

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-THIRD DAY, WEDNESDAY, MAY 5, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

You, O Lord, are always our shield from danger; You give us victory and restore our courage. We sleep and wake up refreshed because You, Lord, protect us. So we approach this day with renewed vigor, clear thought and uncanny perspective.

Be gracious to us and hear our prayer. Grant us Your blessed favor and wisdom. Encompass our actions today with common sense and assurances that what we do here help make life a little enjoyable for those we serve.

May we experience the joy of selfless service.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John Charles Edward Gaskin III, Andrew Baxley, Samantha Gravitt, Sara Murphy, Sean Kaelble, Jordan Sontheimer, Sadie Wilhite, Henry Winn and Letitia Grogg.

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

SPECIAL RECOGNITION

Ralph Smith was introduced by Representative Nieves and recognized as an Outstanding Missourian.

Rhonda Anderson Saitta was introduced by Representative Portwood and recognized as an Outstanding Missourian.

Maggie Brown was introduced by Representative Sander and recognized as an Outstanding Missouri Student.

Nick Orf was introduced by Representative Schneider and recognized as an Outstanding Missouri Student.

Marilyn Rufkahr was introduced by Representatives Muckler and Haywood and recognized as an Outstanding Missourian.

Suzanne Duncan was introduced by Representative Baker and recognized as an Outstanding Missourian.

Representative Lipke assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 2632 - Representatives Smith (14) and Bearden
- House Resolution No. 2633 - Representative Holand
- House Resolution No. 2634
- and
- House Resolution No. 2635 - Representative Dethrow
- House Resolution No. 2636 - Representative Munzlinger
- House Resolution No. 2637 - Representative Cunningham (86)
- House Resolution No. 2638 - Representative Crowell
- House Resolution No. 2639 - Representative Emery
- House Resolution No. 2640 - Representative Wright
- House Resolution No. 2641 - Representative Roark
- House Resolution No. 2642 - Representative Crowell
- House Resolution No. 2643 - Representative Yates
- House Resolution No. 2644 - Representative Corcoran
- House Resolution No. 2645 - Representative Crawford
- House Resolution No. 2646 - Representative Byrd
- House Resolution No. 2647 - Representative LeVota
- House Resolution No. 2648 - Representative Ransdall
- House Resolution No. 2649 - Representative Fares
- House Resolution No. 2650 - Representative Wilson (130)
- House Resolution No. 2651 - Representative Lager
- House Resolution No. 2652 - Representative Dixon
- House Resolution No. 2653 - Representative Hoskins
- House Resolution No. 2654 - Representative McKenna
- House Resolution No. 2655 - Representative Harris (23)
- House Resolution No. 2656 - Representative Curls
- House Resolution No. 2657 - Representatives Lowe and Black
- House Resolution No. 2658 - Representative Nieves
- House Resolution No. 2659 - Representative Hobbs
- House Resolution No. 2660 - Representative Hubbard
- House Resolution No. 2661 - Representative Riback Wilson (25)
- House Resolution No. 2662 - Representative Hoskins

House Resolution No. 2663 - Representative Jetton
House Resolution No. 2664 - Representative Bringer
House Resolution No. 2665 - Representative Lowe
House Resolution No. 2666 - Representative Johnson (61)
House Resolution No. 2667 - Representative Sager
House Resolution No. 2668 - Representative Fares
House Resolution No. 2669 - Representative Portwood
House Resolution No. 2670 - Representatives Lowe and Black
House Resolution No. 2671 - Representative Johnson (90)
House Resolution No. 2672 - Representatives Lowe and Black
House Resolution No. 2673 - Representative Schoemehl

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1548** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS#2 SB 762** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS SBs 1020, 889 & 869** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS SB 1038** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 1279** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 901, with House Committee Amendment No. 1, relating to environmental control, was taken up by Representative Townley.

SCS SB 901, with House Committee Amendment No. 1, pending, was laid over.

HCS SB 824, relating to vehicle identification numbers, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SB 824** was adopted.

On motion of Representative Schlottach, **HCS SB 824** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 006

Darrough	Harris 110	Meadows	Sager	Thompson
Walker				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	El-Amin	Jackson
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Representative Lipke declared the bill passed.

HCS SCS SB 782, relating to county treasurers, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS SCS SB 782** was adopted.

On motion of Representative Johnson (47), **HCS SCS SB 782** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Jackson	Portwood	Townley
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Representative Lipke declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS SB 769, relating to road districts, was taken up by Representative Emery.

On motion of Representative Emery, **HCS SB 769** was adopted.

On motion of Representative Emery, **HCS SB 769** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Cunningham 145	Jackson	Purgason
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Haywood	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 007

Harris 110	Harris 23	Johnson 61	Johnson 90	Sager
Walker	Witte			

PRESENT: 001

Henke

ABSENT WITH LEAVE: 003

Avery	Holand	Jackson
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Representative Riback Wilson (25) assumed the Chair.

SCS SB 767, relating to a memorial highway, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SCS SB 767** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Jackson Townley

Representative Riback Wilson (25) declared the bill passed.

SCS SB 757, with House Committee Amendment No. 1, relating to motor vehicles, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **House Committee Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **SCS SB 757, as amended**, was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Jackson Liese

Representative Riback Wilson (25) declared the bill passed.

SCS SB 901, with House Committee Amendment No. 1, pending, relating to environmental control, was again taken up by Representative Townley.

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

On motion of Representative Townley, **SCS SB 901, as amended**, was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough

Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hunter	Icet	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Hubbard Jackson

Representative Riback Wilson (25) declared the bill passed.

Speaker Hanaway resumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 1099, relating to a sales/use tax exemption, was taken up by Representative Reinhart.

On motion of Representative Reinhart, **HCS HB 1099** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell

Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Bough Jackson Jones

Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 959, as amended, relating to financial services, was taken up by Representative Luetkemeyer.

Representative Luetkemeyer moved that the House refuse to adopt **SCS HCS HB 959, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILL

HB 1548, relating to state employees' pay, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 1548** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Jackson Johnson 47 Townley

Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1040 and HCS HB 1041, as amended, relating to education accountability, was taken up by Representative Cunningham (86).

Representative Cunningham (86) moved that the House refuse to adopt **SCS HCS HB 1040 and HCS HB 1041, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

SCS HCS HB 1040 and HCS HB 1041, as amended, with the motion refusing to adopt **SCS, as amended**, and requesting the Senate to recede or grant conference, pending, was laid over.

THIRD READING OF SENATE BILL

HCS SS SCS SB 1279, relating to the Missouri Hospital Infection Control Act, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS SS SCS SB 1279** was adopted.

On motion of Representative Schaaf, **HCS SS SCS SB 1279** was read the third time and passed by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Iceet	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Walsh

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel
Jackson

Avery

Bringer

Hampton

Hubbard

Speaker Hanaway declared the bill passed.

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

AFTERNOON SESSION

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

SPECIAL RECOGNITION

Robert Baker was introduced by Representative Stevenson and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2674
through
House Resolution No. 2679 - Representative Swinger
House Resolution No. 2680
and
House Resolution No. 2681 - Representative Ransdall
House Resolution No. 2682
and
House Resolution No. 2683 - Representative Yates
House Resolution No. 2684 - Representative Angst
House Resolution No. 2685 - Representative Wagner
House Resolution No. 2686 - Representative May
House Resolution No. 2687 - Representative Spreng
House Resolution No. 2688 - Representative Willoughby
House Resolution No. 2689 - Representative Pratt
House Resolution No. 2690
through
House Resolution No. 2693 - Representative Wagner
House Resolution No. 2694 - Representative Cooper (155)
House Resolution No. 2695 - Representative Lipke
House Resolution No. 2696 - Representative Hanaway
House Resolution No. 2697 - Representative Yaeger

House Resolution No. 2698 - Representatives Dusenberg and Pratt
House Resolution No. 2699 - Representative Swinger
House Resolution No. 2700
and
House Resolution No. 2701 - Representative Wagner
House Resolution No. 2702
and
House Resolution No. 2703 - Representative Quinn
House Resolution No. 2704
through
House Resolution No. 2713 - Representative Lager

Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS#2 SB 762, relating to foster care, was taken up by Representative Hanaway.

Representative Hanaway offered **HS HCS SCS#2 SB 762**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 26, Section 168.283, Lines 23 and 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"department of revenue under section 302.272, RSMo."; and

Further amend said bill, Page 40, Section 210.109, Line 15 of said page, by inserting after the word **"assessment."** the following:

"The division may attempt to seek input from child welfare service providers in completing the initial family assessment."; and

Further amend said bill, Page 42, Section 210.110, Line 17 of said page, by deleting all of said line and inserting in lieu thereof the following:

"public, quasi-public, or private entity with the"; and

Further amend said bill, Page 49, Section 210.112, Lines 20 and 21 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"shall only apply to contract arrangements and family reunification services."; and

Further amend said bill, Page 93, Section 210.482, Line 24 of said page, by deleting the words **"family support"** and inserting in lieu thereof the following:

"children's"; and

Further amend said bill, Page 94, Section 210.482, Line 1 of said page, by deleting the word "**applicant**" and inserting in lieu thereof the following:

"person with whom an emergency placement of a child will be made"; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 51, Section 210.112, Line 14 of said page, by inserting after all of said line the following:

"7. The division shall accept as prima facie evidence of completion of the requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the following nationally recognized bodies: the Council on Accreditation of Services, Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on Accreditation of Rehabilitation Facilities. The division shall not require any further evidence of qualification for licensure if such proof of voluntary accreditation is submitted." and renumber remaining subsections accordingly; and

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

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

Representative Kelly (36) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 15, Section 43.530, Lines 10 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"43.530. 1. For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than five dollars per request for criminal history record information not based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law and pay a fee of not more than fourteen dollars per request for criminal history record information based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law; provided that, when the requesting entity is not required to obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars per request for criminal history record information not based on a fingerprint search and pay a fee of not more than twenty dollars per request for criminal history record information based on a fingerprint search. Each such request shall be limited to check"; and

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

On motion of Representative Kelly (36), **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Section 167.020, Page 22, Line 17, by placing brackets around the words “twenty-one” on said line and inserting immediately thereafter the following:

“**eighteen**”; and

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

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

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 112, Section 211.032, Lines 5-6, by deleting all of said lines and inserting in lieu thereof the following:

“4. Failure to hold and compute a protective custody hearing within the time specified in this section shall result in a dismissal of the case without prejudice by the court. If a case is dismissed without prejudice under this subsection, the division shall not retain custody of the child for more than twenty-four hours after such dismissal unless the case is refiled with the court within such twenty-four hour period.

