfall Elimination Provision for teachers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri congressional delegation.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 319**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 193**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 267**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 125**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SS SCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 86**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 371**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Retirement**, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 14

WHEREAS, the Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives of the 106th Congress, including the entire Missouri delegation to the United States House of Representatives; and

WHEREAS, more than 83 United States Senators, including both Missouri Senator Kit Bond and then Missouri Senator John Ashcroft, signed letters of support for this legislation in 2000; and

WHEREAS, the bill now before the 107th Congress modernizes the Railroad Retirement System for its 690,000 beneficiaries nationwide, including over 23,100 in Missouri; and

WHEREAS, railroad management, labor and retiree organizations have agreed to support this legislation; and

WHEREAS, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

WHEREAS, this legislation provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

WHEREAS, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

WHEREAS, all changes will be paid for from within the railroad industry, including a full share of active employees:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to support the Railroad Retirement and Survivors Improvement Act introduced in the 107th Congress; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Missouri Congressional delegation.

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SS SCS SBs 323 & 230**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2**.



*House Committee Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 22, Section 210.861, Line 59, by inserting after said line the following:

**“Section 1. 1. Any county of the first classification without a charter form of government with a population of more than fifty seven thousand inhabitants but less than sixty thousand inhabitants may, by ordinance or order of the governing body of the county and approved by the majority of the qualified voters of the county, levy a one dollar fee upon each rental of a motor vehicle which is rented within such county on a short-term basis. For purposes of this section “short-term” shall mean a rental contract of less than one month. The fee shall be collected by any business located in such county which rents motor vehicles on a short-term basis upon payment of the contract by the customer.**

**2. The county collector of such county may provide for collection of such fee on forms provided by the county collector. Failure to collect and remit such fees by any business located in such county which rents motor vehicles on a short-term basis shall be subject to a penalty of five percent per month together with interest as determined by section 32.065, RSMo.**

**3. All revenues collected from the imposition of the fee as authorized by this section shall be used solely for tourism purposes within such county.”; and**

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

*House Committee Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 1, In the Title, Line 2, by inserting after "67.1775" the following: ", 94.812"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting "twenty-six" and inserting in lieu thereof the following: "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "67.1775" the following: ", 94.812"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting "twenty-six" and inserting in lieu thereof the following: "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after "67.1977" the following: ", 94.812"; and

Further amend said bill, Page 20, Section 67.1977, Line 45, by inserting after all of said line the following:

"94.812. Every retailer, vendor, operator, and other person who sells or provides goods and services subject to tax under section 94.802 or section 94.805 shall be liable and responsible for the collection and payment of taxes due under these sections and shall make a return and remit such taxes to the municipality or its designee, at such times and in such manner as the governing body of the municipality shall prescribe. The collection of the taxes imposed by these sections shall be computed in accordance with schedules or systems approved by the governing body of the municipality. [Such schedules or systems shall be designed so that no such tax is charged on any sale of one dollar or less.]; and

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

**Committee on Urban Affairs, Chairman Curls reporting:**

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SCS SB 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Ways and Means**, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 460**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

#### 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 **HCR 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 369**, entitled:

An act to amend chapter 67, RSMo, by adding thereto nine new sections relating to utility access to public rights-of-way, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

#### MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE  
April 26, 2001

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
FIRST REGULAR SESSION  
91ST GENERAL ASSEMBLY  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2001.

On April 26, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15**.

Respectfully submitted,

/s/ Bob Holden  
Governor

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, April 30, 2001.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-second Day, Wednesday, April 25, 2001, page 1336, line 25, by inserting immediately after said line the following:

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 592** - Fiscal Review and Government Reform (Fiscal Note)

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SS SCS SB 372** - Ways and Means

Pages 1313 and 1314, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1315 and 1316, roll call, by showing Representatives Froelker, Henderson and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1316 and 1317, roll call, by showing Representatives Froelker and Kennedy voting "aye" rather than "absent with leave".

Pages 1317 and 1318, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1318 and 1319, roll call, by showing Representative Jolly voting "aye" rather than "no".

