

# JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

---

SIXTY-NINTH DAY, THURSDAY, MAY 13, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

"The law of the Lord is perfect,  
refreshing the soul;  
the decree of the Lord is trustworthy,  
giving wisdom to the simple."  
*(Psalm 19:8)*

Holy Lord, may the work we have done this Spring on legislation for our state participate in the perfection of Your law. Much of our work has been for those in great need. May it bring refreshment to their souls. Much of our work has been on issues of justice. May it give wisdom to the simple.

As we continue our work today and conclude it tomorrow, sustain us in the commitment with which we began in January.

We pray to You, who are our God, forever and ever. 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: Matt Ilges, Kyra Goldman, Damien Burke, Elise Maletich, Eva White, Nadja Curt, Trey Brockmeier, Audrey Schickler, Jeff Doggendorf, Stephanie Ann McHenry, Micah Stewart, Taylor Green, Rachel Kohl, Hunter C. Wilson, Justin Hagedorn, Nathan Hagedorn, Jordan Hagedorn and Jesse Carlson.

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

## SPECIAL RECOGNITION

Cheryl Broyles was introduced by Representative Richard and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

Patty Waldron was introduced by Representative Jackson and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

June Cox was introduced by Representative Cooper (155) and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

Betty McLaughlin was introduced by Representative Witte and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3023 - Representative Witte  
House Resolution No. 3024 - Representative Munzlinger  
House Resolution No. 3025 - Representative George  
House Resolution No. 3026  
and  
House Resolution No. 3027 - Representative Thompson  
House Resolution No. 3028  
and  
House Resolution No. 3029 - Representative Reinhart  
House Resolution No. 3030 - Representative Quinn  
House Resolution No. 3031  
through  
House Resolution No. 3045 - Representative Baker  
House Resolution No. 3046 - Representative Whorton  
House Resolution No. 3047 - Representative Hanaway

### **THIRD READING OF SENATE BILLS**

**SS SCS SBs 1233, 840 & 1043, with House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending**, relating to motor vehicles, was taken up by Representative Crawford.

**House Amendment No. 1 to House Amendment No. 5** was withdrawn.

**House Amendment No. 5** was withdrawn.

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

#### *House Amendment No. 6*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 367, Section 1, Line 13, by inserting after all of said line the following:

**"Section 2. For the purposes of sections 302.130, 302.171, 302.177, 302.181, 302.720, and 302.735, RSMo, United States citizens shall be considered "lawfully present" regardless of their physical location at any given time.";** and

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

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

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

*House Amendment No. 7*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 30, Section 226.060, Line 14 of said page, by inserting immediately after said line the following:

“227.120. 1. The state highways and transportation commission shall have power to purchase, lease, or condemn, lands in the name of the state of Missouri for the following purposes when necessary for the proper and economical construction and maintenance of state highways:

(1) Acquiring the right-of-way for the location, construction, reconstruction, widening, improvement or maintenance of any state highway or any part thereof;

(2) Acquiring bridges or sites therefor and ferries, including the rights and franchises for the maintenance and operation thereof, over navigable streams, at such places as the state highways and transportation commission shall have authority to construct, acquire or contribute to the cost of construction of any bridge;

(3) Acquiring the right-of-way for the location, construction, reconstruction, widening, improvement or maintenance of any highway ordered built by the bureau of public roads of the Department of Agriculture of the United States government;

(4) Obtaining road building or road maintenance materials or plants for the manufacture or production of such materials and acquiring the right-of-way thereto; also acquiring the right-of-way to such plants as are privately owned when necessary for the proper and economical construction of the state highway system;

(5) Changing gradients in any state highway;

(6) Establishing detours in connection with the location, construction, reconstruction, widening, improvement or maintenance of any state highway or any part thereof;

(7) Changing the channels of any stream and providing for drainage ditches when necessary for the proper construction or maintenance of any state highway;

(8) Eliminating grade crossings;

(9) Acquiring water supply and water power sites and necessary lands for use in connection therewith, including rights-of-way to any such sites;

(10) Acquiring sites for garages and division offices and for storing materials, machinery and supplies;

(11) Acquiring lands for sight distances along any state highway or any portion thereof whenever necessary, and also acquiring lands within wyes formed by junctions of state highways, or junctions of state highways and other public highways;

(12) Acquiring lands or interests therein for the purpose of depositing thereon excess excavated, or other materials produced in the construction, reconstruction, widening, improvement or maintenance of any state highway;

(13) Acquiring lands for any other purpose necessary for the proper and economical construction of the state highway system for which the commission may have authority granted by law. If condemnation becomes necessary, the commission shall have the power to proceed to condemn such lands in the name of the state of Missouri, in accordance with the provisions of chapter 523, RSMo, insofar as the same is applicable to the said state highways and transportation commission, and the court or jury shall take into consideration the benefits to be derived by the owner, as well as the damage sustained thereby. The state highways and transportation commission also shall have the same authority to enter upon private lands to survey and determine the most advantageous route of any state highway as granted, under section 388.210, RSMo, to railroad corporations.

**2. In any case in which the commission exercises eminent domain involving a taking of real estate, the court, commissioners, and jury shall consider the restriction of or loss of access to any adjacent highway as an element in assessing the damages. As used in this subsection, "restriction of or loss of access" includes, but is not limited to, the prohibition of making right or left turns into or out of the real estate involved, provided that such access was present before the proposed improvement or taking.”; and**

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

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

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

*House Amendment No. 8*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 82, Section 301.134, Line 17 of said page, by inserting after all of said line the following:

"301.141. **1.** Fraudulent procurement or use of disabled-person license plates or windshield placards shall be a class [C] **B** misdemeanor. [It is a class C misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice.]

**2. Any physician or other health care practitioner authorized to issue a physician's statement or certificate to enable persons to obtain disabled license plates or windshield hanging placards pursuant to section 301.142, who issues, signs, or furnishes such statement or certificate to any person who does not meet one or more of the conditions set forth in subsection 1 of section 301.142, if there is no basis for the diagnosis given, or who issues, signs, or furnishes such statement for a condition, the diagnosis of which is outside the scope of such health care provider's license, is guilty of a class B misdemeanor.**

301.142. **1.** As used in [this section the term] sections 301.141 to 301.143, the following terms mean:

(1) "Department", the department of revenue;  
(2) "Director", the director of the department of revenue;  
(3) "Other authorized health care practitioner", includes only chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330, RSMo, and optometrists licensed pursuant to chapter 336, RSMo;

(4) "Physically disabled" [means], a natural person who is [a] blind [person], as defined in section 8.700, RSMo, or a natural person with **medical** disabilities which [limit or impair the] **prohibits, limits, or severely impairs one's** ability to **ambulate or** walk, as determined by a licensed physician **or other authorized health care practitioner** as follows:

[1] (a) The person cannot **ambulate or** walk fifty or less feet without stopping to rest due to a severe and disabling, arthritic, neurological, [or] orthopedic condition, **or other severe and disabling condition**; or

[2] (b) The person cannot **ambulate or** walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

[3] (c) Is restricted by [lung] **a respiratory or other** disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

[4] (d) Uses portable oxygen; or

[5] (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

[6] Is severely limited in the applicant's ability to walk due to an arthritic, neurological, or orthopedic condition.]

(f) **A person's age, in and of itself, shall not be a factor in determining whether such person is "physically disabled" or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;**

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334, RSMo;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

[2.] (7) "Temporarily disabled person" [means], a [physically] disabled person **as defined in this section** whose disability or incapacity [can be] is expected to last [for not] **no** more than one hundred eighty days.