5. By January 1, 2005 the supreme court shall develop rules regarding the effect of untimely hearings, except protective custody hearings.”; and

Further amend said bill, Section 211.032, by renumbering remaining subsections accordingly; and

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

Representative Lipke assumed the Chair.

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

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 112, Section 211.032, Lines 5-6, by deleting all of said lines and inserting in lieu thereof the following:

“4. Failure to hold and complete a protective custody hearing within the time specified in this section shall result in a dismissal of the case without prejudice by the court. If a case is dismissed without prejudice under this subsection, the division may retain custody of the child for up to twenty-four hours, and must release custody of the child unless the case is refiled within the twenty-four hours. In the event the case is refiled during the twenty-four hour period all time periods in this section shall re-start.”; and

Further amend said bill, Section 211.032, by renumbering remaining subsections accordingly; and

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

On motion of Representative Stevenson, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Icet	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schlottach	Schneider
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 067

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Crawford	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Schoemehl	Seigfreid	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Hilgemann	Holand	Jackson	Johnson 61
McKenna	Morris	Salva	Schaaf	

Speaker Pro Tem Jetton resumed the Chair.

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 49, Section 210.112, Lines 15-21 of said page, by striking all of said lines and inserting in lieu thereof the following:

“contract. Contracts shall provide incentives in addition to the costs of services provided in recognition of exceeding the case goals and the corresponding cost savings to the state. The division shall not include payment for residential treatment services within the case rate in any contract for comprehensive services. The division shall promulgate rules to implement the provisions of this subdivision.”.

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

Representative Ribback Wilson (25) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 29, Section 191.748, Lines 1 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"191.748. Every hospital and any health care facility licensed in this state that provides obstetrical services shall offer to all new mothers an opportunity to view with the father and other persons of the mother's choosing a video on the dangers of shaking a baby and shaken baby syndrome before the mother's discharge from the facility. Such video shall be approved by the department of health and senior services."; and

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

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

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

Representative Pratt offered **House Substitute Amendment No. 2 for House Amendment No. 7**.

*House Substitute Amendment No. 2
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 29, Section 191.748, Lines 1 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"191.748. Every hospital and any health care facility licensed in this state that provides obstetrical services be required to show all new mothers shall offer to the father and other persons of the mother's choosing a video on the dangers of shaking a baby and shaken baby syndrome before the mother's discharge from the facility. Such video shall be approved by the department of health and senior services."; and

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

Representative Lipke resumed the Chair.

Representative Stevenson offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 7.**

Representative Johnson (90) raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 7** is not properly drafted.

Representative Lipke requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stevenson offered **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 7.**

*House Amendment No. 2
to
House Substitute Amendment No. 2
for
House Amendment No. 7*

AMEND House Substitute Amendment No. 2 for House Amendment No. 7 for House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 1, Line 6, by inserting after the word “**services**” on said line the word “**shall**”.

Representative Stevenson moved that **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Pratt moved that **House Substitute Amendment No. 2 for House Amendment No. 7** be adopted.

Which motion was defeated.

On motion of Representative Riback Wilson (25), **House Amendment No. 7** was adopted by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bearden
Bishop	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green

Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Purgason
Ransdall	Reinhart	Richard	Roark	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

NOES: 015

Bean	Behnen	Bough	Cunningham 145	Dusenberg
Kelly 144	Pratt	Quinn	Rector	Ruestman
Shoemaker	St. Onge	Stevenson	Sutherland	Yates

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Jackson	Johnson 61
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Speaker Pro Tem Jetton resumed the Chair.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 168, Section 1, Line 19, by inserting after all of said line the following:

“2. Nothing in this section shall prevent the division or the court from exercising its discretion to return a child or children to the custody of any individual.”; and

Further amend said section by renumbering the preceding subsection accordingly; and

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

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

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

Representative Pratt raised a point of order that **House Amendment No. 9** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Hanaway, **HS HCS SCS#2 SB 762, as amended**, was adopted.

On motion of Representative Hanaway, **HS HCS SCS#2 SB 762, as amended**, was read the third time and passed by the following vote:

AYES: 127

Angst	Baker	Barnitz	Bean	Bearden
Bishop	Bivins	Black	Bough	Boykins
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Guest	Hampton
Harris 110	Henke	Hobbs	Holand	Hubbard
Hunter	Icey	Jetton	Johnson 47	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 031

Abel	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	Graham
Green	Harris 23	Haywood	Hilgemann	Hoskins
Johnson 90	Meadows	Sager	Schoemehl	Skaggs
Swinger	Vogt	Walker	Witte	Yaeger
Zweifel				

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Avery Behnen Jackson Johnson 61

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	Goodman
Guest	Hampton	Harris 110	Hobbs	Holand
Hubbard	Hunter	Icet	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
LeVota	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Wagner	Wallace	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 035

Abel	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Graham	Green	Haywood
Henke	Hilgemann	Hoskins	Johnson 90	Liese
Meadows	Muckler	Sager	Schoemehl	Skaggs
Swinger	Villa	Vogt	Walker	Walsh
Wildberger	Wilson 25	Witte	Yaeger	Zweifel

PRESENT: 003

George Harris 23 Kuessner

ABSENT WITH LEAVE: 003

Avery Jackson Johnson 61

HCS SS SCS SB 960, relating to property tax reassessments, was taken up by Representative Cooper (120).

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 960, Page 14, Section 137.115, Line 159, by inserting after said line the following:

“137.720. **1.** A percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750. The percentage shall be one-half of one percent for all counties of the first and second classification and cities not within a county and one percent for counties of the third and fourth classification.

2. For counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-quarter of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred thousand dollars in any year for any county of the first classification and any county with a charter form of government and fifty thousand dollars in any year for any county of the second, third, or fourth classification.

3. The county shall bill any taxing authority collecting its own taxes. The county may also provide additional moneys for the fund. To be eligible for state cost-share funds provided pursuant to section 137.750, every county shall provide from the county general revenue fund, an amount equal to an average of the three most recent years of the amount provided from general revenue to the assessment fund, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, county governing body and the state tax commission. The county shall deposit the county general revenue funds in the assessment fund as agreed to in its original or amended maintenance plan, state reimbursement funds shall be withheld until the amount due is properly deposited in such fund.

4. Four years following the effective date, the state tax commission shall conduct a study to determine the impact of increased fees on assessed valuation.

5. Any increase to the portion of property tax collections deposited into the county assessment funds provided for in subsection 2 of this section shall be disallowed in any year in which the state tax commission certifies an equivalent sales ratio for the county of less than or equal to thirty-one and two-thirds percent pursuant to the provisions of section 138.395, RSMo.

6. The provisions of subsections 2, 4, and 5 of this section shall expire on December 31, 2009.”; and

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

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

On motion of Representative Cooper (120), **HCS SS SCS SB 960, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SS SCS SB 960, as amended**, was read the third time and passed by the following vote:

AYES: 149

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Campbell	Carnahan	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Icet	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

El-Amin	Hoskins	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Avery	Byrd	Cooper 155	Green
Hunter	Jackson	Johnson 61	McKenna	Viebrock
Willoughby				

Speaker Pro Tem Jetton declared the bill passed.

SB 932, with House Amendment No. 3, and HS, as amended, pending, relating to unemployment compensation, was taken up by Representative Wilson (130).

SB 932, with House Amendment No. 3, and HS, as amended, pending, was laid over.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 1099, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SB 1099, as amended, relating to tax credits, was taken up by Representative Dempsey.

Representative Dempsey moved that the House refuse to recede from its position on **HS HCS SS SCS SB 1099, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

SB 932, with House Amendment No. 3, and HS, as amended, pending, relating to unemployment compensation, was again taken up by Representative Wilson (130).

On motion of Representative Cooper (155), **House Amendment No. 3** was adopted by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Iceet	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curis
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 90	Jolly	Jones	Kelly 36

Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Villa	Vogt	Wagner	Walker	Walsh
Walton	Whorton	Wildberger	Willoughby	Wilson 25
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Campbell	Crawford	Green
Haywood	Jackson	Johnson 61	Kratky	Marsh
Shoemaker	Thompson	Ward	Wilson 42	

Representative St. Onge offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 932, Page 58, Line 18, by inserting at the end of said line the following:

“288.525. 1. There is hereby created a "Missouri State Unemployment Council" (the council). The council shall consist of nine appointed voting members and two appointed nonvoting members. All appointees shall be persons whose training and experience qualify them to deal with the problems of unemployment compensation, particularly legal, accounting, actuarial, economic, and social aspects of unemployment compensation.

2. (1) Three voting members shall be appointed to the council by the governor. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation.

(2) Three voting members and one nonvoting member shall be appointed to the council by the speaker of the house of representatives. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers that employ twenty or fewer employees. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the house of representatives.

