

# JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-SECOND DAY, FRIDAY, MAY 11, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, Your presence gives us life itself. We are grateful before You for the gifts You give to Missouri and to us.

This week as we recall the sacred memories of our families, mothers and grandmothers, help us their children, be worthy of the love, devotion and faith we have known in them. And by kindness, compassion, loving care may we honor them in the coming weeks. For the great blessing of our families, our mothers, we praise Your Holy Name. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Joshua R. Davenport.

The Journal of the seventy-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2024 - Representative Riback Wilson (25)  
House Resolution No. 2025 - Representative Troupe  
House Resolution No. 2026 - Representative Willoughby  
House Resolution No. 2027 - Representative Boatright  
House Resolution No. 2028 - Representative Richardson  
House Resolution No. 2029  
through  
House Resolution No. 2031 - Representative Jetton  
House Resolution No. 2032 - Representative St. Onge  
House Resolution No. 2033 - Representative Luetkenhaus  
House Resolution No. 2034 - Representative Fraser  
House Resolution No. 2035 - Representative Kelly (144)  
House Resolution No. 2036  
and  
House Resolution No. 2037 - Representative Treadway

House Resolution No. 2038  
through  
House Resolution No. 2040 - Representative Crowell  
House Resolution No. 2041  
and  
House Resolution No. 2042 - Representative Boucher  
House Resolution No. 2043 - Representative Treadway  
House Resolution No. 2044 - Representative Williams  
House Resolution No. 2045 - Representative Hendrickson  
House Resolution No. 2046 - Representative Hampton  
House Resolution No. 2047 - Representative Carnahan  
House Resolution No. 2048 - Representative Coleman  
House Resolution No. 2049 - Representative Cunningham  
House Resolution No. 2050 - Representative McKenna  
House Resolution No. 2051 - Representative Green (73)  
House Resolution No. 2052  
through  
House Resolution No. 2060 - Representative Naeger  
House Resolution No. 2061 - Representative Berkowitz  
House Resolution No. 2062 - Representative Legan

## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 31** was read the second time.

Speaker Kreider assumed the Chair.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS HCR 5, as amended**, relating to the joint interim committee on telecommunications and energy, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **SS HCR 5, as amended**, was adopted and truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	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	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Berkstresser	Cierpiot	Green 73
Lawson	Miller	O'Toole	Ridgeway	Shields
Van Zandt	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

**SCS HB 498**, relating to third class cities, was taken up by Representative Wagner.

On motion of Representative Wagner, **SCS HB 498** was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly

1945 *Journal of the House*

Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Berkstresser	Cierpiot	Green 73
Lawson	Legan	Lograsso	Miller	Nordwald
Ridgeway	Seigfreid	Van Zandt	Wiggins	

VACANCIES: 003

On motion of Representative Wagner, **SCS HB 498** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Berkstresser	Cierpiot	Kennedy	Lawson
Miller	Nordwald	Ridgeway	Van Zandt	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

**SCS HCS HBs 205, 323 & 549**, relating to the conservation commission, was taken up by Representative Relford.

Representative Relford moved that the House refuse to adopt **SCS HCS HBs 205, 323 & 549** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SB 304**, relating to the removal of corporate trustees, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to recede from its position on **HCS SB 304** and grant the Senate a conference.

Which motion was adopted.

Representative Smith assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

### **BILLS IN CONFERENCE**

**CCR No. 2 SS SCS HCS HB 567, as amended**, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway moved that **CCR No. 2 SS SCS HCS HB 567, as amended**, be adopted.

1947 *Journal of the House*

Which motion was defeated by the following vote:

AYES: 052

Abel	Barry 100	Bonner	Bray 84	Britt
Campbell	Carnahan	Clayton	Crump	Davis
Farnen	Foley	Ford	Franklin	Gambaro
George	Goen 73	Hagan-Harrell	Harding	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Johnson 90	Kelly 27	Kennedy	Koller	Linton
Lowe	Luetkenhaus	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Treadway	Troupe	Villa	Wagner
Wilson 25	Mr. Speaker			

NOES: 100

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Boatright
Boucher	Bowman	Boykins	Brooks	Burcham
Burton	Byrd	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holt	Hoppe	Hunter	Jetton	Johnson 61
Jolly	Kelley 47	Kelly 144	Kelly 36	King
Legan	Levin	Liese	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Moore	Murphy	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Shields	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Vogel	Walton
Ward	Williams	Willoughby	Wilson 42	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bartelsmeyer	Berkstresser	Lawson	Miller
Nordwald	Van Zandt	Wiggins		

VACANCIES: 003

Representative Treadway moved that the House refuse to adopt **CCR No. 2 SS SCS HCS HB 567, as amended**, and request the Senate to grant the House further conference.

Which motion was adopted.