[3.] **2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.**

**3. A physician's statement shall:**

(1) **Be on a form prescribed by the director of revenue;**

(2) **Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;**

**(3) Include the physician's or other authorized health care practitioner's license number; and**

**(4) Be personally signed by the issuing physician or other authorized health care practitioner.**

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement, that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a **current physician's statement which has been issued within ninety days preceding the date the application is made and [by] proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles** shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "disabled" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. [Handicapped parking places may only be used when a physically disabled occupant is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected by a properly marked vehicle which is parked for the sole use of the physically disabled person. No vehicle shall park in the access aisle. Such parking violation shall be an infraction. The use of a vehicle displaying a disabled license plate or windshield placard to park in a parking space designated for the disabled by a person not transporting the individual for whom the license or placard was issued shall be an infraction. Upon conviction thereof, violators shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars.

4.] **8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.**

9. No additional fee shall be paid to the director [of revenue] for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "disabled" as prescribed in [subsection 3 of] this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

[5.] **10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. [to] The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being**

**used to pick up, deliver, or collect a disabled person.** When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

**11.** The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for each removable windshield placard shall be four dollars and the removable windshield placard shall be renewed every two years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard [shall] **may** be issued to an applicant who has not been issued disabled person license plates, **at the appropriate fee.**

**12.** A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, **and for good cause shown,** one additional temporary windshield placard [shall] **may** be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to [subsection 6 of] this section is supplied to the director of revenue at the time of renewal. [The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when a physically disabled occupant is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected by a properly marked vehicle which is parked for the sole use of the physically disabled person.]

6.] **13.** Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician **or other authorized health care practitioner** which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section. [The physician's statement shall be on a form prescribed by the director of revenue which shall include the physician's license number. If it is the professional opinion of the physician who issues the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, this shall be noted on the statement. In such instances, the applicant shall present the physician's statement which states that the applicant's disability is permanent to the director of revenue the first time the applicant applies for license plates or a removable windshield placard. The applicant shall not be required to obtain a new physician's statement each time that the applicant applies for or renews license plates or a removable windshield placard; but, the applicant shall present a physician's statement each time the applicant applies for a temporary windshield placard or renews a temporary windshield placard.]

**14.** The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

**15.** At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

**16.** The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

**17.** Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth

**year.** Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days.

**18.** The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, RSMo, or the Missouri state board of chiropractic examiners established in section 331.090, RSMo, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, RSMo, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, RSMo, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law.

**19.** The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director [may] **shall**, in cooperation with the boards which shall assist the director, establish a list of all [physicians' names] **Missouri physicians and other authorized health care practitioners** and of any other information necessary to administer this [subsection within the department of revenue if the director determines that such listing is necessary to carry out the provisions of this subsection] **section.**

[7.] **20.** Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit [an affidavit] **a statement** stating this fact, in addition to the physician's statement. The [affidavit] **statement** shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this [affidavit] **statement** with each application for license plates. **No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420, RSMo.**

**21. The director of revenue shall retain all physician's statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.**

[8.] **22.** The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

[9.] **23.** When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of [such person] **the decedent or such other person who may come into or otherwise take possession, of the disabled license plates or disabled windshield placard** shall return [the plates or placards or both] the same to the director of revenue under penalty of law. **Failure to return such plates or placards shall constitute a class B misdemeanor.**

**24.** The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

**25.** If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

[10.] **26.** In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be [two] **four** dollars.

[11.] Beginning after September 1, 1998, and prior to August 31, 1999, the director of revenue shall authorize a one-time recertification and review of all permanent disabled person license plates and windshield placards, including physician's license numbers and related information that the director has on file pursuant to subsection 6 of this section to determine if such numbers and information are current and correct. The director shall require the presentation of a new physician's statement and other information deemed necessary by the director to administer the provisions of this section. The recertification and review shall be conducted in a manner as determined by the director.

[12.] **27.** Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles

which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and shall also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine."

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or card on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility and any curb adjacent to the space shall be clearly and visibly painted blue.

6. Any person who, without authorization, uses a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of [an infraction and shall be subject to a fine of not less than fifty dollars nor more than three hundred dollars] **a class B misdemeanor.**

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 1997, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate."; and

Further amend said bill, Page 298, Section 304.190, Line 15 of said page, by inserting after all of said line the following:

**"304.601. 1. Designated disabled parking spaces may only be used when a disabled person, who has been issued disabled license plates or windshield hanging placards pursuant to the provisions of section 301.142, RSMo, or by those states with which the director has entered into reciprocity agreements as provided in section 301.142, RSMo, is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard or in cases where the motor vehicle bearing the disabled license plate or windshield hanging placard is then being used to deliver or collect one or more of the disabled persons for whom the disabled license plate or windshield hanging placard was issued.**

**2. The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space**



shall, upon request from any law enforcement officer or other duly constituted peace officer upon identification as such, produce the disabled registration certificate issued to the disabled person or entity as provided for in section 301.142, RSMo, or such other authorization to show that the driver, or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space. The driver or any occupant of the motor vehicle shall, in addition to the certificate, produce other identification with a photograph of the disabled person for whom the disabled plates or windshield hanging placard was issued.

3. If the driver, or an occupant, of a motor vehicle which is parked or has been observed to have parked in a designated disabled parking space is unable to, or cannot, produce the certificate as provided for in section 301.142, RSMo, or other proper authorization showing that the vehicle is being used, or has been lawfully parking in a disabled parking space, the operator is guilty of a class A misdemeanor. However, no person shall be found guilty of violating this section if the operator produces such a certificate to the court that was valid at the time of the citation for a person who was using the vehicle.

4. The windshield hanging placard shall only be used when the vehicle is parked in a disabled parking space. It shall be unlawful for any person to operate or drive a motor vehicle with a windshield hanging placard hanging from the inside rearview mirror."; and

Further amend said bill, Page 368, Section C, Line 30 of said page, by deleting all of said line and inserting the following:

"67.1808, 301.132, 301.141, 301.142, 301.143, 301.144, 301.190, and 301.444, and the"; and

Further amend said bill, Page 369, Section C, Line 3 of said page, by deleting all of said line and inserting the following:

"304.155, 304.156, 304.157, and 304.601 of section A of this act shall"; and

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

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

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

*House Amendment No. 9*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 361, Section 622.095, Line 21, by inserting after said line the following:

"622.350. In all trials, actions, suits and proceedings arising under the provisions of this chapter or growing out of the exercise of the authority and powers granted in this chapter to the [division] **state highways and transportation commission**, the burden of proof shall be upon the [party adverse to the division] **state highways and transportation commission**. **The state highways and transportation commission shall** [or seeking to set aside any determination, requirement, direction or order of the division, to] show by clear and satisfactory evidence that the determination, requirement, direction or order of the [division] **state highways and transportation commission is reasonable or lawful** [complained of is unreasonable or unlawful] as the case may be."; and

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

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

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

**House Amendment No. 10** was withdrawn.

1835 *Journal of the House*

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	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
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Yates	Madam Speaker		

NOES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	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: 002

Avery Wright

On motion of Representative Crawford, **HS SS SCS SBs 1233, 840 & 1043, as amended,** was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	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	Jackson	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	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 005

Campbell	Selby	Spreng	Wilson 25	Yates
----------	-------	--------	-----------	-------

PRESENT: 003

Boykins	Jones	Whorton
---------	-------	---------

ABSENT WITH LEAVE: 003

Avery	Wagner	Wright
-------	--------	--------

On motion of Representative Crowell, **HS SS SCS SBs 1233, 840 & 1043, as amended**, was read the third time and passed by the following vote:

AYES: 152

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

1837 *Journal of the House*

Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	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	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 005

Campbell	Spreng	Walton	Wilson 25	Yates
----------	--------	--------	-----------	-------

PRESENT: 003

Boykins	Jones	Whorton
---------	-------	---------

ABSENT WITH LEAVE: 003

Avery	Cunningham 86	Wright
-------	---------------	--------

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	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	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	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	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 007

Boykins	Campbell	El-Amin	Hilgemann	Sager
Walker	Wilson 25			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 006

Avery	Johnson 61	King	Kratky	Wagner
Wright				

**SCS SB 1155**, relating to the Missouri Rural Economic Stimulus Act, was taken up by Representative Dempsey.

Representative Dempsey offered **HS SCS SB 1155**.