(3) Three voting members and one nonvoting member shall be appointed to the council by the president pro tem of the senate. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the senate.

2. The council shall organize itself and select a chairperson or co-chairpersons and other officers from the nine voting members. Six voting members shall constitute a quorum and the council shall act only upon the affirmative vote of at least five of the voting members. The council shall meet no fewer than four times yearly. Members of the council shall serve without compensation, but are to be reimbursed the amount of actual expenses. Actual expenses shall be paid from the special employment security fund under section 288.310.

3. The division shall provide professional and clerical assistance as needed for regularly scheduled meetings.

4. Each nonvoting member shall serve for a term of four years or until he or she is no longer a member of the general assembly whichever occurs first. A nonvoting member's term shall be a maximum of four years. Each voting member shall serve for a term of three years. For the initial appointment, the governor-appointed employer representative, the speaker of the house-appointed employee representative, and the president pro tem

of the senate-appointed public interest representative shall serve an initial term of one year. For the initial appointment, the governor-appointed employee representative, the speaker of the house-appointed public interest representative, and the president pro tem of the senate-appointed employer representative shall serve an initial term of two years. At the end of a voting member's term he or she may be reappointed; however, he or she shall serve no more than two terms excluding the initial term for a maximum of eight years.

5. The council shall advise the division in carrying out the purposes of this chapter. The council shall submit annually by January fifteenth to the governor and the general assembly its recommendations regarding amendments of this chapter, the status of unemployment insurance, the projected maintenance of the solvency of unemployment insurance, and the adequacy of unemployment compensation.

6. The council shall present to the division every proposal of the council for changes in this chapter and shall seek the division's concurrence with the proposal. The division shall give careful consideration to every proposal submitted by the council for legislative or administrative action and shall review each legislative proposal for possible incorporation into department of labor and industrial relations recommendations.

7. The council shall have access to only the records of the division that are necessary for the administration of this chapter and to the reasonable services of the employees of the division. It may request the director or any of the employees appointed by the director or any employee subject to this chapter, to appear before it and to testify relative to the functioning of this chapter and to other relevant matters. The council may conduct research of its own, make and publish reports, and recommend to the division needed changes in this chapter or in the rules of the division as it considers necessary.

8. The council, unless prohibited by a concurrent resolution of the general assembly, shall be authorized to commission an outside study of the solvency, adequacy, and staffing and operational efficiency of the Missouri unemployment system. The study shall be conducted every five years, the first being conducted in fiscal year 2005. The study shall be funded subject to appropriation from the special employment security fund under section 288.310."

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

Representative Smith (118) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for Senate Bill No. 932, Section 288.060, Page 58, Line 18, by inserting after said line the following:

"288.190. 1. The director shall designate an impartial referee or referees to hear and decide disputed determinations, claims referred pursuant to subsection 2 of section 288.070, and petitions for reassessment. No employee of the division shall participate on behalf of the division in any case in which the division employee is an interested party.

2. The manner in which disputed determinations, referred claims, and petitions for reassessment shall be presented and the conduct of hearings shall be in accordance with regulations prescribed by the division for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. When the same or substantially similar evidence is relevant and material to the matters in issue in claims by more than one individual or in claims by a single individual in respect to two or more weeks of unemployment, the same time and place for considering each such claim or claims may be fixed, hearings thereon jointly conducted, a single record of the proceedings made, and evidence introduced with respect to one proceeding considered as introduced in the others, if in the judgment of the appeals tribunal or the commission having jurisdiction of the proceeding such consolidation would not be prejudicial to any party. A full and complete record shall be kept of all proceedings in connection with a disputed determination, referred claim, or petition for reassessment. The appeals tribunal shall include in the record and consider as evidence all records of the division that are material to the issues. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

3. Unless an appeal on a disputed determination or referred claim is withdrawn, an appeals tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm, modify, or reverse the determination of the deputy, or shall remand the matter to the deputy with directions. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. The director may transfer to another appeals tribunal the proceedings

on an appeal determination before an appeals tribunal. The parties shall be duly notified of an appeals tribunal's decision or order, together with its reason therefor, which shall be deemed to be the final decision or order of the division unless, within thirty days after the date of notification or mailing of such decision, further appeal is initiated pursuant to section 288.200; except that, within thirty days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purpose of this law.

4. Unless a petition for reassessment is withdrawn or is allowed without a hearing, the petitioners shall be given a reasonable opportunity for a fair hearing before an appeals tribunal upon each such petition. The appeals tribunal shall promptly notify the interested parties of its decision upon such petition together with its reason therefor. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. In the absence of the filing of an application for review of such decision, the decision, whether it results in a reassessment or otherwise, shall become final thirty days after the date of notification or mailing thereof; except that, within thirty days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purposes of this law.

5. Any party subject to any decision of an appeals tribunal pursuant to this chapter has a right to counsel **and the right to designate a representative, including but not limited to, a certified public accountant, or human resource professional to represent the party at any hearing** and shall be notified prior to a hearing conducted pursuant to this chapter that a decision of the appeals tribunal is presumptively conclusive for the purposes of this chapter as provided in section 288.200.”; and

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

Representative Cooper (120) assumed the Chair.

On motion of Representative Smith (118), **House Amendment No. 5** was adopted.

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

House Amendment No. 6

AMEND House Substitute for Senate Bill No. 932, Page 32, Section 287.140, Line 8, by deleting the word [may] and inserting in lieu thereof the word “**shall**”.

Speaker Hanaway resumed the Chair.

SB 932, with House Amendment No. 6, and HS, as amended, pending, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEE

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

HS HCS SS SCS SB 1099: Representatives Dempsey, Cooper (120), Pearce, Curls and Hoskins.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1096 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 1225**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 1229**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SB 1323**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 827**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1240**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 700**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 987**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SS SCS SB 1122**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **SRB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **SCS SB 1196**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SCS SB 1336**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **SB 783**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **SS SCS SB 1034**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HB 1547**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 845**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 1262**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 798**, entitled:

An act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to civil case surcharges.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 826 and HCS HB 883**, entitled:

An act to amend chapters 227 and 234, RSMo, by adding thereto three new sections relating to memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 833**, entitled:

An act to repeal sections 67.793, 67.799, 67.1706, and 67.1754, RSMo, and to enact in lieu thereof twelve new sections relating to the creation of exhibition center and recreational facility districts.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 833, Page 1, Section Title, Line 4-5, of said page by striking “the creation of exhibition center and recreational facility districts” and inserting in lieu thereof the following:

“counties”; and

Further amend said bill, Page 51, Section 67.2530, Line 7 of said page, by inserting after all of said line the following:

“144.757. 1. Any county or municipality, except municipalities within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085, RSMo, at a rate equal to the rate of the local sales tax in effect in such county or municipality; provided, however, that no ordinance or order enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state general, primary or special election [prior to August 7, 1996, or after December 31, 1996,] a proposal to authorize the governing body of the county or municipality to impose a local use tax pursuant to sections 144.757 to 144.761. Municipalities within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand may, upon

voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890, RSMo. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890, RSMo, for distribution of all municipal use taxes.

2. (1) The ballot of submission, except for counties and municipalities described in subdivisions (2) and (3) of this subsection, shall contain substantially the following language:

Shall the (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, currently (insert percent), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

YES NO

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

(2) (a) The ballot of submission in a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

For the purposes of [preventing neighborhood decline, demolishing old deteriorating and vacant buildings, rehabilitating historic structures, cleaning polluted sites, promoting reinvestment in neighborhoods by creating the (name of county) Community Comeback Program; and for the purposes of] **economic development and enhancing local government services**];, shall the county [governing body] be authorized to collect a local use tax equal to the total of the existing county sales tax rate of (insert tax rate), provided that if the county sales tax is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed, reduced or raised by the same voter action? [The Community Comeback Program] **Fifty percent of the revenue shall be used for economic development, including retention, creation, and attraction of better paying jobs, and fifty percent shall be used for enhancing local government services. The county shall be required to [submit] make available to the public [a] an audited comprehensive financial report detailing the management and use of economic development funds each year.**

A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers and on certain taxable business transactions. A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

YES NO

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

(b) The ballot of submission in a municipality within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

YES NO

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

(3) The ballot of submission in any city not within a county shall contain substantially the following language:

Shall the (city name) impose a local use tax at the same rate as the local sales tax, currently at a rate of (insert percent) which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of- state vendors do not in total exceed two thousand dollars in any calendar year.

YES NO

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

(4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the

votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax [pursuant to sections 144.757 to 144.761] and such proposal is approved by a majority of the qualified voters voting thereon.

3. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

4. For purposes of sections 144.757 to 144.761 [and sections 67.478 to 67.493, RSMo], the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a description shall not change the classification, form or subject of the use tax or the manner in which it is collected.

144.759. 1. All local use taxes collected by the director of revenue pursuant to sections 144.757 to 144.761 on behalf of any county or municipality, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county or municipality imposing a local use tax, and the records shall be open to the inspection of officers of the county or municipality and to the public. No later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month, except as provided in subsection 2 of this section, to the county or municipality treasurer, or such other officer as may be designated by the county or municipality ordinance or order, of each county or municipality imposing the tax authorized by sections 144.757 to 144.761, the sum due the county or municipality as certified by the director of revenue.