**CCR No. 2 SS SCS HCS HBs 144 & 46, as amended**, relating to prisoner releases and escapes, was taken up by Representative Bonner.

On motion of Representative Bonner, **CCR No. 2 SS SCS HCS HBs 144 & 46, as amended,** was adopted by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	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	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secret	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Berkstresser	Kelly 27	Lawson
Lograsso	Long	Miller	Nordwald	O'Toole
Van Zandt	Wiggins			

VACANCIES: 003

On motion of Representative Bonner, **CCS SS SCS HCS HBs 144 & 46** was read the third time and passed by the following vote:

1949 *Journal of the House*

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	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	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
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	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Berkstresser	Lawson	Lograsso
Long	Miller	Nordwald	Treadway	Van Zandt
Wiggins				

VACANCIES: 003

Representative Abel declared the bill passed.

**CCR HS HCS SS SCS SB 267, as amended**, relating to court procedures, was taken up by Representative Monaco.

On motion of Representative Monaco, **CCR HS HCS SS SCS SB 267, as amended**, was adopted by the following vote:



AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	Koller	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 023

Ballard	Boatright	Cooper	Crawford	Crump
Franklin	Froelker	Henderson	Hohulin	Hollingsworth
Hunter	Kelly 144	King	Levin	Marble
Purgason	Relford	Roark	Scott	Seigfreid
Smith	Surface	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Berkstresser	Lawson	Long	Miller
Murphy	Nordwald	Van Zandt	Wiggins	Williams

VACANCIES: 003

Representative Clayton assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Clayton resumed the Chair.

On motion of Representative Monaco, **CCS HS HCS SS SCS SB 267** was truly agreed to and finally passed by the following vote:

## 1951 *Journal of the House*

AYES: 130

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	Koller	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Schwab	Secret
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 019

Ballard	Boatright	Cooper	Franklin	Henderson
Hohulin	Hollingsworth	Hunter	King	Marble
Murphy	Purgason	Roark	Scheve	Scott
Smith	Surface	Townley	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Berkstresser	Kelly 144	Lawson
Long	Miller	Nordwald	Relford	Van Zandt
Wiggins				

VACANCIES: 003

Representative Clayton declared the bill passed.

### **HOUSE BILLS WITH SENATE AMENDMENTS**

**HS HCS HB 425, with Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 14 and Senate Amendment No. 15, relating to underground facility safety, was taken up by Representative O'Toole.**

On motion of Representative O’Toole, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 14 and Senate Amendment No. 15**, by the following vote:

AYES: 120

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Bonner
Bowman	Boykins	Bray 84	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mays 50	McKenna	Monaco
Myers	Naeger	O’Connor	O’Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Scheve	Secret	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 026

Barnitz	Behnen	Boatright	Boucher	Britt
Cooper	Crawford	Hampton	Hegeman	Henderson
Hohulin	Hunter	Koller	May 149	Mayer
Merideth	Moore	Murphy	Portwood	Purgason
Rizzo	Roark	Schwab	Scott	Seigfreid
Smith				

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Berkstresser	Byrd	Enz
Franklin	Lawson	Lograsso	Miller	Nordwald
Relford	Van Zandt	Wiggins		

VACANCIES: 003

On motion of Representative O’Toole, **HS HCS HB 425, as amended**, was truly agreed to and finally passed by the following vote:

1953 *Journal of the House*

AYES: 109

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Black	Bland	Bonner	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Foley	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
Mays 50	McKenna	Monaco	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Robirds	Ross	Secret
Selby	Shelton	Shields	Skaggs	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 034

Barnitz	Behnen	Berkowitz	Boatright	Boucher
Britt	Cooper	Copenhaver	Crawford	Farnen
Froelker	Hampton	Hegeman	Henderson	Hohulin
Hunter	Kelly 36	King	Koller	May 149
Mayer	Merideth	Moore	Murphy	Portwood
Purgason	Rizzo	Roark	Schwab	Scott
Seigfreid	Shoemyer	Smith	Townley	

PRESENT: 002

Hendrickson          Marble

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Berkstresser	Dolan	Franklin
Lawson	Legan	Lograsso	Miller	Nordwald
Relford	Scheve	Van Zandt	Wagner	Wiggins

VACANCIES: 003

Representative Clayton declared the bill passed.

**THIRD READING OF SENATE BILLS**

**HCS SB 460**, relating to the sales/use tax, was taken up by Representative Kennedy.

Representative Kennedy offered **HS HCS SB 460**.

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

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 8, Section 144.049, Line 17, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 8, Section 144.049, Line 20, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 11, Section 144.815, Line 15, by inserting after the word “**from**” the words “**all state and**”; and

Further amend said bill, Page 11, Section 144.815, Line 22, by inserting after the words “**pursuant to**” the words “**all state and**”; and

Further amend said bill, Page 19, Section 2, Line 7, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 19, Section 2, Line 10, by inserting after the word “**all**” the words “**state and**”.