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

*House Amendment No. 1*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 130, Section 100.710, Line 33, by deleting the word "or" and adding in its place the word "**of**".

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

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

*House Amendment No. 2*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 28, Section 67.1303, Line 23 of said page, by inserting after "**RSMo.**" the following:

**"In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo.";** and

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

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

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curis	Darrough	Daus	Davis 122
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Ruestman	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
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	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 011

Byrd	Davis 19	Ervin	Hobbs	Kelly 144
LeVota	Nieves	Roark	Rupp	Sutherland
Young				

PRESENT: 001

Dusenberg

ABSENT WITH LEAVE: 003

Avery	Boykins	Wright
-------	---------	--------

Representative Johnson (47) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Section 99.1018, Page 111, Line 15, by inserting after all of said line the following:

**“Section 1. Notwithstanding any law to the contrary, where a redevelopment project requires the enhancement, modification, relocation, or removal of public utility facilities such enhancement, modification, relocation, or removal of public utility facilities shall be at no cost to the utility company, and, unless otherwise provided in the public utility’s tariffs or agreed by the private developer and the public utility, shall be borne by the private developer.”; and**

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

Representative Johnson (90) raised a point of order that **House Amendment No. 3** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Johnson (47) moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

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

*House Amendment No. 4*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 50, Section 67.2500, Line 17, by deleting the word “**know**” and replacing with “**known**”; and

Further amend said bill, Section 67.2520, Page 68, Line 13, by deleting the word “**beam**” and replacing with “**team**”.

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

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

**House Amendment No. 5** was withdrawn.

On motion of Representative Dempsey, **HS SCS SB 1155, as amended**, was adopted by the following vote.

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curis	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon

1841 *Journal of the House*

Donnelly	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	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	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	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bland	Boykins	Dougherty	Hunter
King	Wright			

On motion of Representative Dempsey, **HS SCS SB 1155, as amended**, was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	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	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
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
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Boykins	Brown	Dougherty	Holand
Hunter	Kuessner	Wright		

Speaker Hanaway declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS SB 1394, as amended**, relating to tax collection, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HS HCS SB 1394, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **MESSAGE FROM THE SENATE**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 758**, and has taken up and passed **CCS HCS SCS SB 758**.

Emergency clause adopted.

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.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 3048 - Representative Holand  
House Resolution No. 3049 - Representative Muckler  
House Resolution No. 3050 - Representative Cooper (155)  
House Resolution No. 3051 - Representative Hobbs  
House Resolution No. 3052 - Representative LeVota  
House Resolution No. 3053 - Representative Cooper (120)  
House Resolution No. 3054 - Representatives Wildberger and Lawson  
House Resolution No. 3055  
through  
House Resolution No. 3064 - Representative Viebrock  
House Resolution No. 3065 - Representative Crawford  
House Resolution No. 3066 - Representatives Deeken and Bruns  
House Resolution No. 3067 - Representatives Walker and Jolly  
House Resolution No. 3068 - Representative Wildberger  
House Resolution No. 3069 - Representative Parker  
House Resolution No. 3070 - Representative Pratt  
House Resolution No. 3071  
and  
House Resolution No. 3072 - Representative Skaggs  
House Resolution No. 3073  
and  
House Resolution No. 3074 - Representative Hampton

### 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 **SS#2 HCS HB 980**, entitled:

An act to amend chapter 640, RSMo, by adding thereto three new sections relating to environmental regulation.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4.

#### *Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 6, Section 1, Line 25, by striking the word "and" and replacing in lieu thereof the following: "**an**".

#### *Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 2, Section 640.015, Line 27 of said page, by striking the comma ", " after the word "rule" and inserting in lieu thereof a semicolon ";"; and

Further amend Line 28 of said page, by striking said line.

*Senate Amendment No. 4*

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 2, Section 640.015, Lines 8-9, by striking the words “probable qualitative and quantitative impact of the proposed rule, including”; and

Further amend same section, same page, Line 10, by inserting after the word “benefits” the words “**of the proposed rule**”; and

Further amend same section, Page 3, Lines 8-11, by striking all of said lines and inserting in lieu thereof the following:

“(13) The identification of at least one, if any, alternative regulatory approaches that will produce comparable human health, public welfare, or environmental outcomes.”.

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 HBs 946, 1106 & 952**, entitled:

An act to repeal sections 21.795, 50.515, 190.044, 190.050, 190.051, 190.092, 190.094, 190.101, 190.105, 190.108, 190.109, 190.120, 190.131, 190.133, 190.142, 190.143, 190.146, 190.160, 190.165, 190.171, 190.172, 190.175, 190.185, 190.196, 190.246, 190.248, 190.250, 190.525, 190.528, 190.531, 190.534, 190.537, 191.630, 191.631, 226.030, 226.060, 227.120, 227.290, 227.303, 238.207, 238.210, 238.215, 238.216, 238.217, 238.220, 238.227, 238.233, 238.235, 238.236, 238.242, 238.252, 238.257, 301.010, 301.062, 301.129, 301.130, 301.190, 302.230, 304.170, 304.190, 304.351, 304.580, 307.178, 307.366, 321.130, 321.180, 321.554, 321.556, 389.610, 389.612, 390.201, 407.567, 622.350, and 643.315, RSMo, and to enact in lieu thereof eighty-eight new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 1 to Senate Amendment No. 8, Senate Amendment No. 8, as amended, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16 and Senate Amendment No. 17.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 190.092, Line 12, by inserting after the word “circumstances.” the following:

**“The person or entity who provides appropriate training to the person using an automated external defibrillator, the person or entity responsible for the site where the automated external defibrillator is located, and the licensed physician who reviews and approves the clinical protocol, shall likewise not be held liable for civil damages resulting from the use of an automated external defibrillator, provided that all other requirements of this section have been met.”.**

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 63, Section 226.060, Line 4, by inserting after all of said line the following:

“226.527. 1. On and after August 13, 1976, no outdoor advertising shall be erected or maintained beyond six hundred and sixty feet of the right-of-way, located outside of urban areas, visible from the main traveled way of the interstate or primary system and erected with the purpose of its message being read from such traveled way, except such outdoor advertising as is defined in subdivisions (1) and (2) of section 226.520.

2. No compensation shall be paid for the removal of any sign erected in violation of subsection 1 of this section unless otherwise authorized or permitted by sections 226.501 to 226.580. No sign erected prior to August 13, 1976, which would be in violation of this section if it were erected or maintained after August 13, 1976, shall be removed unless such removal is required by the Secretary of Transportation and federal funds required to be contributed to this state under section 131(g) of Title 23, United States Code, to pay compensation for such removal have been appropriated and allocated and are immediately available to this state, and in such event, such sign shall be removed pursuant to section 226.570.