2. The director of revenue shall distribute all moneys which would be due any county [of the first classification] having a charter form of government and having a population of nine hundred thousand or more to the county treasurer or such other officer as may be designated by county ordinance, who shall distribute such moneys as follows: the portion of the use tax imposed by the county which equals one-half the rate of sales tax in effect for such county shall be disbursed to the county [community comeback trust authorized pursuant to sections 67.478 to 67.493, RSMo] **treasurer for expenditure for economic development purposes, as defined in this section, subject to any qualifications and regulations adopted by ordinance of the county. Such ordinance shall require an audited comprehensive financial report detailing the management and use of economic development funds each year. Such ordinance shall require that the county and the municipal league of the county jointly prepare an economic development strategy to guide expenditures of funds and conduct an annual review of the strategy.** The treasurer or such other officer as may be designated by county ordinance shall distribute one-third of the balance to the county and to each city, town and village in group B according to section 66.620, RSMo, as modified by this section, a portion of the **two-thirds** remainder of such balance equal to the percentage ratio that the population of each such city, town or village bears to the total population of all such group B cities, towns and villages. For the purposes of this subsection, population shall be determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purposes of this subsection, each city, town or village in group A according to section 66.620, RSMo, but whose per capita sales tax receipts during the preceding calendar year pursuant to sections 66.600 to 66.630, RSMo, were less than the per capita countywide average of all sales tax receipts during the preceding calendar year, shall be treated as a group B city, town or village until the per capita amount distributed to such city, town or village equals the difference between the per capita sales tax receipts during the preceding calendar year and the per capita countywide average of all sales tax receipts during the preceding calendar year.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties or municipalities. If any county or municipality abolishes the tax, the county or 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 county or municipality, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

4. Except as modified in sections 144.757 to 144.761, all provisions of sections 32.085 and 32.087, RSMo, applicable to the local sales tax, except for subsection 12 of section 32.087, RSMo, and all provisions of sections 144.600 to 144.745 shall apply to the tax imposed pursuant to sections 144.757 to 144.761, and the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax.

5. As used in this section, “economic development” means:

(1) Expenditures for infrastructure and sites for business development or for public infrastructure projects;

(2) Purchase, assembly, clearance, demolition, environmental remediation, planning, redesign, reconstruction, rehabilitation, construction, modification or expansion of land, structures and facilities, public or private, either in connection with a reinvestment project in areas with underused, derelict, economically challenged, or environmentally troubled sites, or in connection with business attraction, retention, creation, or expansion;

(3) Expenditures related to business district activities such as facade improvements, landscaping, street lighting, sidewalk construction, trash receptacles, park benches, and other public improvements;

(4) Expenditures for the provision of workforce training and educational support in connection with job creation, retention, attraction, and expansion;

(5) Development and operation of business incubator facilities, and related entrepreneurship support programs;

(6) Capitalization or guarantee of small business loan or equity funds;

(7) Expenditures for business development activities including attraction, creation, retention, and expansion; and

(8) Related administration expenses of economic and community development programs, provided that such expenses shall not exceed five percent of annual revenues.

644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax, **provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, RSMo, when imposed by any county with a charter form of government and with more than one million inhabitants.**

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

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

YES NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control

or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220, RSMo.

4. Any funds in such special trust fund 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 or county funds.

[67.478. Sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493 shall be known and may be cited as the “Community Comeback Act”.]

[67.481. As used in sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, the following terms mean:

(1) “Community comeback plan” and “plan”, a comprehensive countywide plan adopted by the community comeback trust board and the governing body of the county that identifies potential areas for reinvestment, projects and strategies to promote neighborhood reinvestment throughout the county, and that clearly identifies on a map the priority comeback communities. The plan shall be a five-year strategic and operating plan, complete with goals, objectives, targets and mechanisms or methods of measuring accomplishments, revised annually;

(2) “Community comeback program”, “community comeback trust” and “trust”, a fund held in the treasury of the county which shall be the repository for all taxes and other moneys raised pursuant to sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, and authorized by the governing body of the county for the purposes of promoting neighborhood reinvestment;

(3) “Community comeback program board”, “community comeback trust board” and “board”, the entity established pursuant to sections 67.478 to 67.493 that is responsible for administering the comeback community trust;

(4) “Community comeback trust citizen advisory committee” and “advisory committee”, an eleven-member committee established pursuant to sections 67.478 to 67.493 that is responsible for advising the community comeback fund board on the best methods of promoting neighborhood reinvestment;

(5) “Eligible expenses”, costs qualified for funding through the community comeback trust which are:

(a) Incurred for the purchase, assembly, clearance, demolition and environmental remediation of land, structures and facilities, public or private, either as part of a neighborhood reinvestment project or to prepare sites for future use in areas with underutilized, derelict, economically challenged or environmentally troubled sites;

(b) Related to planning, redesign, clearance, reconstruction, structure rehabilitation, site remediation, construction, modification, expansion, remodeling, structural alteration, replacement or renovation of any structure in a priority comeback community;

(c) Expended for capital improvements or infrastructure improvements to facilitate economic development;

(d) Expended for residential redevelopment including, but not limited to, buyouts, land-assembly costs, infrastructure improvements and costs associated with preparing sites for housing construction; professional service expenses such as architectural, planning, engineering, design, marketing or other related expenses;

(e) Related to community improvement district or special business district expenses such as facade improvements, landscaping, street lighting, sidewalk construction, trash receptacles, park benches and other public improvements;

(f) Expenses related to facilitating transit-oriented developments, home improvement and home buyer loan programs; and

(g) Expenses eligible for funding through the select neighborhood action program;

(6) “Neighborhood reinvestment project” and “project”, the planning, development, redesign, clearance, reconstruction or rehabilitation or any combination thereof in order to improve those residential, commercial, industrial, public or other structures or spaces and the infrastructure serving them as may be appropriate or necessary in the interest of the general welfare;

(7) “Petition”, a petitioner's request for funding made to the community comeback trust;

(8) “Petitioner”, the governing body of any municipality, the governing body of the county, any land clearance for redevelopment authority within the county organized pursuant to chapter 99, RSMo, or any not-for-profit economic development organization with a governing board not less than two-thirds of the members of which are appointed by the chief elected official of the county or by one or more organizations with governing boards appointed by the chief elected official;

(9) “Priority comeback community”, an area in a county which encompasses an entire United States census block group and has a median household income below the median household income for such entire county;

(10) “Priority comeback project”, a funding proposal submitted to a community comeback trust by a petitioner whose area is substantially within a priority comeback community;

(11) "Proposal", a petitioner's funding request for the eligible expenses of a neighborhood reinvestment project submitted to a trust by a petitioner;

(12) "Select neighborhood action program" and "SNAP", a grant program, administered and funded pursuant to subsection 5 of section 67.490;

(13) "Select neighborhood action program applicant" and "SNAP applicant", a neighborhood organization or not-for-profit organization whose mission is consistent with the community comeback plan. The organization shall have a municipal sponsor or a county sponsor if the area is unincorporated. The organization shall have been in existence for at least six months and meet at least once a year in order to be eligible for a SNAP grant;

(14) "SNAP grant", an endowment of money by the board to a SNAP applicant pursuant to subsection 5 of section 67.490.]

[67.484. 1. A community comeback trust may be created, incorporated and managed pursuant to this section by any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants according to the last decennial census, and may exercise the powers given to such trust pursuant to sections 67.478 to 67.493. A trust may sue and be sued, issue general revenue bonds and receive county use tax revenue pursuant to the limitations of this section. A trust shall have as its primary duties the prevention of neighborhood decline, the demolition of old deteriorating and vacant buildings, rehabilitating historic structures, the cleaning of polluted sites and the promotion of neighborhood reinvestment where such investment is essential to reverse or stabilize a stagnant or declining pattern in household income, assessed values, occupancies and related characteristics.

2. The governing body of the county is hereby authorized to impose by ordinance a local use tax pursuant to sections 144.757 to 144.761, RSMo, for the purpose of funding the creation, operation and maintenance of a community comeback trust, as well as to provide revenue to the county and municipalities authorized to receive moneys generated by said tax pursuant to section 144.759, RSMo. The governing body of the county enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The question shall be submitted to the voters in the county pursuant to section 144.757, RSMo.

3. (1) The community comeback trust board shall be composed of seven members as provided in this subsection. No member shall be an elected official, employee or contractor of the county or any municipality within the county or of any organization representing the county or any municipality within the county. Board members shall be citizens of the United States and shall reside within the county. No two members of the board shall be residents of the same county council district of such county. No member shall receive compensation for performance of board duties. No member shall be financially interested directly or indirectly in any contract entered into by the trust or by any petitioner. In the event that any property owned by a board member or the immediate family member of such board member is located in a priority comeback community, the member shall disclose such information to the board and abstain from any formal or informal actions regarding any project in that neighborhood.

(2) The chief elected official of any municipality wholly within the county and any member of the governing body of the county shall nominate individuals to serve on the board by providing a list of nominees to the county executive who shall appoint the members. Of the total members, at least four shall be residents of municipalities within the county and at least one shall have each of the following professions: a professional architect or engineer; an urban planner or design professional; a developer or builder; and an accountant or an attorney.

(3) The seat of a member shall be automatically vacated when the member changes his or her residence so as to no longer conform to the terms of the requirements of the member's appointment. The board shall promptly notify the county executive of such a change of residence, the pending expiration of any member's term, any member's need to vacate his or her seat or any vacancy on the board. A member whose term has expired shall continue to serve until the successor is appointed and qualified.

(4) Upon the passage of an ordinance by the governing body of the county establishing the community comeback trust, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected officials of each municipality wholly in the county.

(5) Each of the nominating authorities described in subdivision (2) of this subsection shall, within forty-five days of the passage of the ordinance establishing the board or within fourteen days of being notified of a board vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the ordinance or within thirty days of being notified by the board of a vacancy on the board. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section.