Speaker Kreider resumed the Chair.

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

Representative Hanaway requested a division of the question on **HS HCS SB 460**.

Representative Surface offered **House Amendment No. 1 to Part I of HS HCS SB 460**.

*House Amendment No. 1*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 8, Section 32.378, Line 14, by inserting after said line the following:

“144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection 3 of this section, where any article is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner or holder of the properly assigned certificate of ownership if the seller purchases or contracts to purchase a subsequent motor vehicle, trailer, boat, or outboard motor within one hundred eighty days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the subsequent motor vehicle, trailer, boat, or outboard motor is titled more than one hundred eighty days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the one hundred eighty-day period. **For purposes of this section “trade-in” shall include any insurance proceeds received as the result damage to a motor vehicle, trailer, boat, or outboard motor when such proceeds are used**

**to purchase a replacement motor vehicle, trailer, boat, or outboard motor.**

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

4. The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state.""; and

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

On motion of Representative Surface, **House Amendment No. 1 to Part I of HS HCS SB 460** was adopted.

Representative Barry offered **House Amendment No. 2 to Part I of HS HCS SB 460.**

*House Amendment No. 2*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Section 144.049, by inserting immediately before said section the following:

"144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment [or recreation], games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the Internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property

under the conditions of "sale at retail" as defined in subdivision (8) of section 144.010 or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase or use of motor vehicles, trailers, boats, and outboard motors shall be taxed and the tax paid as provided in sections 144.070 and 144.440. No tax shall be collected on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except as provided in sections 144.070 and 144.440. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

**(9) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of recreation, with the exception of membership and other user fees paid to health and fitness centers. The sale of a membership solely for health-benefit activities at a health and fitness center shall not be taxable pursuant to this chapter. User fees charged by health and fitness centers, whether charged to members or non-members, shall not be taxable pursuant to this chapter if the fee is charged solely for a health-benefit activity. The sale of a recreational membership at a health and fitness center shall be taxed at the rate of four percent of the amount paid for the membership. User fees charged by health and fitness centers, whether charged to members or non-members, shall be taxed at the rate of four percent of the fee charged if the fee is charged for a recreational activity. For purposes of this subdivision, the term "health-benefit activities" means activities the primary purpose of which is to improve a person's health and fitness, including but not limited to strength programs, running and weight training; cardiovascular programs, exercises and training; lap swimming and aerobic programs, exercises and training; nutrition-related programs; weight control programs, exercises and training; multiple-step health programs; and any programs, activities, exercise, training or therapy which is referred by a physician or which is paid for by health insurance. For purposes of this subdivision, the term "recreational" or "recreational activities" means all activities not considered to be health-benefit activities, including but not limited to basketball, volleyball, racquetball, karate, dancing, golf, tennis or any games or competitions.**

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.""; and

Further amend the title and enacting clause accordingly.

On motion of Representative Barry, **House Amendment No. 2 to Part I of HS HCS SB 460** was adopted.

Representative Bonner offered **House Amendment No. 3 to Part I of HS HCS SB 460.**

*House Amendment No. 3*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 9, Section 32.375, Line 17, by inserting after all of said line the following:

"144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax [under the provisions of] **pursuant to** sections 94.500 to 94.570, **section 94.577 or 94.705**, RSMo, or any county imposing a sales tax [under the provisions of] **pursuant to** sections 66.600 to 66.635, RSMo, or any county imposing a sales tax [under the provisions of] **pursuant to** sections 67.500 to 67.729, RSMo, **or any city imposing a sales tax pursuant to sections 644.032 to 644.034, RSMo**, may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner

as any other city or county sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax [under the provisions of] **pursuant to** section 144.030."; and

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

Representative Hegeman raised a point of order that **House Amendment No. 3 to Part I of HS HCS SB 460** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Bonner moved that **House Amendment No. 3 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 4 to Part I of HS HCS SB 460**.

*House Amendment No. 4*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Section 32.378, by inserting after all of said section the following:

"94.577. 1. The governing body of any municipality except those located in whole or in part within any first class county having a charter form of government and not containing any part of a city with a population of four hundred thousand or more and adjacent to a city not within a county for that part of the municipality located within such first class county is hereby authorized to impose, by ordinance or order, a one-eighth, one-fourth, three-eighths, or one-half of one percent sales tax on all retail sales made in such municipality which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, which may be funded by issuing bonds which will be retired by the revenues received from the sales tax authorized by this section or the retirement of debt under previously authorized bonded indebtedness. A municipality located in a charter county may impose a sales tax on all retail sales for capital improvements as provided in section 94.890. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; but no ordinance imposing a sales tax under the provisions of this section shall be effective unless the governing body of the municipality submits to the voters of the municipality, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the municipality to impose such tax and, if such tax is to be used to retire bonds authorized under this section, to authorize such bonds and their retirement by such tax, or to authorize the retirement of debt under previously authorized bonded indebtedness.