Pages 1318 and 1319, roll call, by showing Representatives Barnett and Froelker voting "aye" rather than "absent with leave".

Pages 1319 and 1320, roll call, by showing Representatives Boucher, Froelker and Purgason voting "aye" rather than "absent with leave".

Pages 1322 and 1323, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1322 and 1323, roll call, by showing Representative Fares voting "no" rather than "absent with leave".

Pages 1324 and 1325, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 1326, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1327, roll call, by showing Representative Copenhaver voting "no" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - TRANSPORTATION**

Thursday, May 3, 2001, 8:30 am. Hearing Room 3.

#### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, May 1, 2001. Hearing Room 4 upon morning adjournment.  
Executive Session will follow.

To be considered - HCR 18, HCR 20, SB 22

#### **COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, May 1, 2001. Hearing Room 6 upon morning adjournment.  
Executive Session to follow.

To be considered - SCR 23

#### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Monday, April 30, 2001, 10:00 am. Hearing Room 3.  
House Bills 2 through 12

#### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Monday, April 30, 2001, 7:30 pm. Hearing Room 3.  
House Bills 2 through 12.

#### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, April 30, 2001. Hearing Room 1 upon evening adjournment.  
Fiscal Note.

To be considered - HB 280, HB 555, HB 592, HB 736, HB 835

#### **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, May 3, 2001, 1:00 pm. Senate Lounge.  
Committee will meet at 1:00 pm or upon adjournment of both houses.  
Rule # 13CSR 70-20.050, 20CSR 500.6.700

**JOINT COMMITTEE ON GAMING AND WAGERING**

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.  
State of the State: Gaming in MO, Missouri Gaming Commission,  
Missouri Lottery and Horse Racing.

**JUDICIARY**

Tuesday, May 1, 2001. Hearing Room 5 upon morning adjournment.  
Executive Session may follow.  
To be considered - SB 128, SB 258

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, May 1, 2001. Hearing Room 7 upon morning adjournment.  
Executive Session may follow.  
To be considered - SB 347

**RULES, JOINT RULES, BILLS PERFECTED AND PRINTED**

Tuesday, May 1, 2001, 1:00 pm. Hearing Room 3.  
Executive Session.  
To be considered - SB 130, SB 591, SB 617

**SPECIAL COMMITTEE ON REDISTRICTING**

Tuesday, May 1, 2001, 8:30 am. Hearing Room 5.  
Adoption of proposed guidelines.  
Proposals for redistricting maps.

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Tuesday, May 1, 2001. Hearing Room 3 upon morning adjournment.  
Executive Session may follow.  
To be considered - SB 123

**WAYS AND MEANS**

Tuesday, May 1, 2001. Hearing Room 2 upon morning adjournment.  
Executive Session.  
To be considered - SB 372

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2001

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 15 & 13 - Crawford

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 170 - Froelker
- 4 HCS HB 239 - Smith
- 5 HB 715 - Foley
- 6 HB 802 - Ransdall
- 7 HCS HB 374 - Fraser
- 8 HCS HB 635 - Barry
- 9 HCS HB 868 - Merideth
- 10 HCS HB 253 - Ross
- 11 HB 809, HCA 1 - Carnahan
- 12 HCS HB 340, 303 & 316 - Graham
- 13 HB 640 - Johnson (90)
- 14 HCS HB 723 - Mays (50)
- 15 HCS HB 117 - Riback Wilson (25)
- 16 HCS HB 307 - Wiggins
- 17 HCS HB 921 - Curls
- 18 HB 911 - Carnahan
- 19 HCS HB 511 - Johnson (90)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 23, (4-26-01) - Holand
- 3 HCR 14, (4-26-01) - Koller

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HB 16 - Green (73)
- 2 HB 17 - Green (73)

**HOUSE BILLS FOR THIRD READING**

- 1 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, (Fiscal Review 4-23-01) - Britt
- 2 HS HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 3 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 4 HS HB 736, (Fiscal Review 4-19-01) - Liese
- 5 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 6 HS HB 286, E.C. - Smith
- 7 HB 592, E.C. (Fiscal Review 4-25-01) - Williams
- 8 HCS HB 428 - Kelly (36)
- 9 HS HB 555, (Fiscal Review 4-26-01) - Foley