(6) At the first meeting of the board appointed after the effective date of the ordinance, the members shall choose by lot the length of their terms. Three shall serve for one year, two for two years, and two for three years. All

succeeding members shall serve terms of three years. Terms shall end on December thirty-first of the respective year. No member shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

4. The board, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo. The board shall enact and adopt all rules, regulations and procedures that are reasonably necessary to achieve the objectives of sections 67.478 to 67.493, and not inconsistent therewith, no sooner than twenty-seven calendar days after notifying all municipalities and the county of the proposed rule, regulation or procedure enactment or change. Notice may be given by ordinary mail, by electronic mail or by publishing in at least one newspaper of general circulation qualified to publish legal notices. No new or amended rule, regulation or procedure shall apply retroactively to any proposal pending before the trust without the agreement of the petitioner. The board shall have the exclusive control of the expenditures of all money collected to the credit of the trust, subject to annual appropriations by the governing body of the county. The county government shall provide the trust staff. No more than five percent of the trust's annual budget shall be used for the trust's annual administrative expenses.

5. The trust is authorized to issue bonds, notes or other obligations for any proposal, and to refund such bonds, notes or obligations, as provided in subsection 3 of this section; and to receive and liquidate property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district. The trust shall not have any power of eminent domain.

6. (1) Bonds issued pursuant to this section shall be issued pursuant to a resolution adopted by five-sevenths of the board which shall set out the estimated cost to the trust of the proposed improvements, and shall further set out the amount of the bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection with such bonds. Any such bonds may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(2) Notwithstanding the provisions of section 108.170, RSMo, such bonds shall bear interest at rate or rates determined by the trust, shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of such bonds. Bonds issued by the trust shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

(3) Such bonds may be payable to the bearer, may be registered or coupon bonds, and, if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing such bonds, which resolution may also provide for the exchange of registered and coupon bonds. Such bonds and any coupons attached thereto shall be signed in such manner and by such officers of the district as may be provided by the resolution authorizing the bonds. The trust may provide for the replacement of any bond which has become mutilated, destroyed or lost.

(4) Bonds issued by the trust shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the trust fund, including revenues derived from use taxes. Neither the board members nor any person executing the bonds shall be personally liable on such bonds by reason of the issuance of such bonds. Bonds issued pursuant to this section shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any such obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the trust. The issuance of bonds pursuant to this section shall not directly, indirectly or contingently obligate this state or any political subdivision of this state to levy any form of taxation for such bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section shall contain on its face a statement to the effect that the trust shall not be obligated to pay such bond nor interest on such bond except from the revenues received by the trust or assets of the trust lawfully pledged for such trust, and that neither the faith or credit nor the taxing power of this state or of any political subdivision of this state is pledged to the payment of the principal of or the interest on such obligation or bond. The proceeds of such bonds shall be disbursed in such manner and pursuant to such restrictions as the trust may provide in the resolution authorizing the issuance of such bonds.

(5) The trust may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of such bonds then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities or land to be acquired, leased or subleased by the trust, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on such bonds to the date of such refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of such refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

(6) In the event that any of the members or officers of the trust whose names appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of such bonds, such signatures shall remain valid and sufficient for all purposes, the same as if such board members or officers had remained in office until such delivery.

(7) The trust is hereby declared to be performing a public function and bonds of the trust are declared to be issued for an essential public and governmental purpose, and, accordingly, interest on such bonds and income from such bonds shall be exempt from income taxation by this state. All purchases in excess of ten thousand dollars shall be made pursuant to the lowest and best bid standard as provided in section 34.040, RSMo, or pursuant to the lowest and best proposal standard as provided in section 34.042, RSMo. The board of the trust shall have the same discretion, powers and duties as the commissioner of administration has in sections 34.040 and 34.042, RSMo.]

[67.487. 1. Within fourteen days of the first meeting of the first board appointed following the effective date of the ordinance, the board shall notify by mail the chief elected officials of all municipalities wholly within the county, the chief elected official of the county and all the members of the governing body of the county of the requirement to conduct a planning process and adopt a community comeback plan.

2. The board shall solicit full citizen, county and municipal involvement in developing the plan. The board shall conduct public hearings throughout the county to seek input regarding the plan, and may convene meetings with the appropriate staff of the county and municipalities in order to seek input and to coordinate the logistics of producing the plan. A copy of the plan shall be sent to the chief elected official of every municipality wholly within the county, the chief elected official of the county and each member of the governing body of the county.

3. The board and the governing body of the county shall annually revise and adopt a plan.

4. Each plan shall include a map of the county, as well as a text enumerating the efforts expected each year in the various subregions of the county. Each plan shall address the factors that are causing or are likely to cause one or more of the following:

(1) Assessed values below the county average;
(2) Median household incomes below the county median;
(3) An unemployment rate above the county average;
(4) A reduction in the number of jobs with an emphasis upon those jobs paying average or above-average salaries;

(5) Failure to keep pace with the average growth rate in home values in the metropolitan area or county; and

(6) A high vacancy rate among residential, commercial and industrial properties.

5. Each plan shall include an analysis of the condition of the housing stock in the various subregions of the county, a market analysis of the home-buying market with a focus on the impediments to attracting home buyers to those subregions and an analysis of the physical infrastructure needs that prevent economic growth.

6. The board may consider the following factors when determining the appropriate areas and strategies for investment:

(1) Buildings that are unsafe or unhealthy for occupancy due to code violations, dilapidation, defective design, faulty utilities or any other negative conditions;

(2) Factors that prevent or substantially hinder the economically viable use of buildings or lots, such as substandard design, inadequate size, lack of parking or any other conditions;

(3) Incompatible uses that prevent economic development;

(4) Subdivided lots of irregular form and shape and inadequate size for proper usefulness that have multiple ownership;

(5) Depreciated or stagnant property values, including properties that contain hazardous wastes;

(6) Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities;

(7) The existence of conditions that are not conducive to public safety; and

(8) The lack of necessary commercial facilities normally found in neighborhoods.

7. Each plan shall outline specific strategies to address the problems facing the various subregions and neighborhoods within the county. The plan shall also discuss the partnerships that can be made with federal, state and local governments, as well as businesses, labor organizations, nonprofit groups, religious and other groups and citizens to help implement the plan. These strategies shall include estimated costs and time lines for completion.

8. The board shall produce an annual report focusing on the accomplishments of the trust relative to the goals set forth in the plan, the goals for the next year and the challenges facing the trust. The annual report shall be given to the chief elected officials of all the municipalities wholly within the county, the chief elected official of the county, the

members of the governing board of the county and the public libraries within the county, and shall be posted on the county Internet web site.

9. Every year, the board shall commission an independent financial audit, the report of which shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section.

10. Every five years, the board shall commission an independent management audit. The management audit shall include a comprehensive analysis of development trends, factors and practices along with specific recommendations to improve the trust's ability to achieve its mission. The management audit shall be reviewed by the advisory committee which may offer constructive advice on enhancing practices in order to achieve the goals of the program. The management audit shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section. The board is authorized to take any necessary and proper steps to address the issues and recommendations contained within the management audit.

11. (1) The board shall establish an eleven-member advisory committee that shall meet four times each year and shall advise petitioners, staff and the board. The advisory committee members shall be appointed by the county executive. At least six of the advisory committee's members shall be nominated by the municipal league within the county and at least three shall be nominated by the members of the governing body of the county. No advisory committee member shall receive compensation for performance of duties as a committee member.

(2) At least one of the advisory committee members shall be a university professor well-versed in regional development issues. At least two of the advisory committee members shall be municipal officials from communities that have undertaken redevelopment programs as part of larger planning efforts. At least one of the advisory committee members shall be an attorney with experience in redevelopment activities. At least two of the advisory committee members shall be residents of priority comeback communities who have been active in advocating effective redevelopment policies. At least one of the advisory committee members shall be a private professional familiar with the factors influencing business location decisions. At least one of the advisory committee members shall be an individual familiar with education and training practices and workforce needs, with an understanding of how labor availability impacts business location decisions. At least one of the advisory committee members shall be a planner from the private sector knowledgeable in the area of strategic planning and the principles of multiyear rolling plans.

(3) The advisory committee shall promptly notify the county executive of the pending expiration of any member's term or any vacancy on the advisory committee. A member whose term has expired shall continue to serve until his or her successor is appointed and qualified.

(4) The board shall establish the advisory committee by resolution at the board's first meeting. The board shall, within ten days of the passage of the resolution establishing the advisory committee, send by United States mail written notice of the passage of the resolution to the county's municipal league and the members of the governing body of the county. The municipal league and the members of the governing board of the county shall, within forty-five days of the passage of the resolution establishing the advisory committee or within fourteen days of being notified of a vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the resolution or within thirty days of being notified by the committee of a vacancy on the advisory committee. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section before the sixtieth day from the passage of the resolution or before the thirtieth day from being notified of a vacancy on the existing advisory committee.

(5) At the advisory committee's first meeting, the members shall choose by lot the length of their terms. Two shall serve for one year, three for two years, three for three years and three for four years. All succeeding committee members shall serve for four years. Terms shall end on December thirty-first of the respective year.

(6) The committee members shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo.]

[67.490. 1. The board shall in a timely manner adopt rules setting forth basic guidelines for acceptance and evaluation of petitions, including a common understandable format, as well as appropriate supporting material, maps, plans and data. The board shall begin to accept petitions one month after the adoption of the plan by the governing body of the county pursuant to section 67.487. The board shall review all petitions submitted by any petitioner. Review shall begin no later than thirty days after submission of the petition to the commission. In order to qualify as a proposal, a petition shall address the criteria set forth in subsection 4 of this section. For the purposes of this subsection, the term "pending" means any proposal submitted to the board which has not yet been approved by the board.

2. When practical, a petition shall be initially submitted to the advisory committee for constructive review and comment in a manner likely to result in a proposal that addresses a strategy outlined in the plan.