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

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of ..... (municipality's name) impose a sales tax of ..... (insert amount) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?

G YES

G NO

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

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:



Shall the municipality of ..... (municipality's name) issue bonds in the amount ..... of ..... (insert amount) to fund capital improvements and impose a sales tax of ..... (insert amount) to repay bonds?

G YES

G NO

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

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, including when the proposal authorizes the reduction of debt under previously authorized bonded indebtedness under subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect, except that any proposal submitted under subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds must be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality shall have no power to issue any bonds or impose the sales tax authorized in this section unless and until the governing body of the municipality shall again have submitted another proposal to authorize the governing body of the municipality to issue any bonds or impose the sales tax authorized by this section, and such proposal is approved by the requisite majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section, **except that any municipality with a population of greater than four hundred thousand and located within more than one county may submit a proposal pursuant to this section to the voters sooner than twelve months from the date of the last proposal submitted pursuant to this section, if the subsequent proposal is submitted to the voters on or before November 6, 2001.**

3. All revenue received by a municipality from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements, including the operation and maintenance of capital improvements, for so long as the tax shall remain in effect. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with revenues raised by the tax authorized by this section. Any funds in the special trust fund required by this subsection which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have not been imposed to retire bonds issued pursuant to this section.

4. All revenue received by a municipality which issues bonds under this section and imposes the tax authorized by this section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of capital improvements. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with the revenue received as a result of the issuance of such bonds. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued under this section may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have been imposed to retire bonds issued under this section.

5. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax in the same manner as provided in sections 94.500 to 94.570, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed pursuant to this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. No tax imposed pursuant to this section for the purpose of retiring bonds issued under this section may be terminated until all of such bonds have been retired.

7. In any city not within a county, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

1959 *Journal of the House*

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

Further amend Page 19, Section B, Line 20, by adding after the word "**clothing**" the words "**for the purpose of funding capital improvement and the repeal and reenactment of Section 94.577 and**"; and

Further amend Page 19, Section B, Line 24, after the word and the words "**the repeal and reenactment of Section 94.577 and**"; and

Further amend Page 20, Lines 1 and 2, by deleting said lines and replacing with "**shall be in full force and effect upon its passage and approval.**"; and

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

On motion of Representative Skaggs, **House Amendment No. 4 to Part I of HS HCS SB 460** was adopted.

Representative Campbell offered **House Amendment No. 5 to Part I of HS HCS SB 460**.

*House Amendment No. 5*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 12, Section 144.815, Line 14, by inserting after said line the following:

"**144.819. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from all state and local sales taxes, as defined in section 32.085, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.757, and from the computation of the tax levied, assessed or payable pursuant to all state and local sales taxes as defined in section 32.085, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.811, all materials and supplies used directly in the production of all printed material by firms classified in the 1987 standard industry code classification group 27, except 279 (or their equivalents in the 1997 North American industry classification system), which is intended to be sold ultimately for final use or consumption, if title to the materials and supplies is transferred for consideration to the purchaser of the printed material.**"; and

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

On motion of Representative Campbell, **House Amendment No. 5 to Part I of HS HCS SB 460** was adopted.

Representative Lograsso offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

Representative Kennedy raised a point of order that **House Amendment No. 6 to Part I of HS HCS SB 460** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Dempsey offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

**House Amendment No. 6 to Part I of HS HCS SB 460** was withdrawn.

Representative Cooper offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

*House Amendment No. 6*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Pages 10 to 11, Section 144.195, Lines 13 to 24 of Page 10, and Lines 1 to 12 of Page 11, by deleting all of said lines; and

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

Representative Cooper moved that **House Amendment No. 6 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Bonner	Burcham	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Froelker
Graham	Gratz	Griesheimer	Hartzler	Hegeman
Henderson	Hohulin	Holand	Holt	Hunter
Jetton	Kelly 144	King	Legan	Levin
Lograsso	Long	Marble	Marsh	May 149
Mayer	Moore	Phillips	Purgason	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Robirds	Schwab	Secrest	Shields
St. Onge	Townley	Wagner	Wright	

NOES: 066

Abel	Barnitz	Barry 100	Berkowitz	Bland
Boucher	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Foley
Fraser	Gambaro	Green 15	Green 73	Hagan-Harrell
Harding	Haywood	Hendrickson	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Rizzo	Scheve	Scott
Seigfreid	Selby	Shelton	Shoemyer	Skaggs

1961 *Journal of the House*

Smith	Thompson	Treadway	Villa	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 005

Fares	Hampton	Hanaway	McKenna	Ross
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ABSENT WITH LEAVE: 030

Baker	Bartelsmeyer	Berkstresser	Bowman	Burton
Ford	Franklin	Gaskill	George	Harlan
Hickey	Hoppe	Kelley 47	Lawson	Linton
Luetkemeyer	Luetkenhaus	Mays 50	Merideth	Miller
Myers	Naeger	Nordwald	Ostmann	Portwood
Surface	Troupe	Van Zandt	Vogel	Wiggins

VACANCIES: 003

Representative Hosmer requested a verification of the roll call on the adoption of **House Amendment No. 6 to Part I of HS HCS SB 460**.