3. In the event any portion of this chapter is found in noncompliance with Title 23, United States Code, section 131, by the Secretary of Transportation or his representative, and any portion of federal-aid highway funds or funds authorized for removal of outdoor advertising are withheld, or declared forfeited by the Secretary of Transportation or his representative, all removal of outdoor advertising by the Missouri state highways and transportation commission pursuant to this chapter shall cease, and shall not be resumed until such funds are restored in full. Such cessation of removal shall not be construed to affect compensation for outdoor advertising removed or in the process of removal pursuant to this chapter.

4. In addition to any applicable regulations set forth in sections 226.500 through 226.600, signs within an area subject to control by a local zoning authority and wherever located within such area shall be subject to reasonable regulations of that local zoning authority relative to size, lighting, spacing, and location; provided, however, that no local zoning authority shall have authority to require any sign within its jurisdiction which was lawfully erected and which is maintained in good repair to be removed without the payment of just compensation. **The requirement by a local zoning authority that a legally erected outdoor advertising structure be removed or altered as a condition or prerequisite for the issuance or continued effectiveness of a permit, license, or other approval for any use, structure, development, or activity other than outdoor advertising, including a request for rezoning, constitutes a compelled removal or alteration, which is prohibited without the payment of just compensation as required by this subsection.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 12, Section 50.515, Line 12 of said page, by inserting after all of said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved

are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word “comparable” means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, **one-half of one percent**; [and]

(5) Aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

[(5)] (6) Poultry, twelve percent; and

[(6)] (7) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank for its service.

15. The provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2003, for any taxing jurisdiction which has at least seventy-five percent of the land area of such jurisdiction within a county with a charter form of government with greater than one million inhabitants, and the provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2005, for all taxing jurisdictions in this state. Any county in this state may, by an affirmative vote of the governing body of such county, opt into the provisions of this act prior to January 1, 2005."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Pages 63-65, Section 227.120, by striking said section from the bill; and

Further amend said bill, Page 222, Section B, Line 22 of said page, by striking the following:

"ensure"; and

Further amend Lines 23 thru 25 of said page, by striking said lines; and

Further amend Line 32 of said page, by striking "sections 227.120 and" and inserting in lieu thereof the following:

“section”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 68, Section 227.352, Line 12, by inserting after all of said line the following:

**“227.353. The portion of U.S. 412 in Dunklin County from the eastern city limits of Kennett, Missouri, to the western city limits of Hayti, Missouri, within Pemiscot County shall be designated the “Governor John M. Dalton Memorial Highway”.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 168, Section 321.554, Line 18 of said page, by striking said line and inserting in lieu thereof the following:

**“classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, or any”;** and

Further amend said bill, Page 171, Section 321.556, Line 4 of said page, by striking said line and inserting in lieu thereof the following:

**“classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, or any”.**

*Senate Amendment No. 1*

*to*

*Senate Amendment No. 8*

AMEND Senate Amendment No. 8 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 2, Section 304.031, Line 8, by inserting after all of said line the following:

**“7. No person shall be convicted of running a red light or traffic signal if it is shown by competent evidence that the local law enforcement agency was using a TSPS device to generate revenue or otherwise cause the motorist to improperly run the red light or traffic signal”.**

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 144, Section 302.233, Line 2, by inserting after all of said line the following:

**“304.031. 1. As used in this section, “Traffic Signal Preemption System (TSPS)” shall mean a traffic-control system designated for use by emergency vehicles, as defined in section 304.031, to improve traffic movement by temporarily controlling signalized intersections.**

**2. The owner of a traffic control signal may authorize use of a TSPS by the following persons for the following purposes:**

**(1) An authorized operator in an authorized emergency vehicle, in order to improve the safety and efficiency of emergency response operations;**

**(2) An authorized operator in a bus, in order to interrupt the cycle of the traffic control signal in such a way as to keep the green light showing for longer than it otherwise would;**

**(3) An authorized operator in a traffic signal maintenance vehicle, in order to facilitate traffic signal maintenance activities.**

**3. A TSPS used by an authorized person in an emergency vehicle shall preempt and override a device operated by any other person.**

**4. A traffic control signal operating device used as authorized under this section must operate in such a way that the device does not continue to control the signal once the vehicle containing the device has arrived at the intersection, regardless of whether the vehicle remains at the intersection.**

**5. It shall be unlawful for any person not approved herein to use a TSPS to control traffic.**

**6. Violation of this section shall be deemed a class B misdemeanor.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 176, Section 389.612, Line 10, by inserting after “vehicle.” the following:

**“The owner of a commercial motor vehicle, as defined in section 301.010, shall pay a railroad crossing safety fee of twenty-five cents when such person registers or renews the registration of a commercial motor vehicle.”.**

*Senate Amendment No. 10*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 178, Section 390.201, Line 4, by deleting said section in its entirety; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 157, Section 304.580, Line 19 of said page, by inserting after all of said line the following:

**“307.156. Any person, firm, or corporation which owns or operates a business engaged in whole or in part in servicing motor vehicles and installs or purports to install an airbag in a motor vehicle and either: 1) installs an airbag that does not meet all applicable federal safety regulations for an airbag installed in a vehicle of that make, model, and year; or 2) installs an airbag which has previously been installed in another motor vehicle without disclosing in writing to the owner or lessee of the vehicle receiving such airbag installation that a used airbag has been installed in it, shall be guilty of a class D felony.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 13*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 143, Section 301.190, Line 2 of said page, by inserting after all of said line the following:

**“301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:**

- (1) A description of the motor vehicle or trailer sufficient to identify it;**
- (2) The vehicle identification number of the motor vehicle or trailer;**
- (3) The name and address of the transferee;**
- (4) The date of birth of the transferee, unless the transferee is not a natural person;**



- (5) The date of the transfer or sale;
- (6) The purchase price of the motor vehicle or trailer, if applicable;
- (7) The number of the transferee's drivers license, unless the transferee does not have a drivers license;
- (8) The printed name and signature of the transferee;
- (9) Any other information required by the department by rule.

2. For purposes of giving notice under this section, if the transfer occurs by operation of law, the personal representative, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor. Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

3. The requirements of this section shall not apply to transfers when there is no complete change of ownership interest or upon award of ownership of a motor vehicle or trailer made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers, or transfers of beneficial ownership of a motor vehicle owned by a trust.

4. Notification under this section is only required for transfers of ownership that would otherwise require registration and an application for certificate of title in this state under section 301.190, and is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle.

5. Retail sales made by licensed dealers including sales of new vehicles shall be reported pursuant to the provisions of section 301.280.

301.197. 1. Beginning January 1, 2006, upon receipt of a notification of transfer described in section 301.196, the department shall make a notation on its records indicating that it has received notification that an interest in the motor vehicle or trailer has been transferred. The notation shall be made whether or not the form submitted to the department contains all the information required by section 301.196, so long as there is sufficient information to identify the motor vehicle or trailer and the name and address of the transferee. Thereafter, until a new title is issued, when the department is asked or is required by law to provide the name of the owner or lienholder of a motor vehicle or trailer as shown on its records, the department shall provide the name of the owner or lienholder recorded on the latest title or lien perfection of record and indicate that department records show a notification of transfer but do not show a title transfer. The department shall also provide the name of the transferee, if otherwise permitted by law, if it is shown on the form submitted by the transferor pursuant to section 301.196.