3. The board shall hold a public hearing concerning the petition, which may be on the same day as a scheduled meeting of the board.

4. (1) In reviewing any petition for funding, the board shall first determine if funds are sought for eligible expenses for a neighborhood reinvestment project. If the petition seeks such funds, the board shall certify such petition as a proposal subject to further review unless the board finds that the petition seeks funds for expenses that do not qualify as eligible expenses, or seeks funds for an endeavor other than a neighborhood reinvestment project. If the board finds that funds are sought for ineligible expenses or for an ineligible endeavor, the board need not take any further action and shall notify the petitioner in writing of all deficiencies that prevent the petition from being a proposal. If the board determines that there is a minor error or discrepancy in a petition, the board, with the petitioner's concurrence, may make such changes to the petition as are necessary to rectify the error that prevents the petition from being certified as a proposal subject to further review. Within six months of certification of a petition as a proposal, the board shall issue a finding approving or disapproving such proposal. In disapproving any proposal, the board shall issue a document indicating the reasons that the proposal was disapproved.

(2) If the board determines that a proposal is a priority comeback project consistent with the strategies and priorities set forth in the community comeback plan and that the project is well-planned, realistic, creative, resourceful, benefits the local community and is cost-effective, then the board shall award funding. If the board determines that a proposal is a priority comeback project, but is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well-planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

(3) If the board determines that a proposal, which is not a priority comeback project, is consistent with the strategies and priorities set forth in the community comeback plan and is well-planned, realistic, creative, resourceful, benefits the local community and is cost-effective, the board may award funding if the board adds such proposal to the plan. If the board determines that a proposal, which is not a priority comeback project, is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well-planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.

(4) The board, the advisory committee and the staff of both may advise petitioners on issues related to petitions or proposals. The board may meet informally, subject to the requirements of chapter 610, RSMo, with representatives of potential petitioners with regard to future petitions and plans.

5. The board shall establish a select neighborhood action program. SNAP applicants shall provide a ten-percent cash or in-kind match to be eligible for a SNAP grant. Project categories eligible for SNAP grant funding shall be:

(1) Neighborhood beautification projects which enhance the appearance of the overall neighborhood. Such projects include, but are not limited to, tree and flower plantings, cleanups, entranceway landscaping, community gardens, public art and neighborhood identification signs/banners;

(2) Neighborhood organization or capacity projects which create or increase membership in a neighborhood organization promoting community betterment. Such projects include, but are not limited to, neighborhood newsletters, neighborhood marketing brochures, neighborhood meetings and special events, and technology such as web site development;

(3) Neighborhood-school partnership projects which benefit a school and the adjacent neighborhood. Involvement of both the school and the neighborhood in planning, implementation and maintenance must be substantiated. Partnership projects include, but are not limited to, youth and community programs that promote safety, culture or the environment and that are beneficial to both the school and the neighborhood;

(4) Capital purchase projects which include the acquisition of equipment or property. Such projects include, but are not limited to, land acquisition, playground equipment, bicycle racks and major supplies;

(5) Neighborhood improvement projects which benefit the local infrastructure in a neighborhood, and include construction of sidewalks or installation of streetlights.

6. Project categories ineligible for SNAP grant funding shall be:

- (1) Projects accomplished in more than twelve months;

- (2) Projects that duplicate existing private or public programs;
- (3) Projects that require ongoing services, or requests to support continual operating budgets; and
- (4) Projects that conflict with the community comeback plan.

7. When making SNAP grant funding decisions, the board shall consider the level of neighborhood participation including the percentage of residents who are involved in planning and implementing the idea, the diversity of parties involved or that will benefit, and the amount of neighborhood opposition; the community benefit of the project, including the number of people who will benefit from the project and the overall quality of the project.]

[67.493. Of the funds available to the trust, a minimum of five percent of the funds, not to exceed an unallocated balance of five hundred thousand dollars rolled over from the previous fiscal year, shall be set aside annually for the SNAP grant program. Of the remaining funds seventy- five percent calculated on a rolling three-year average shall be set aside for priority comeback projects. The balance of the funds shall be used to indirectly or directly benefit priority comeback communities or residents of those areas by utilizing such funds to:

- (1) Promote job preparation and job creation in areas easily accessed by residents of priority comeback communities;
- (2) Improve neighborhoods adjacent to priority comeback communities that are unlikely to be improved without such funding; and
- (3) Abate through low-interest home improvement loan programs or similar mechanisms the functional or marketable obsolescence of any owner- occupied residential structure over twenty-five years old which is located within a census block group below one hundred ten percent of the median income level for the metropolitan statistical area for this state; provided that, there is a significant threat of economic decline within the area without intervention by the trust.]"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 928, HCS HB 1123 and HCS HB 1280**, entitled:

An act to repeal sections 301.041, 301.2999, 302.178, 390.136, 390.340, 622.095, and 622.618, RSMo, and to enact in lieu thereof five new sections relating to motor vehicles, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 928 and House Committee Substitute for House Bill No. 1123 and House Committee Substitute for House Bill No. 1280, Page 5, Section 301.2999, Line 32, by inserting immediately after the word "and" the following:

"the organization".

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 960**, entitled:

An act to amend chapters 227 and 234, RSMo, by adding thereto four new sections relating to memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 996, HB 1142, HCS HB 1201 and HB 1489**, entitled:

An act to repeal sections 301.010, 304.013, 304.156, 307.172, 307.366, 307.375, and 643.315, RSMo, and to enact in lieu in lieu thereof eight new sections relating to motor vehicles, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 996 and House Bill No. 1142 and House Committee Substitute for House Bill No. 1201 and House Bill No. 1489, Page 16, Section 304.156, Line 141, by inserting after "days" the following:

"after the notice is sent pursuant to this subsection"; and

Further amend Line 145, by inserting after "days" the following:

"after the notice is sent pursuant to this subsection"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HBs 998 & 905**, entitled:

An act to amend chapter 700, RSMo, by adding thereto one new section relating to manufactured homes, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1029, HB 1438 and HB 1610**, entitled:

An act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of certain memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 1074 & 1129**, entitled:

An act to amend chapter 574, RSMo, by adding thereto one new section relating to the burning of crosses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1177**, entitled:

An act to repeal sections 640.700, 640.703, 640.710, 640.715, 640.725, 640.730, 640.735, 640.745, 640.750, and 644.016, RSMo, and to enact in lieu thereof nine new sections relating to concentrated animal feeding operations.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 9, Section 640.750, Line 3, by inserting immediately after said line the following:

“640.755. 1. No rule or portion of a rule promulgated under the authority of sections [640.700] **640.703** to 640.755 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

2. Sections 640.700 to 640.755 shall be administered by the clean water commission pursuant to the provisions and requirements of chapter 644, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 6, Section 640.715, Line 21, by striking the word “processing” and inserting in lieu thereof the following:

“approving”.

Senate Substitute Amendment No. 1

for

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 3, Section 640.710, Line 1, by striking “clean water commission shall have the”; and

Further amend said page and section, Lines 2-4, by striking all of said lines and inserting in lieu thereof the following: **“clean water commission”**; and

Further amend said page and section, Line 9, by striking “class I”; and further amend said line by inserting immediately after the word “operations” the following:

“in accordance with the Missouri clean water law, sections 644.006 to 644.141,RSMo.”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 6, Section 640.715, Line 33, by inserting immediately after "facility]" the following:

"class IA".

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 9, Section 644.016, Lines 20-28, by striking all of the bold-faced language from said lines; and

Further amend said bill, Page 12, Section 644.016, Line 119, by inserting immediately after said line the following:

“644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. **Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, notices of violation shall not be issued for an accidental or unintentional release of water contaminants where the water contaminants are entirely confined upon lands owned, leased, or otherwise controlled by a single person, or by two or more persons jointly or as tenants in common, and where the released water contaminants are removed, cleaned up, or remediated to the extent that any flow of water that leaves the property and enters the waters of the state does not exceed any of the standards, regulations, or limitations set forth in sections 644.006 to 644.141.** If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. Prior to the development or renewal of a general permit or

permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders and applicants to evaluate the impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 13 of this section.

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section the burden of proof is on the applicant for a permit. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision (5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.

10. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of an operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit.

11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

12. The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission.

The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

13. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the requested permits within sixty days of the department's receipt of an application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065, RSMo.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087, RSMo. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

14. The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

15. All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 5, Section 640.715, Line 2, by deleting the word “**facility**” and inserting in lieu thereof the following:

“**operation**”; and

Further amend said bill, Page 5, Section 640.715, Line 3, by deleting the word “**facility**” and inserting in lieu thereof the following:

“**operation**”; and

Further amend said bill, Page 5, Section 640.715, Line 4, by striking opening and closing brackets; and

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

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 12, Section 644.016, Line 106, by striking the opening and closing brackets; and

Further amend said page, Line 108, by inserting immediately after the word “indirectly” the following:

“;” and

Further amend said page, Lines 108-110, by striking all the bold language.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1188**, entitled:

An act to repeal sections 221.070, 488.4014, 488.5320, and 595.045, RSMo, and to enact in lieu thereof four new sections relating to the criminal justice system, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1192**, entitled:

An act to repeal sections 267.470, 267.472, 267.475, 267.480, 267.485, 267.490, 267.495, 267.500, 267.505, 267.510, 267.515, 267.520, 267.525, 267.531, 267.535, 267.540, 267.545, 267.550, 267.551, 267.552, 267.553, 267.554, 267.555, 267.556 and 537.115, RSMo, and to enact in lieu thereof two new sections relating to animal health and inspection.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1215**, entitled:

An act to repeal section 575.195, RSMo, and to enact in lieu thereof one new section relating to escape from commitment, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1217**, entitled:

An act to repeal sections 86.223 and 86.690, RSMo, and to enact in lieu thereof two new sections relating to retirement systems of police employees within Kansas City and St. Louis.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1253**, entitled:

An act to repeal sections 375.246, 375.1198, 375.1220 and 379.825, RSMo, and to enact in lieu thereof four new sections relating to insurance.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1440**, entitled:

An act to repeal sections 104.020, 104.050, 104.080, 104.090, 104.103, 104.110, 104.170, 104.180, 104.255, and 251.440, RSMo, and to enact in lieu thereof twelve new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HB 1487**, entitled:

An act to repeal section 565.110, RSMo, and to enact in lieu thereof two new sections relating to kidnapping, with penalty provisions and an emergency clause.

With Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Substitute for House Bill No. 1487, Page 4, Section 566.212, Line 27, by striking the word “reasonably”.

*Senate Amendment 2
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Substitute for House Bill No. 1487, Page 7, Section 567.030, Line 23, by striking the word “reasonably”.

Senate Amendment No. 1

AMEND House Substitute for House Bill No. 1487, Page 1, In the Title, Line 3, by striking “kidnapping” and inserting in lieu thereof the following:

“human exploitation”; and

Further amend said bill, Page 2, Section 565.115, Line 7, by inserting after all of said line the following:

“566.200. As used in sections 566.200 to 566.221, the following terms shall mean:

(1) “Basic rights information”, information applicable to a noncitizen, including information about human rights, immigration, and emergency assistance and resources;

(2) “Client”, a person who is a resident of the United States and the state of Missouri and who contracts with an international matchmaking organization to meet recruits;

(3) “Coercion”,

(a) Threats of substantial bodily harm to or physical restraint against any person;

(b) Any scheme, plan, or pattern of behavior intended to cause a person to believe that failure to perform an act will result in substantial bodily harm to or physical restraint against any person; or

(c) The abuse or threatened abuse of the legal process;

(4) “Commercial sex act”, any sex act on account of which anything of value is given to or received by any person;

(5) “Criminal history record information”, criminal history record information, including information provided in a criminal background check, obtained from the Missouri state highway patrol and the Federal Bureau of Investigation;

(6) “International matchmaking organization”, a corporation, partnership, or other legal entity, whether or not organized pursuant to the laws of the United States or any state, that does business in the United States and for-profit offers to residents of Missouri, dating, matrimonial, or social referral services involving citizens of a foreign country or countries who are not residing in the United States. Such business shall include, but is not limited to, the exchange of names, telephone numbers, addresses, or statistics, the selection of photographs, and creating a social environment provided by the organization in a country other than the United States. Such business shall not include a traditional matchmaking organization of a religious nature that otherwise operates in compliance with the laws of the countries of the recruits by such organization and the laws of the United States, or an organization that does not charge a fee to any party for the services provided;

(7) “Involuntary servitude”, a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(8) “Marital history information”, a declaration of the person's current marital status, the number of times the person has previously been married, and whether any previous marriages occurred as a result of service from an international matchmaking organization;

(9) “Recruit”, a non-citizen, non-resident, recruited by an international matchmaking organization for the purpose of providing dating, matrimonial, or social referral services.

566.203. 1. A person commits the crime of abusing an individual through forced labor by knowingly providing or obtaining the labor or services of a person:

(1) By threats of serious harm or physical restraint against such person or another person;

(2) By means of any scheme, plan, or pattern of behavior intended to cause such person to believe that, if the person does not perform the labor services, the person or another person will suffer substantial bodily harm or physical restraint; or

(3) By means of the abuse or threatened abuse of the law or the legal process.

2. A person who pleads guilty to or is found guilty of the crime of abuse through forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of abuse through forced labor is a class B felony.

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, transports, provides, or obtains by any means, another person for labor or services.

2. A person who pleads guilty to or is found guilty of the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a class B felony.

566.209. 1. A person commits the crime of trafficking for the purposes of sexual exploitation if a person knowingly recruits, transports, provides, or obtains by any means, another person for the use or employment of such person in sexual conduct as defined in section 556.061, RSMO, without his or her consent.

2. The crime of trafficking for the purposes of sexual exploitation is a class B felony.

566.212. 1. A person commits the crime of sexual trafficking of a child if the individual knowingly:

(1) Recruits, entices, harbors, transports, provides, or obtains by any means a person under the age of eighteen to participate in a commercial sex act or benefits, financially or by receiving anything of value, from participation in such activities; or

(2) Causes a person under the age of eighteen to engage in a commercial sex act.

2. It shall not be an affirmative defense that the defendant reasonably believed that the person was eighteen years of age or older.

3. The crime of sexual trafficking of a child is a class A felony if the child is under the age of eighteen.

566.215. 1. A person commits the crime of contributing to human trafficking through the misuse of documentation when the individual knowingly:

(1) Destroys, conceals, removes, confiscates, or possesses a valid or purportedly valid passport, government identification document, or other immigration document of another person while committing crimes or with the intent to commit crimes, pursuant to sections 566.200 to 566.221; or

(2) Prevents, restricts, or attempts to prevent or restrict, without lawful authority, a person's ability to move or travel by restricting the proper use of identification, in order to maintain the labor or services of a person, who is the victim of a crime committed pursuant to sections 566.200 to 566.221.

2. A person who pleads guilty to or is found guilty of the crime of contributing to human trafficking through the misuse of documentation shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of contributing to human trafficking through the misuse of documentation is a class D felony.

566.218. A court sentencing an offender convicted of violating the provisions of sections 566.203, 566.206, 566.209, 566.212, and 566.215, shall order the offender to pay restitution to the victim of the offense.

566.221. 1. An international matchmaking organization shall provide notice to each recruit that the criminal history record information and marital history information of clients and basic rights information are available. The notice of the availability of such information must be in a conspicuous location, in the recruit's native language, in lettering that is at least one-quarter of an inch in height, and presented in a manner that separates the different types of information available.

2. An international matchmaking organization shall disseminate to a recruit the criminal history record information and marital history information of a client and basic rights information no later than thirty days after the date the international matchmaking organization receives the criminal history record information and the marital history information on the client. Such information must be provided in the recruit's native language and the organization shall pay the costs incurred to translate the information.

3. A client of an international matchmaking organization shall:

(1) Obtain a copy of his or her own criminal history record information;

(2) Provide the criminal history record information to the international matchmaking organization; and

(3) Provide to the international matchmaking organization his or her own marital history information.

4. An international matchmaking organization shall require the client to affirm that the marital history information is complete and accurate and includes information regarding marriages, annulments, and dissolutions that occurred in another state or foreign country.

5. An international matchmaking organization shall not provide any further services to the client or the recruit until the organization has obtained the requested criminal history record information and marital history information and provided the information to the recruit.

6. An international matchmaking organization shall be deemed to be doing business in Missouri if it contracts for matchmaking services with a Missouri resident or is considered to be doing business pursuant to other laws of the state.

7. A person who pleads guilty to or is found guilty of violating the provisions of this section shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

8. It shall be a class D felony to wilfully provide incomplete or false information pursuant to this section.

9. Failure to provide the information and notice required pursuant to this section shall be a class D felony.

566.223. Any individual who is alleging that a violation of sections 566.200 to 566.221 has occurred against his or her person, shall be afforded the rights and protections provided in the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended.

567.030. 1. A person commits the crime of patronizing prostitution if he patronizes prostitution.

2. **It shall not be an affirmative defense that the defendant reasonably believed that the person he or she patronized for prostitution was eighteen years of age or older.**

3. Patronizing prostitution is a class B misdemeanor, **unless the individual who the person is patronizing is under the age of eighteen but older than the age of fourteen, in which case patronizing prostitution is a class A misdemeanor.**

4. **Patronizing prostitution is a class D felony if the individual who the person patronizes is fourteen years of age or younger.**”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Substitute for House Bill No. 1487, Page 1, In the Title, Line 3, by striking “kidnapping” and inserting in lieu thereof the following:

“crimes against persons”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“556.037. **Notwithstanding** the provisions of section 556.036, [to the contrary notwithstanding,] prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within [ten] **twenty** years after the victim reaches the age of eighteen **unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, kidnaping, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.**”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 1511**, entitled:

An act to repeal sections 301.681, 306.458, 306.461, 362.600, 456.010, 456.015, 456.016, 456.020, 456.030, 456.040, 456.050, 456.055, 456.060, 456.070, 456.072, 456.075, 456.080, 456.090, 456.100, 456.110, 456.120, 456.130, 456.140, 456.150, 456.160, 456.170, 456.180, 456.183, 456.185, 456.187, 456.190, 456.195, 456.200, 456.210, 456.220, 456.225, 456.230, 456.232, 456.233, 456.234, 456.235, 456.236, 456.240, 456.250, 456.260, 456.270, 456.280, 456.290, 456.300, 456.310, 456.320, 456.330, 456.340, 456.350, 456.400, 456.410, 456.420, 456.430, 456.440, 456.450, 456.460, 456.470, 456.480, 456.490, 456.500, 456.510, 456.520, 456.524, 456.530, 456.535, 456.540, 456.550, 456.560, 456.570, 456.580, 456.610, 456.620, 456.630, 456.640, 456.650, 456.660, 456.670, 456.900, 456.901, 456.902, 456.903, 456.904, 456.905, 456.906, 456.907, 456.908, 456.909, 456.910, 456.911, 456.912, 456.913, 461.300, 469.401, 469.409, 469.411, 469.419, 469.423, 469.435, 469.449 and 469.453, RSMo, and to enact in lieu thereof one hundred fifty-six new sections relating to trust and estate administration.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1511, Page 98, Section 461.300, Line 9, by inserting after “claimant” on said line:

“, within sixteen months following the decedent’s death”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635**, entitled:

An act to authorize the conveyance of property, with an emergency clause for a certain section.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1613, House Bill No. 1445, House Bill No. 1454, House Bill No. 1462, House Committee Substitute for House Bill No. 1471, House Bill No. 1608, House Bill No. 1612 and House Bill No. 1635, Page 3, Section 4, Lines 6-18, by striking said lines and inserting in lieu thereof the following:

"All that part of the northwest quarter of the southwest quarter of Section Three (3), Township Twenty-three (23) north, Range Ten (10) east described by metes and bounds as follows:

Beginning at a point twenty-five (25) feet west of and six hundred thirty four and five tenths (634.5) feet south no degrees and forty three minutes west of the northeast corner of the northwest quarter of the southwest quarter of Section Three (3) aforesaid; thence south no degrees and forty three minutes west two hundred forty-eight (248) feet; thence west four hundred thirty nine and eighty five hundredths (439.85) feet; thence north two hundred forty-eight (248) feet; thence east four hundred forty-three (443) feet to the point of beginning and containing 2.513 acres, more or less, and being a part of the northwest quarter of the southwest quarter of Section Three (3) aforesaid."