Representative Shields offered **House Amendment No. 7 to Part I of HS HCS SB 460**.

**House Amendment No. 7 to Part I of HS HCS SB 460** was withdrawn.

Representative Hegeman offered **House Amendment No. 7 to Part I of HS HCS SB 460**.

*House Amendment No. 7*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 10, Section 144.195, Line 17 of said page, by inserting after "**144.190**" the following: "**on any issue for which the person applying for the refund or credit has previously received a refund or credit**"; and

Further amend said bill, Page 11, Section 144.195, Line 2 of said page, by inserting after "**credit**," the following: "**or that the taxpayer has not previously applied for and received a refund or credit on the issue that is the subject of the refund or credit request**"; and

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

Representative Hegeman moved that **House Amendment No. 7 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Champion
Cierpiot	Cooper	Crawford	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill

Graham	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hohulin	Holand	Holt
Hunter	Jetton	Kelly 144	King	Levin
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Moore	Murphy
Naeger	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Townley	Vogel
Wagner	Wright			

NOES: 071

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Green 15	Hagan-Harrell	Hampton	Harding
Haywood	Hendrickson	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
McKenna	Merideth	Monaco	O'Connor	Overschmidt
Ransdall	Reid	Relford	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bartelsmeyer	Berkstresser	Byrd	Crowell
George	Green 73	Harlan	Hickey	Kelley 47
Lawson	Legan	Linton	Mays 50	Miller
Myers	Nordwald	O'Toole	Surface	Troupe
Van Zandt	Wiggins			

VACANCIES: 003

Representative Froelker offered **House Amendment No. 8 to Part I of HS HCS SB 460.**

**House Amendment No. 8 to Part I of HS HCS SB 460** was withdrawn.

Representative Byrd offered **House Amendment No. 8 to Part I of HS HCS SB 460.**

*House Amendment No. 8*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 11, Section 144.195, Line 11, by deleting the phrase “abandoned fund account established pursuant to Sections 447.500 to 447.595, RSMo.” and inserting in its stead: “**Political entity upon whose behalf the tax was originally collected.**”.

1963 *Journal of the House*

Representative Byrd moved that **House Amendment No. 8 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated.

Representative Hunter offered **House Amendment No. 9 to Part I of HS HCS SB 460**.

*House Amendment No. 9*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 11, Section 144.195, Line 11, by deleting the phrase “abandoned fund account established pursuant to Sections 447.500 to 447.595, RSMO.” and inserting in its stead: “**County Aid Road Trust Fund**”.

Representative Kennedy raised a point of order that **House Amendment No. 9 to Part I of HS HCS SB 460** is dilatory.

The Chair ruled the point of order not well taken.

Representative Hunter moved that **House Amendment No. 9 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Ballard	Barnett	Barnitz	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Gaskill
Graham	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Moore
Naeger	Ostmann	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Townley
Vogel	Ward	Wright		

NOES: 070

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hilgemann	Hollingsworth
Hoppe	Hosmer	Johnson 61	Johnson 90	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe

McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Villa
Walton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bartelsmeyer	Bartle	Berkstresser	Ford
Froelker	George	Harlan	Hickey	Lawson
Linton	Long	Mays 50	Miller	Myers
Nordwald	Surface	Troupe	Van Zandt	Wagner
Wiggins	Mr. Speaker			

VACANCIES: 003

On motion of Representative Kennedy, **Part I of HS HCS SB 460, as amended**, was adopted.

**HCS SB 460, with Part I of HS, as amended, adopted, and Part II of HS, pending**, was laid over.

**SB 226**, relating to the life sciences research program, was taken up and placed on the Informal Calendar.

### 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 adopted **HCS SB 86, as amended**, and has taken up and passed **HCS SB 86, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SCS SB 151**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Childers, Bentley, Gross, Stoll and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SS SCS SBs 323 & 230, as amended**, and has taken up and passed **CCS HS SS SCS SBs 323 & 230**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SCR 3** and has taken up and passed **SCR 3, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SCR 18** and has taken up and passed **SCR 18, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS** for **SCR 28** and has taken up and passed **HCS SCR 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SS SCS HCS HBs 144 & 46, as amended**, and has taken up and passed **CCS #2 SS SCS HCS HBs 144 & 46**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HBs 205, 323 & 549** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Childers, Foster, Westfall, Johnson and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 274**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon. Further, that the conferees are allowed to exceed the differences on county employees.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SS SCS HCS HB 567, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Klarich, Loudon, Westfall, Dougherty and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 304**: Senators Klarich, Gibbons, Steelman, House and Caskey.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