2. If the department does not receive an application for title from the person named as transferee in a form submitted pursuant to section 301.196 within sixty days of the receipt of the form, the department shall notify the transferee to apply for title. Notification shall be made as soon after the sixtieth day after receipt of the form as is convenient for the department. The provisions of this subsection shall be in addition to the requirements of section 301.190.

3. The department may adopt rules for the implementation of section 301.196 and this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Notwithstanding section 226.200, RSMo, to the contrary the general assembly may appropriate state highways and transportation department funds for the requirements of sections 301.196, 301.198, and 301.280, and this section.

301.198. 1. Beginning January 1, 2006, a person commits the offense of knowingly submitting false information about transfer of a vehicle if the person submits a notice of transfer of an interest in a motor vehicle or trailer as described in section 301.196 to the department of revenue and the person knows that some or all of the information contained in the notice is false. The offense described in this section, knowingly submitting false information about transfer of a vehicle, is a class C misdemeanor.

2. Any person who fails to submit the required notice pursuant to section 301.196 shall be guilty of an infraction. If the failure to submit the required notice was done to assist the transferee to avoid applying for title, paying applicable registration fees or other fraudulent purposes, then the person shall be guilty of a class C misdemeanor.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: Date of the sale of

each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. The odometer reading is not required when reporting the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all [twenty-day] **thirty-day** temporary permits, without exception, shall be recorded in the appropriate space on the dealer's monthly sales report by recording the complete permit number issued on the motor vehicle or trailer sale listed. The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month indicating no sales. **Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation.** Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the records to be maintained at the dealership location and shall hold them available for inspection by appropriate law enforcement officials and officials of the department of revenue. **Beginning January 1, 2006, the monthly sales report required by this subsection may be filed electronically. Beginning January 1, 2007, every vehicle dealer selling twenty or more vehicles a month shall file the monthly sales report with the department in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice of transfer required by section 301.196. For any dealer not filing electronically, the notice of transfer required by section 301.196 shall be submitted with the monthly sales report as prescribed by the director.**

2. Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the person delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for three years and be open for inspection by law enforcement officials and persons, agencies and officials designated by the director of revenue.

3. Every dealer and every person operating a public garage in which a motor vehicle remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing.

4. The director of revenue shall maintain appropriately indexed cumulative records of unclaimed vehicles reported to the director. Such records shall be kept open to public inspection during reasonable business hours.

5. The alteration or obliteration of the vehicle identification number on any such motor vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public garage shall upon the discovery of such obliteration or alteration immediately notify the highway patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period of forty-eight hours for the purpose of an investigation by the officer so notified.”; and

Further amend said bill, Page 144, Section 302.233, Line 2 of said page, by inserting after all of said line the following:

**“304.154. 1. Beginning January 1, 2005, a towing company operating a tow truck pursuant to the authority granted in section 304.155 or 304.157 shall:**

- (1) Have and occupy a verifiable business address;**
- (2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles;**
- (3) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;**
- (4) Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least five hundred thousand dollars per incident;**

**(5) Provide workers' compensation insurance for all employees of the towing company if required by chapter 287, RSMo; and**

**(6) Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet.**

**2. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, and fourth classification is exempt from the provisions of this section.**

304.155. 1. Any law enforcement officer within the officer's jurisdiction, or an officer of a government agency where that agency's real property is concerned, may authorize a towing company to remove to a place of safety:

(1) Any abandoned property on the right-of-way of:

(a) Any interstate highway or freeway in an urbanized area, left unattended for ten hours, **or after four hours if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;**

(b) Any interstate highway or freeway outside of an urbanized area, left unattended for forty-eight hours, **or after four hours if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;**

(c) Any state highway other than an interstate highway or freeway in an urbanized area, left unattended for more than ten hours; or

(d) Any state highway other than an interstate highway or freeway outside of an urbanized area, left unattended for more than forty-eight hours; provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;

(2) Any unattended abandoned property illegally left standing upon any highway or bridge if the abandoned property is left in a position or under such circumstances as to obstruct the normal movement of traffic where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal;

(3) Any abandoned property which has been abandoned under section 577.080, RSMo;

(4) Any abandoned property which has been reported as stolen or taken without consent of the owner;

(5) Any abandoned property for which the person operating such property is arrested for an alleged offense for which the officer is required to take the person into custody and where such person is unable to arrange for the property's timely removal;

(6) Any abandoned property which due to any other state law or local ordinance is subject to towing because of the owner's outstanding traffic or parking violations;

(7) Any abandoned property left unattended in violation of a state law or local ordinance where signs have been posted giving notice of the law or where the violation causes a safety hazard; or

(8) Any abandoned property illegally left standing on the waters of this state as defined in section 306.010, RSMo, where the abandoned property is obstructing the normal movement of traffic, or where the abandoned property has been unattended for more than ten hours or is floating loose on the water.

2. The state transportation department may immediately remove any abandoned, unattended, wrecked, burned or partially dismantled property, spilled cargo or other personal property from the roadway of any state highway if the abandoned property, cargo or personal property is creating a traffic hazard because of its position in relation to the state highway. In the event the property creating a traffic hazard is a commercial motor vehicle, as defined in section 302.700, RSMo, the department's authority under this subsection shall be limited to authorizing a towing company to remove the commercial motor vehicle to a place of safety, except that the owner of the commercial motor vehicle or the owner's designated representative shall have a reasonable opportunity to contact a towing company of choice. The provisions of this subsection shall not apply to vehicles transporting any material which has been designated as hazardous under Section 5103(a) of Title 49, U.S.C.

3. Any law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved from the immediate vicinity shall complete a crime inquiry and inspection report. Any state or federal government agency other than a law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved away from the immediate vicinity in which it was abandoned shall report the towing to the state highway patrol or water patrol within two hours of the tow along with a crime inquiry and inspection report as required in this section.

Any local government agency, other than a law enforcement agency, authorizing a tow pursuant to this section where property is towed away from the immediate vicinity shall report the tow to the local law enforcement agency within two hours along with a crime inquiry and inspection report.

4. Neither the law enforcement officer, government agency official nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section or by ordinance of a county or municipality licensing and regulating the sale of abandoned property by the municipality, other than damages occasioned by negligence or by willful or wanton acts or omissions.

5. The owner of abandoned property removed as provided in this section or in section 304.157 shall be responsible for payment of all reasonable charges for towing and storage of such abandoned property as provided in section 304.158.

6. Upon the towing of any abandoned property pursuant to this section or under authority of a law enforcement officer or local government agency pursuant to section 304.157, the law enforcement agency that authorized such towing or was properly notified by another government agency of such towing shall promptly make an inquiry with the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen and shall enter the information pertaining to the towed property into the statewide law enforcement computer system. If the abandoned property is not claimed within ten working days of the towing, **the tower who has online access to the department of revenue's records shall make an inquiry to determine the abandoned property owner and lienholder, if any, of record. In the event that the records of the department of revenue fail to disclose the name of the owner or any lienholder of record, the tower shall comply with the requirements of subsection 3 of section 304.156. If the tower does not have online access,** the law enforcement agency shall submit a crime inquiry and inspection report to the director of revenue. A towing company **that does not have online access to the department's records and that is** in possession of abandoned property after ten working days shall report such fact to the law enforcement agency with which the crime inquiry and inspection report was filed. The crime inquiry and inspection report shall be designed by the director of revenue and shall include the following:

- (1) The year, model, make and property identification number of the property and the owner and any lienholders, if known;
- (2) A description of any damage to the property noted by the officer authorizing the tow;
- (3) The license plate or registration number and the state of issuance, if available;
- (4) The storage location of the towed property;
- (5) The name, telephone number and address of the towing company;
- (6) The date, place and reason for the towing of the abandoned property;
- (7) The date of the inquiry of the national crime information center, any statewide Missouri law enforcement computer system and any other similar system which has titling and registration information to determine if the abandoned property had been stolen. This information shall be entered only by the law enforcement agency making the inquiry;
- (8) The signature and printed name of the officer authorizing the tow [and the towing operator]; and
- (9) **The name of the towing company, the signature and printed name of the towing operator, and an indicator disclosing whether the tower has online access to the department's records;**
- (10) Any additional information the director of revenue deems appropriate.