**SENATE BILL FOR SECOND READING**

SS SCS SB 369

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 26, (3-29-01, page 898) - Franklin
- 2 SS SCR 6, (2-26-01, page 490) - O'Toole
- 3 SCR 10, (3-8-01, page 641) - Koller
- 4 SCR 22, (3-27-01, page 831) - Clayton
- 5 HCS SS SCR 13, (4-26-01) - Myers
- 6 SCS SCR 14, (3-29-01, page 897) - O'Toole
- 7 SCR 20, (3-8-01, page 645) - Kreider
- 8 SCR 16, (3-8-01, page 643) - Boucher

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SB 394 - Hosmer
- 2 SB 442 - O'Connor
- 3 SB 203 - O'Toole
- 4 SCS SB 341 - Britt
- 5 SB 87 - Smith
- 6 SCS SB 431, E.C. - Shoemyer
- 7 SB 142 - Robirds
- 8 SCS SB 383 - Harding
- 9 SB 436 - Koller
- 10 SB 606 - Clayton
- 11 SB 605 - Luetkenhaus
- 12 SB 111 - Ostmann
- 13 HCS SB 544 - Relford
- 14 SB 200 - Thompson
- 15 SB 316 - Hagan-Harrell
- 16 SCS SB 357, E.C. - Johnson (90)

- 17 SB 207 - Kennedy
- 18 SB 252 - Surface
- 19 SB 443, E.C. - Hosmer
- 20 SCS SB 384 - Johnson (90)
- 21 SCS SB 241 - Ward
- 22 HCS SCS SB 382, E.C. - Liese
- 23 SB 224, E.C. - Luetkemeyer
- 24 SB 179 - Wagner
- 25 SB 435 - Koller
- 26 SB 223 - Hosmer
- 27 HCS SCS SB 520 - Myers
- 28 HCS SB 227 - Burton
- 29 SB 110 - Ladd Baker
- 30 SCS SB 514 - Hosmer
- 31 SB 353, HCA 1 - Shields
- 32 HCS SB 274 - Harlan
- 33 HCS SCS SB 568 - Davis
- 34 SB 451 - Mays (50)
- 35 SCS SB 352 - Lawson
- 36 HCS SCS SB 178 - Hoppe
- 37 HCS SB 345 - Holt
- 38 HCS SCS SB 515 - Kennedy
- 39 SCS SB 407 - Hilgemann
- 40 SB 540 - Levin
- 41 HCS SCS SB 619, E.C. - Hoppe
- 42 SB 201 - Farnen
- 43 SB 58 - Wagner
- 44 SB 303 - Relford
- 45 HCS SB 610 - Hoppe
- 46 SCS SB 13 - Ross
- 47 HCS SB 543 - Britt
- 48 SB 556 - Hoppe
- 49 SB 575 - Davis
- 50 HCS SB 304 - Monaco
- 51 SB 406 - Scott
- 52 SCS SB 197 - Luetkenhaus
- 53 SB 148 - Seigfreid
- 54 HCS SB 307 - Froelker
- 55 HCS SB 348 - Barry
- 56 HCS SB 538 - Luetkemeyer



**SENATE BILLS FOR THIRD READING**

- 1 SCS SB 4 - Rizzo
- 2 HCS SB 371 - O'Toole
- 3 HCS SS SCS SB 267 - Monaco
- 4 HCS SB 462, E.C. - Legan
- 5 SS SCS SB 323 & 230, HCA 1 and HCA 2 - Koller
- 6 HCS SS SB 193 - Ward
- 7 HCS SB 125 - Hoppe
- 8 HCS SB 86 - Scott
- 9 HCS SB 319, E.C. - Johnson (61)
- 10 HCS SB 460 - Kennedy
- 11 HCS SB 72 - Smith

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 491 - George
- 2 SCS HB 236 - Smith
- 3 SCS SB 801, E.C. - Liese

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)