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

**HCS SCS SB 151**: Representatives Gaskill, Luetkemeyer, Ward, Luetkenhaus and Liese

**SCS HCS HBs 205, 323 & 549**: Representatives Relford, Barnitz, Crump, Legan and Jetton

**SS SCS HCS HB 567**: Representatives Treadway, Nordwald, Crawford, Johnson (90) and Shoemyer



**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 151**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 151; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151 be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Sam Gaskill  
/s/ Blaine Luetkemeyer  
/s/ Dan Ward  
/s/ Bill Luetkenhaus  
/s/ Chris Liese

FOR THE SENATE:

/s/ Doyle Childers  
/s/ Roseann Bentley  
/s/ Chuck Gross  
/s/ Stephen Stoll  
/s/ Sidney Johnson

**CONFERENCE COMMITTEE REPORT NO. 3  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 567**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 15 and Senate Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 567;
3. That the attached Conference Committee Amendment No. 1 to Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 be adopted;
4. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:

/s/ Rep. Larry Crawford  
/s/ Rep. Joseph Treadway  
/s/ Rep. Rick Johnson  
/s/ Rep. Wes Shoemyer

FOR THE SENATE:

/s/ Sen. David Klarich  
/s/ Sen. John Loudon  
/s/ Sen. Morris Westfall  
/s/ Sen. Patrick Dougherty  
/s/ Sen. Harry Wiggins

*Conference Committee Amendment No. 1*

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Pages 64 and 65, Section 324.1100, by deleting all of said section; and

Further amend said bill, Pages 65 and 66, Section 324.1101, by deleting all of said section; and

Further amend said bill, Pages 66 to 68, Section 324.1102, by deleting all of said section; and

Further amend said bill, Page 68, Section 324.1104, by deleting all of said section; and

Further amend said bill, Pages 68 to 70, Section 324.1106, by deleting all of said section; and

Further amend said bill, Pages 70 and 71, Section 324.1108, by deleting all of said section; and

Further amend said bill, Pages 71 and 72, Section 324.1110, by deleting all of said section; and

Further amend said bill, Pages 72 and 73, Section 324.1112, by deleting all of said section; and  
Further amend said bill, Pages 74 and 75, Section 324.1114, by deleting all of said section; and  
Further amend said bill, Pages 75 and 76, Section 324.1116, by deleting all of said section; and  
Further amend said bill, Pages 76 and 77, Section 324.1118, by deleting all of said section; and  
Further amend said bill, Pages 77 and 78, Section 324.1120, by deleting all of said section; and  
Further amend said bill, Page 78, Section 324.1122, by deleting all of said section; and  
Further amend said bill, Pages 78 and 79, Section 324.1124, by deleting all of said section; and  
Further amend said bill, Pages 79 to 81, Section 324.1126, by deleting all of said section; and  
Further amend said bill, Pages 81 to 83, Section 324.1128, by deleting all of said section; and  
Further amend said bill, Page 83, Section 324.1130, by deleting all of said section; and  
Further amend said bill, Pages 83 to 85, Section 324.1132, by deleting all of said section; and  
Further amend said bill, Page 85, Section 324.1134, by deleting all of said section; and  
Further amend said bill, Page 85, Section 324.1136, by deleting all of said section; and  
Further amend said bill, Pages 85 and 86, Section 324.1138, by deleting all of said section; and  
Further amend said bill, Pages 86 and 87, Section 324.1140, by deleting all of said section; and  
Further amend said bill, Page 157, Section 327.603, Lines 13 and 14 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"subdivisions while performing duties for the state of Missouri or a political subdivision";** and

Further amend said bill, Pages 267 to 270, Section 621.045, by deleting all of said section; and

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

### **BILL IN CONFERENCE**

Representative Treadway moved that Rule 60(c) be suspended in order for the House to take up **CCR No. 3 SS SCS HCS HB 567, as amended.**

Which motion was adopted by the following vote:

AYES: 123

Abel	Ballard	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman

1969 *Journal of the House*

Crawford	Crump	Curls	Davis	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hilgemann	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	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	McKenna	Merideth
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 015

Bearden	Byrd	Cooper	Crowell	Cunningham
Dempsey	Hanaway	Henderson	Hendrickson	Hohulin
Mayer	Portwood	Roark	Smith	Wright

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 021

Baker	Bartelsmeyer	Bartle	Berkstresser	Dolan
Froelker	Harlan	Hickey	Lawson	Lograsso
Long	Mays 50	Miller	Myers	Nordwald
Ostmann	Surface	Troupe	Van Zandt	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