7. One copy of the crime inquiry and inspection report shall remain with the agency which authorized the tow. One copy shall be provided to and retained by the storage facility and one copy shall be retained by the towing facility in an accessible format in the business records for a period of three years from the date of the tow or removal.

8. The owner of such abandoned property, or the holder of a valid security interest of record, may reclaim it from the towing company upon proof of ownership or valid security interest of record and payment of all reasonable charges for the towing and storage of the abandoned property.

9. Any person who removes abandoned property at the direction of a law enforcement officer or an officer of a government agency where that agency's real property is concerned as provided in this section shall have a lien for all reasonable charges for the towing and storage of the abandoned property until possession of the abandoned property is voluntarily relinquished to the owner of the abandoned property or to the holder of a valid security interest of record. Any personal property within the abandoned property need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid or satisfactory arrangements for payment have been made, except that any medication prescribed by a physician shall be released to the owner thereof upon request. The company holding or storing the abandoned property shall either release the personal property to the owner of the abandoned property or allow the owner to inspect the property and provide an itemized receipt for the contents.

The company holding or storing the property shall be strictly liable for the condition and safe return of the personal property. Such lien shall be enforced in the manner provided under section 304.156.

10. Towing companies shall keep a record for three years on any abandoned property towed and not reclaimed by the owner of the abandoned property. Such record shall contain information regarding the authorization to tow, copies of all correspondence with the department of revenue concerning the abandoned property, **including copies of any online records of the towing company accessed** and information concerning the final disposition of the possession of the abandoned property.

11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel without the knowledge or cooperation of the owner, then the reposessor shall notify the local law enforcement agency where the repossession occurred within two hours of the repossession and shall further provide the local law enforcement agency with any additional information the agency deems appropriate. The local law enforcement agency shall make an inquiry with the national crime information center and the Missouri statewide law enforcement computer system and shall enter the repossessed vehicle into the statewide law enforcement computer system.

**12. Notwithstanding the provisions of section 301.227, RSMo, any towing company who has complied with the notification provisions in section 304.156, including notice that any property remaining unredeemed after thirty days may be sold as scrap property may then dispose of such property as provided in this subsection. Such sale shall only occur if at least thirty days has passed since the date of such notification, the abandoned property remains unredeemed with no satisfactory arrangements made with the towing company for continued storage, and the owner or holder of a security agreement has not requested a hearing as provided in section 304.156. The towing company may dispose of such abandoned property by selling the property on a bill of sale as prescribed by the director of revenue to a scrap metal operator or licensed salvage dealer for destruction purposes only. The towing company shall forward a copy of the bill of sale provided by the scrap metal operator or licensed salvage dealer to the director of revenue within two weeks of the date of such sale. The towing company shall keep a record of each such vehicle sold for destruction for three years that shall be available for inspection by law enforcement and authorized department of revenue officials. The record shall contain the year, make, identification number of the property, date of sale, and name of the purchasing scrap metal operator or licensed salvage dealer and copies of all notifications issued by the towing company as required in this chapter. Scrap metal operators or licensed salvage dealers shall keep a record of the purchase of such property as provided in section 301.227, RSMo. Scrap metal operators and licensed salvage dealers may obtain a junk certificate as provided in 301.227, RSMo, on vehicles purchased on a bill of sale pursuant to this section.**

304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

- (1) The abandoned property is left unattended for more than forty-eight hours; or
- (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. A local government agency may also provide for the towing of motor vehicles from real property under the authority of any local ordinance providing for the towing of vehicles which are derelict, junk, scrapped, disassembled or otherwise harmful to the public health under the terms of the ordinance. Any local government agency authorizing a tow under this subsection shall report the tow to the local law enforcement agency within two hours with a crime inquiry and inspection report pursuant to section 304.155.

3. Neither the law enforcement officer, local government agency nor anyone having custody of abandoned property under his or her direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

4. The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:

- (1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property parked in a restricted or assigned area will be removed at the owner's expense, disclosing

the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained or a twenty-four-hour staffed emergency information telephone number by which the owner of the abandoned property or property parked in a restricted or assigned area may call to receive information regarding the location of such owner's property;

(2) The abandoned property is left unattended on owner-occupied residential property with four residential units or less, and the owner, lessee or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ninety-six hours have elapsed since that notification.

5. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall at that time complete an abandoned property report which shall be considered a legal declaration subject to criminal penalty pursuant to section 575.060, RSMo. The report shall be in the form designed, printed and distributed by the director of revenue and shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;

(7) The towing company's name and address;

(8) The signature of the towing operator;

(9) The signature of the owner, lessee or property or security manager attesting to the facts that the property has been abandoned for the time required by this section and that all statements on the report are true and correct to the best of the person's knowledge and belief and that the person is subject to the penalties for making false statements;

(10) Space for the name of the law enforcement agency notified of the towing of the abandoned property and for the signature of the law enforcement official receiving the report; and

(11) Any additional information the director of revenue deems appropriate.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subsection 4 of this section shall deliver a copy of the abandoned property report to the local law enforcement agency having jurisdiction over the location from which the abandoned property was towed. The copy may be produced and sent by facsimile machine or other device which produces a near exact likeness of the print and signatures required, but only if the law enforcement agency receiving the report has the technological capability of receiving such copy and has registered the towing company for such purpose. The registration requirements shall not apply to law enforcement agencies located in counties of the third or fourth classification. The report shall be delivered within two hours if the tow was made from a signed location pursuant to subdivision (1) of subsection 4 of this section, otherwise the report shall be delivered within twenty-four hours.

7. The law enforcement agency receiving such abandoned property report must record the date on which the abandoned property report is filed with such agency and shall promptly make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide law enforcement computer system, and an officer shall sign the abandoned property report and provide the towing company with a signed copy. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

8. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall search the records of the department of revenue and provide the towing company with the latest owner and lienholder information on the abandoned property, **and if the tower has online access to the department of revenue's records, the tower shall comply with the requirements of section 301.155, RSMo.** If the abandoned property is not claimed within ten working days, the towing company shall send a copy of the abandoned property report signed by a law enforcement officer to the department of revenue.

9. If any owner or lessee of real property knowingly authorizes the removal of abandoned property in violation of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor.”; and

Further amend said bill, Page 180, Section 407.567, Line 9 of said page, by inserting after all of said line the following:

“577.080. 1. A person commits the crime of abandoning a motor vehicle **or trailer** if he abandons any motor vehicle **or trailer** on the right-of-way of any public road or state highway or on or in any of the waters in this state or on the banks of any stream, or on any land or water owned, operated or leased by the state, any board, department, agency or commission thereof, or any political subdivision thereof or on any land or water owned, operated or leased by the federal government or on any private real property owned by another without his consent.