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1617**, entitled:

An act to amend chapter 409, RSMo, by adding thereto six new sections relating to obstruction of securities investigations, with penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1617, Page 1, Section 409.109, Line 3, by striking the following words: **“The attorney general or the proper”** and inserting in lieu thereof:

“For prosecutions of violations of sections 409.108 to 409.114 the local county”; and

Further amend Line 5, by adding at end of said line the following:

“If the proper prosecuting attorney refuses to bring charges under this section, the Attorney General shall have jurisdiction and proceed with prosecution under these sections”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1634**, entitled:

An act to repeal sections 59.480, 193.225, and 193.245, RSMo, and to enact in lieu thereof three new sections relating to disclosure of certain recorded documents.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1660**, entitled:

An act to repeal sections 43.250, 43.251, and 610.200, RSMo, and to enact in lieu thereof three new sections relating to accident reports.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1126**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1364**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1616**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1664**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, May 6, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Tuesday, May 4, 2004, Page 1410, Line 8, by inserting immediately after said line the following:

SS SCR 47 - Rules

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1401 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Jane Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my votes as recorded on Pages 1401 and 1402 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jack Goodman, District 132, hereby state and affirm that my votes as recorded on Pages 1392 and 1409 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Sherman Parker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rob Schaaf, District 28, hereby state and affirm that my vote as recorded on Page 1382 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Rob Schaaf
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Trent Skaggs, District 31, hereby state and affirm that my vote as recorded on Page 1405 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Trent Skaggs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my votes as recorded on Pages 1398, 1399, 1400, 1401, 1408 and 1409 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Friday, May 7, 2004, 8:30 a.m. Hearing Room 1.
Accounts Committee Resolution #12. Audit review.
Executive session may follow.

AGRICULTURE

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 4.
Possible Executive session.
Public hearing to be held on: SCS SB 810

BUDGET

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session. Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 1.
Conference Committee SCS HCS HB 1305.

CONFERENCE COMMITTEE NOTICE

Thursday, May 6, 2004, House Chamber side gallery upon morning adjournment
Conference Committee SS HS HCS HB 978.

CORRECTIONS AND STATE INSTITUTIONS

Thursday, May 6, 2004, 8:30 a.m. Hearing Room 5.
Executive session may follow. AMENDED
Public hearing to be held on: HCR 37

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 6, 2004, House Chamber side gallery upon morning adjournment.

AMENDED

Public hearing to be held on: SS SB 1023

Executive session will be held on: HB 1643, SS SCS SCR 36, SS SB 1023, SCS SB 972

HOMELAND SECURITY AND VETERANS AFFAIRS

Thursday, May 6, 2004, Hearing Room 5 upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 23, SCS SB 1171

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

LOCAL GOVERNMENT

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 6.

Executive session will be held on: SS SCS SB 1183

RULES

Thursday, May 6, 2004, Hearing Room 1 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HCR 41, HR 1911, SB 717, SS SCR 47

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, May 6, 2004, Hearing Room 6 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 1734, SCR 44

HOUSE CALENDAR

SIXTY-FOURTH DAY, THURSDAY, MAY 6, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)

- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 SB 1055 - Johnson (47)
- 8 SCS SB 992 - Mayer (159)
- 9 SCS SB 956 - Wilson (119)
- 10 SB 951 - Threlkeld (109)
- 11 SB 899 - Dusenbergl (54)
- 12 SB 1130 - Deeken (114)
- 13 SCS SB 1172 - Fares (91)
- 14 SCS SB 788, E.C. - Goodman (132)
- 15 SB 842, E.C. - Wood (62)

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- 16 SCS SB 859 - Stefanick (93)
- 17 SCS SB 952 - Johnson (47)
- 18 SCS SB 1078 - Richard (129)
- 19 SB 1083 - Schaaf (28)
- 20 SB 1086 - Pearce (121)
- 21 SCS SB 1195 - Lager (4)
- 22 SCS SB 1235 - Luetkemeyer (115)
- 23 HCS SB 1242 - Wilson (42)
- 24 SB 1243 - Byrd (94)
- 25 SB 1249 - Dempsey (18)
- 26 SCS SB 1250 - Rector (124)
- 27 SCS SB 1253 - Dempsey (18)
- 28 HCS SB 1259 - Taylor (68)
- 29 SB 1285 - Cooper (120)
- 30 HCS SB 1299 - Luetkemeyer (115)
- 31 SB 1302, E.C. - Morris (138)
- 32 SCS SB 1304 - Lembke (85)
- 33 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberg (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932, HA 6 and HS, as amended, pending - Wilson (130)
- 3 HCS SCS SBs 1020, 889 & 869 - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038 - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Smith (118)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 SCS SB 1062 - Johnson (47)
- 16 SCS SB 1155 - Dempsey (18)
- 17 SCS SB 1045 - Haywood (71)
- 18 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 19 HCS SCS SB 1269 - Dempsey (18)
- 20 HCS SB 1211 - Byrd (94)
- 21 SCS SB 1265 - Byrd (94)
- 22 HCS SB 1391, (Budget 5-04-04) - Black (161)
- 23 HCS SS SS SCS SB 1122 - Behnen (2)
- 24 SB 783, E.C. - Smith (118)
- 25 SCS SB 987 - Johnson (47)
- 26 SCS SB 1196 - Lager (4)
- 27 SCS SB 700 - Angst (146)
- 28 SCS SB 827 - Byrd (94)
- 29 SB 1007 - Byrd (94)
- 30 HCS SS SCS SB 1034 - Marsh (136)
- 31 SB 1229 - Mayer (159)
- 32 SCS SB 1240 - Schlottach (111)
- 33 SCS SB 1262 - Engler (106)

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- 34 SB 1344 - Dempsey (18)
- 35 HCS SCS SB 845 - Jackson (89)
- 36 HCS SB 900 - Dusenberg (54)
- 37 HCS SCS SB 1225 - Hubbard (58)
- 38 HCS SB 1323 - Purgason (151)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1071, 801, 1275 & 989, E.C. - Goodman (132)
- 2 SCS HB 938, E.C. - Luetkemeyer (115)
- 3 SCS HS HCS HB 1290 - Portwood (92)
- 4 SCS HB 822 - Luetkemeyer (115)
- 5 SCS HCS HB 1321 - Schaaf (28)
- 6 SCS HCS HB 1456 and HB 824 - Black (161)
- 7 SCS HCS HB 1136 - Rupp (13)
- 8 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate recede/grant conference, pending, E.C. - Cunningham (86)
- 9 SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended, E.C. - Morris (138)
- 10 SCS HB 1217 - Johnson (47)
- 11 SCS HCS HB 1253 - Luetkemeyer (115)
- 12 SCS HCS HB 1660 - Lager (4)
- 13 SCS HB 1634 - Behnen (2)
- 14 SCS HB 1440 - Deeken (114)
- 15 SCS HB 960 - Roark (139)
- 16 SCS HB 1029, 1438 & 1610 - Henke (11)
- 17 SCS HB 826 & HCS HB 883 - Kelly (144)
- 18 SCS HCS HB 928, HCS HB 1123 & HCS HB 1280, as amended - Bivins (97)
- 19 SCS HCS HB 798 - Shoemaker (8)
- 20 SCS HB 1188 - Lipke (157)
- 21 SCS HCS HB 1192 - Schlottach (111)
- 22 SCS HB 996, HB 1142, HCS HB 1201 & HB 1489, as amended - Dusenberg (54)
- 23 SCS HCS HB 1177, as amended - Guest (5)
- 24 SS HCS HB 998 & 905 - Sutherland (99)
- 25 SS SCS HCS HB 833, as amended - Luetkemeyer (115)
- 26 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, E.C. - Self (116)
- 27 SCS HCS HB 1215, E.C. - Engler (106)
- 28 SCS HCS HB 1074 & 1129 - Byrd (94)
- 29 HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)
- 30 SS HS HCS HB 1511, as amended - Byrd (94)

BILL CARRYING REQUEST MESSAGES

SCS HCS HB 959, as amended (request Senate recede/grant conference) - Luetkemeyer (115)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1006 - Bearden (16)
- 3 SCS HS HCS HB 1008 - Bearden (16)
- 4 SCS HS HCS HB 1011, as amended - Bearden (16)
- 5 CCR SCS HS HCS HB 1012, as amended - Bearden (16)
- 6 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 7 SCS HCS HB 1305, as amended - Byrd (94)
- 8 SS HS HCS HB 978, as amended - Baker (123)
- 9 HS HCS SS SCS SB 1099, as amended - Dempsey (18)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)