**CCR No. 3 SS SCS HCS HB 567, as amended**, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR No. 3 SS SCS HCS HB 567, as amended**, was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	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	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	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	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Monaco	Moore	Murphy	Naeger
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Bartelsmeyer	Bartle	Berkstresser	Dolan
Froelker	George	Hickey	Hollingsworth	Lawson
Lograsso	Long	Mays 50	Miller	Myers
Nordwald	OToole	Surface	Troupe	Van Zandt
Wiggins				

VACANCIES: 003

On motion of Representative Treadway, **CCS SS SCS HCS HB 567**, as amended by the **CCR**, was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	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

## 1971 *Journal of the House*

Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Monaco	Moore	Murphy	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Thornley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Griesheimer

ABSENT WITH LEAVE: 020

Baker	Bartelmeyer	Bartle	Berkstresser	Cierpiot
Froelker	George	Hickey	Lawson	Lograsso
Long	Mays 50	Miller	Myers	Nordwald
Scheve	Surface	Troupe	Van Zandt	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	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
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Monaco	Moore
Murphy	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin Purgason

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartelsmeyer	Bartle	Berkstresser	Clayton
Dolan	Ford	Froelker	George	Hickey
Hunter	Lawson	Levin	Long	Mays 50
Miller	Myers	Nordwald	Richardson	Surface
Troupe	Van Zandt	Wiggins		

VACANCIES: 003

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 31** - Conservation, State Parks and Mining

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 387** - Fiscal Review and Government Reform (Fiscal Note)

### **COMMITTEE REPORT**

**Committee on Utilities Regulation**, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SCS SB 387**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

#### *House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 387, Page 4, Section 393.158, Line 109, by inserting after the word “serves” the words “fewer than”.

**MESSAGE FROM THE GOVERNOR**

EXECUTIVE OFFICE

May 11, 2001

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

Herewith I return to you **House Committee Substitute** for **House Bill No. 274** entitled:

"AN ACT"

To repeal section 171.033, RSMo 2000, relating to inclement weather exceptions for mandatory days of school attendance, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 11, 2001, I approved said **House Committee Substitute** for **House Bill No. 274**.

Respectfully submitted,

/s/ Bob Holden  
Governor

The following members' presence was noted: Berkstresser and Lawson.

**ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 11:00 a.m., Monday, May 14, 2001.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Seventy-first Day, Thursday, May 10, 2001, pages 1808 and 1809, roll call, by showing Representatives Boucher and Naeger voting "aye" rather than "absent with leave".

Pages 1810 and 1811, roll call, by showing Representatives Levin and Moore voting "aye" rather than "absent with leave".

Pages 1811 and 1812, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1812 and 1813, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Pages 1813 and 1814, roll call, by showing Representatives Boucher and Reynolds voting "aye" rather than "absent with leave".



Pages 1814 and 1815, roll call, by showing Representatives Carnahan and Crowell voting "aye" rather than "absent with leave".

Pages 1815 and 1816, roll call, by showing Representatives Crowell, Kennedy, Luetkemeyer and Surface voting "aye" rather than "absent with leave".

Pages 1817 and 1818, roll call, by showing Representative Cunningham voting "no" rather than "aye".

Pages 1817 and 1818, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1818 and 1819, roll call, by showing Representatives Green (15) and Naeger voting "aye" rather than "absent with leave".

Pages 1819 and 1820, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1820 and 1821, roll call, by showing Representatives Green (15) and Shoemyer voting "aye" rather than "absent with leave".

Pages 1821 and 1822, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1822 and 1823, roll call, by showing Representative Lowe voting "aye" rather than "absent with leave".

Pages 1824 and 1825, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1827 and 1828, roll call, by showing Representatives Hegeman and Lowe voting "aye" rather than "absent with leave".

Page 1829, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Page 1830, roll call, by showing Representative Hegeman voting "aye" rather than "absent with leave".

Pages 1830 and 1831, roll call, by showing Representatives Crowell and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1830 and 1831, roll call, by showing Representative Kennedy voting "present" rather than "absent with leave".

1975 *Journal of the House*

Pages 1831 and 1832, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1833 and 1834, roll call, by showing Representatives Hanaway and Johnson (61) voting "aye" rather than "absent with leave".

Pages 1834 and 1835, roll call, by showing Representatives Green (15), Hanaway, Johnson (61), Purgason and Roark voting "aye" rather than "absent with leave".

Page 1836, roll call, by showing Representatives Hampton, Johnson (61) and Harding voting "aye" rather than "absent with leave".

Pages 1837 and 1838, roll call, by showing Representatives Boucher, Enz, George, Johnson (61) and Robirds voting "aye" rather than "absent with leave".

Page 1839, roll call, by showing Representatives Froelker, Hampton, Johnson (61), Liese and Shields voting "aye" rather than "absent with leave".

Pages 1840 and 1841, roll call, by showing Representatives Hampton, Jetton and Johnson (61) voting "aye" rather than "absent with leave".