**2. For purposes of this section, the last owner of record of a motor vehicle or trailer found abandoned and not shown to be transferred pursuant to sections 301.196 and 301.197, RSMo, shall be deemed prima facie to have been the owner of such motor vehicle or trailer at the time it was abandoned and to have been the person who abandoned the motor vehicle or trailer or caused or procured its abandonment. The registered owner of the abandoned motor vehicle or trailer shall not be subject to the penalties provided by this section if the motor vehicle or trailer was in the care, custody, or control of another person at the time of the violation. In such instance, the owner shall submit such evidence in an affidavit permitted by the court setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle or trailer at the time of the alleged violation. The affidavit submitted pursuant to this subsection shall be admissible in a court proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that the person identified in the affidavit was in actual control of the motor vehicle or trailer. In such case, the court has the authority to terminate the prosecution of the summons issued to the owner and issue a summons to the person identified in the affidavit as the operator. If the motor vehicle or trailer is alleged to have been stolen, the owner of the motor vehicle or trailer shall submit proof that a police report was filed in a timely manner indicating that the vehicle was stolen at the time of the alleged violation.**

3. Abandoning a motor vehicle **or trailer** is a class A misdemeanor.

**4. Any person convicted pursuant to this section shall be civilly liable for all reasonable towing, storage, and administrative costs associated with the abandonment of the motor vehicle or trailer. Any reasonable towing, storage, and administrative costs in excess of the value of the abandoned motor vehicle or trailer that exist at the time the motor vehicle is transferred pursuant to section 304.156, RSMo, shall remain the liability of the person convicted pursuant to this section so long as the towing company, as defined in chapter 304, RSMo, provided the title owner and lienholders, as ascertained by the department of revenue records, a notice within the timeframe and in the form as described in subsection 1 of section 304.156, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 14*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 114, Section 238.257, Line 27, by inserting after all of said line the following:

“300.330. The driver of a **motor** vehicle shall not drive within any sidewalk **bicycle lane shall not be obstructed by a parked or standing motor** area except as a permanent or temporary driveway. **A designated vehicle or other stationary object. A motor vehicle may be driven in a designated bicycle lane only for the purpose of a lawful maneuver to cross the lane or provide for safe travel. In making an otherwise lawful maneuver that requires traveling in or crossing a designated bicycle lane, the driver of a motor vehicle shall yield to any bicycle in the lane. As used in this section, the term “designated bicycle lane” shall mean a portion of the roadway or highway which has been designated by the governing body having jurisdiction over such roadway or highway by striping, signing and pavement markings for the preferential or exclusive use of bicycles.**

300.410. Notwithstanding the foregoing provisions of sections 300.155 to 300.410, every driver of a vehicle, **human powered vehicle, or motorcycle** shall exercise the highest degree of care to avoid colliding **upon a roadway** with any pedestrian [upon any roadway and shall give warning by sounding the horn when necessary], **any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or**

any person operating or occupying a motor vehicle and shall exercise [proper precaution] the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.

**300.411. 1. When passing a bicycle, a person operating a motor vehicle shall exercise the highest degree of care by leaving a safe distance between the motor vehicle and the bicycle until the motor vehicle is safely past the bicycle.**

**2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall exercise the highest degree of care by operating at a safe speed and leaving a safe distance between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.”; and**

Further amend said bill, Page 157, Section 304.580, Line 19, by inserting after all of said line the following:

**“304.675. 1. The governing body of a county or municipality may establish a maximum speed limit within a school zone not less than twenty miles per hour. Such speed limit shall be in force only during those times thirty minutes before, during, and thirty minutes after the periods of time when students are arriving at a regularly scheduled school session and leaving a regularly scheduled school session. As used in this section, the term “school zone” means property on which a school building is located and the sections of street or highway on or adjacent to the school property that are designated by signs indicating that it is a school and showing the posted limit or a section of street or highway where a school crossing is located that is designated by signs indicating that it is a school crossing and showing the posted speed limit. The state highways and transportation commission shall approve a speed limit in school zones on state or federal highways before the same shall become effective.**

**2. The governing body of a county or municipality may establish a speed limit within a school zone lower than twenty miles per hour if it finds, in conjunction with the school board, that a lower limit is needed to promote public safety, and the governing body of a county or municipality may extend the hours which the school zone speed limit is in force, if it finds, in conjunction with the school board, that extended hours for the school zone speed limit are needed to promote public safety. The establishment of any speed limit within a school zone lower than twenty miles per hour shall be in accordance with sections 304.010, 304.120, and 304.130.**

**3. The governing body of a county or municipality may provide that fines for any traffic violation within a school zone during the hours when the school zone speed limit is in effect shall be double the usual amount, and may erect signs in school zones indicating that fines are doubled.**

**304.677. Notwithstanding any other provisions of the law to the contrary, every driver of a vehicle, human powered vehicle, or motorcycle shall exercise the highest degree of care to avoid colliding upon any roadway with any pedestrian, any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or any person operating or occupying a motor vehicle, and shall exercise the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.**

**304.678. 1. When passing a bicycle, a person operating a motor vehicle shall exercise the highest degree of care by leaving a safe distance between the motor vehicle and the bicycle until the motor vehicle is safely past the bicycle.**

**2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall exercise the highest degree of care by operating at a safe speed and leaving a safe distance between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.”; and**

Further amend said bill, Page 160, Section 307.178, Line 3, by inserting after all of said line the following:

**“307.180. As used in sections 307.180 to 307.193:**

**(1) The word “bicycle” shall mean every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, or two parallel wheels and one or two forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters and similar devices;**

**(2) The term “motorized bicycle” shall mean any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.**

**307.191. Bicycle travel on the shoulder of the roadway, including travel on four-lane limited access highways, shall be permitted except where local ordinances and federal regulations or administrative rules**



promulgated by the state highways and transportation commission prohibit such shoulder travel. Roadways where shoulder bicycle travel is prohibited shall be clearly marked with signs. On all other streets and highways where bicycle travel on shoulders is permitted, bicycle travel on the roadway in accordance with section 307.190 shall not be restricted.”; and

Further amend said bill, Page 180, Section 407.567, Line 9, by inserting after all of said line the following:

**“537.038. Notwithstanding any other provisions of the law to the contrary, every driver of a vehicle, human powered vehicle, or motorcycle shall exercise the highest degree of care to avoid colliding upon any roadway with any pedestrian, any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or any person operating or occupying a motor vehicle, and shall exercise the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.**

565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if [he] **the person:**

(1) Recklessly causes the death of another person; or

(2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person **or;**

**(3) In operating a vehicle, recklessly causes the death of another person.**

2. Involuntary manslaughter in the first degree is a class C felony.

3. A person commits the crime of involuntary manslaughter in the second degree if:

(1) [He] **The person** acts with criminal negligence to cause the death of any person; **or**

**(2) The person operates a vehicle in a manner that violates local, state, or federal traffic law or regulation, and causes or contributes to the death of any person.**

4. Involuntary manslaughter in the second degree is a class D felony.

565.060. 1. A person commits the crime of assault in the second degree if [he] **the person:**

(1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or

(2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or

(3) Recklessly causes serious physical injury to another person; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause physical injury to any other person than himself; or

(5) Recklessly causes physical injury to another person by means of discharge of a firearm; **or**

**(6) In operating a vehicle, recklessly causes serious physical injury to another person.**

2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.

3. Assault in the second degree is a class C felony.

565.070. 1. A person commits the crime of assault in the third degree if:

(1) The person attempts to cause or recklessly causes physical injury to another person; or

(2) With criminal negligence the person causes physical injury to another person by means of a deadly weapon;

or

(3) The person purposely places another person in apprehension of immediate physical injury; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person; or

(5) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative; or

(6) The person knowingly causes physical contact with an incapacitated person, as defined in section 475.010, RSMo, which a reasonable person, who is not incapacitated, would consider offensive or provocative; **or**

**(7) In operating a vehicle, the person recklessly causes physical injury to another person.**

2. Except as provided in subsections 3 and 4 of this section, assault in the third degree is a class A misdemeanor.

3. A person who violates the provisions of subdivision (3) or (5) of subsection 1 of this section is guilty of a class C misdemeanor.