Pages 1849 and 1850, roll call, by showing Representative Purgason voting "aye" rather than "absent with leave".

Page 1854, roll call, by showing Representatives Sanders Brooks, Purgason and Surface voting "aye" rather than "absent with leave".

Page 1854, roll call, by showing Representatives Rector and Roark voting "no" rather than "absent with leave".

Pages 1855 and 1856, roll call, by showing Representative Cunningham voting "no" rather than "absent with leave".

Pages 1856 and 1857, roll call, by showing Representatives Barry and Sanders Brooks voting "aye" rather than "absent with leave".

Pages 1857 and 1858, roll call, by showing Representative Behnen voting "aye" rather than "absent with leave".

Pages 1862 and 1863, roll call, by showing Representatives Carnahan, Hampton, Kennedy, Marsh and Shields voting "no" rather than "absent with leave".

Pages 1862 and 1863, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

Pages 1906 and 1907, roll call, by showing Representatives Boykins and Johnson (61) voting "no" rather than "aye".

Pages 1906 and 1907, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1909 and 1910, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1923 and 1924, roll call, by showing Representatives Carnahan, Dolan and Myers voting "aye" rather than "absent with leave".

Pages 1923 and 1924, roll call, by showing Representatives Froelker, Surface and Wright voting "no" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **CONSERVATION, STATE PARKS AND MINING**

Monday, May 14, 2001, 10:30 am. Hearing Room 7.

To be considered - SCR 31

#### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Monday, May 14, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 337

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

Monday, May 14, 2001. Hearing Room 5 upon evening adjournment.

Fiscal Review.

To be considered - SB 125, SB 222, SB 226, SB 392, SJR 1

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports. AMENDED.

### **HOUSE CALENDAR**

SEVENTY-THIRD DAY, MONDAY, MAY 14, 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 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

**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
- 8 HCS HB 170 - Froelker

**HOUSE BILLS FOR THIRD READING**

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

**SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole
- 2 SS SJR 9 - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HS HCS SB 125, as amended (Fiscal Review 5-10-01) - Hoppe
- 2 HCS SB 460, Part II of HS, pending - Kennedy
- 3 HCS SB 72 - Smith
- 4 HCS SCS SB 236, E.C. - Ladd Baker
- 5 SB 500 - Rizzo
- 6 SB 370, HCA 1 - Smith
- 7 SCS SB 290 - Rizzo
- 8 HCS SCS SB 486 & SB 422 - Hoppe
- 9 HCS SS SB 244 - Koller
- 10 HCS SB 365 - Overschmidt
- 11 HCS SCS SB 591 - Hoppe
- 12 HCS SCS SB 617 - Rizzo
- 13 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 14 SCS SB 393, E.C. - Treadway
- 15 SCS SB 374 - Ransdall
- 16 HCS SS SCS SB 48 - Hollingsworth
- 17 SS#2 SCS SB 22 & 106, E.C. (Fiscal Review 5-8-01) - Scheve
- 18 SS SCS SB 351, HCA 1 - Hosmer
- 19 HCS SCS SB 10 - Monaco
- 20 HCS SB 275 - Levin
- 21 SB 470, HCA 1 - O'Toole
- 22 SCS SB 387, HCA 1, E.C. (Fiscal Review 5-11-01) - Mays (50)

**SENATE BILLS FOR THIRD READING - INFORMAL**

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SCS SB 266 - Barry
- 4 HCS SS SCS SB 369 - Burton
- 5 HCS SB 392, (Fiscal Review 5-10-01) - Rizzo
- 6 HCS SS SCS SB 433 & 248 - Hoppe
- 7 HCS SS SCS SB 476, 427 & 62 - Seigfreid
- 8 HCS SS SCS SB 226, (Fiscal Review 5-10-01) - Foley

**SENATE BILL FOR THIRD READING - CONSENT - INFORMAL**

SB 556 - Hoppe

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 SCS HB 157 - Hosmer

**BILL CARRYING REQUEST MESSAGE**

HCS SB 274, (request House recede/grant conference & conferees exceed differences on county employees) - Shields

**BILLS IN CONFERENCE**

- 1 HCS SB 462, as amended, E.C. - Legan
- 2 CCR HCS SS SB 193, as amended - Ward
- 3 HCS SB 610 - Hoppe
- 4 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 5 CCR HS SS SCS SB 323 & 230, as amended - Koller
- 6 SS SCS HS HB 421, as amended - Hoppe
- 7 HCS SB 319, as amended - Johnson (61)
- 8 HCS SB 304 - Monaco
- 9 CCR#2 HCS SCS SB 151 - Gaskill
- 10 SCS HCS HB 205, 323 & 549 - Relford

**HOUSE RESOLUTION**

HR 922, (5-8-01, pages 1734 & 1735) - Ladd Baker