4. A person who has pled guilty to or been found guilty of the crime of assault in the third degree more than two times against any family or household member as defined in section 455.010, RSMo, is guilty of a class D felony for the

third or any subsequent commission of the crime of assault in the third degree when a class A misdemeanor. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 15*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 135, Section 301.130, Line 14 of said page, by inserting after all of said line the following:

“301.132. 1. [Any motor vehicle manufactured in 1948 or before which is modified for safe road use, including but not limited to modifications to the drive train, suspension, brake system, and any safety or comfort apparatus and which is not owned solely as a collector's item and which is not used or intended to be used solely for exhibition and educational purposes only, may be specially registered as a “street rod” upon payment of an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees. Upon the transfer of the title to any such vehicle the registration shall be canceled and the license plates issued therefor shall be returned to the director of revenue.

2. The owner of any such vehicle shall file an application in a form prescribed by the director, verified by affidavit, providing that such vehicle meets the requirements which shall be issued by the director for classification as a “street rod”, and a certificate of registration shall be issued therefor.

3. The director shall issue to the owner of any motor vehicle registered under this section two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “Street Rod”, “State of Missouri”. Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The advisory committee established in section 301.129 shall determine the characteristic features of such license plates for vehicles registered under the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Motor vehicles registered under this section are subject to the motor vehicle safety inspection requirements of sections 307.350 to 307.390, RSMo.] **For purposes of this section, “street rod” is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble a vehicle manufactured before 1949; and has been altered from the manufacturer's original design or has a body constructed from nonoriginal materials.**

**2. The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture.**

**3. For each street rod, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.**

**4. In applying for registration of a street rod pursuant to this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses, and will not be used for general daily transportation.**

**5. In addition to the certification required pursuant to subsection 4 of this section, when applying for registration of a street rod, the new owner of the street rod shall provide proof that the street rod passed a safety inspection in accordance with section 307.350, RSMo.**

**6. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “Street Rod”, “State of Missouri”. Such license plates shall be kept securely attached to the motor vehicle registered pursuant to this section. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such; except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.**

**7. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.**

8. Except as provided in subsection 5 of this section, a vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

9. A custom vehicle means any motor vehicle that:

(1) Is at least twenty-five years old and of a model year after 1948, or was manufactured to resemble a vehicle twenty-five years old or older and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design or has an entire body constructed from nonoriginal materials.

10. The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture.

11. For each custom vehicle, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

12. In applying for registration of a custom vehicle pursuant to this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses, and will not be used for general daily transportation.

13. In addition to the certification required pursuant to subsection 12 of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance with section 307.350, RSMo.

14. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "Custom Vehicle", "State of Missouri". Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such; except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive as prescribed by section 301.130.

15. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

16. Except as provided in subsection 12 of this section, a vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

17. For purposes of this section, "blue dot tail light" is a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

18. A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 16*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 68, Section 227.352, Line 12, by inserting after the end of said line the following:

**"227.355. The portion of U.S. Highway 65 contained within Mercer County shall be designated the "Robert Taylor Kelly Memorial Highway". Costs for such designations shall be paid by private donations.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 17*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 180, Section 407.567, Line 9, by inserting after said line the following:

“590.650. 1. As used in this section "minority group" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle [for a violation of any motor vehicle statute or ordinance], that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The [traffic violation or violations alleged to have been committed that led to] **reasons for the stop**;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;
- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop or the search;
- (9) If an arrest was made, the crime charged; and
- (10) The location of the stop. Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

- (a) The total number of vehicles stopped by peace officers during the previous calendar year;
- (b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;
- (c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and
- (d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.”; 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 President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 1394, as amended**: Senators Vogel, Bartle, Griesheimer, Callahan and Stoll.

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 855**, entitled:

An act to repeal sections 376.779, 376.810, 376.811, 376.826, 376.836, and 376.840, RSMo, and to enact in lieu thereof six new sections relating to insurance coverage for mental health.

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 adopted the Conference Committee Report on **HS HCS SCS SBs 1020, 889 & 869**, and has taken up and passed **CCS HS HCS SCS SBs 1020, 889 & 869**.

Emergency clause adopted.

#### **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 SB 1394**: Representatives Cooper (120), Sutherland, Icet, Young and Burnett

#### **THIRD READING OF SENATE BILLS**

**SCS SB 1196**, relating to fireworks regulation, was taken up by Representative Lager.

Representative Lager offered **HS SCS SB 1196**.

On motion of Representative Lager, **HS SCS SB 1196** was adopted.

On motion of Representative Lager, **HS SCS SB 1196** was read the third time and passed by the following vote:

1863 *Journal of the House*

AYES: 153

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
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 61	Jones
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	Rector	Reinhart
Richard	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: 002

Kelly 144                      Roark

PRESENT: 001

Ransdall

ABSENT WITH LEAVE: 007

Avery	Henke	Holand	Johnson 47	Johnson 90
Jolly	McKenna			

Speaker Hanaway declared the bill passed.

**SCS SB 1040, with House Committee Amendment No. 1**, relating to hazardous waste management, was taken up by Representative Townley.

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

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

*House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 1040, with House Committee Amendment No. 1, Page 14, Section 260.475, Line 57 of said page, by inserting immediately after the word “date” the following:

“**and reported to the department**”; and

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

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

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

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 1040, Page 1, Section A, Line 3, by inserting after all of said line the following:

"260.335. 1. For fiscal years 1992-1997, one million dollars from the solid waste management fund shall be made available, upon appropriation, to the department and the environmental improvement and energy resources authority to fund activities that promote the development and maintenance of markets for recovered materials, and beginning in fiscal year 1998, ten percent of the moneys in the solid waste management fund, **from August 28, 2004, to August 28, 2005**, not to exceed [one million] **eight hundred thousand** dollars, shall be made available for such purposes. Up to [fifteen] **nineteen** percent of such moneys may be used, upon appropriation, to administer the management of household hazardous waste and agricultural hazardous waste from family farms and family farm corporations, as defined in section 350.010, RSMo, to provide for establishment of an education program and a plan for the collection of household hazardous waste on a statewide basis by January 1, 2000. **After August 28, 2005, no more than one million dollars shall be made available for such purposes. Up to fifteen percent of such moneys may be used upon appropriation to administer the management of household hazardous waste and agricultural hazardous waste from family farms and family farm corporations, as defined in section 350.010, RSMo, to provide for establishment of an education program and a plan for the collection of household hazardous waste on a statewide basis by January 1, 2000.** The department and the authority shall establish a joint interagency agreement with the department of economic development to identify state priorities for market development and to develop the criteria to be used to judge proposed projects. Additional moneys may be appropriated in subsequent fiscal years if requested. The authority shall establish a procedure to measure the effectiveness of the grant program under this subsection and shall provide a report to the governor and general assembly by January fifteenth of each year regarding the effectiveness of the program.

2. All remaining [moneys in] **revenues deposited into** the fund **each fiscal year** after moneys have been made available for market development under subsection 1 of this section shall be allocated as follows:

(1) **From August 28, 2004, to August 28, 2005**, up to [ten] **forty-two** percent of the [moneys] **revenues** shall be dedicated, upon appropriation, to the elimination of illegal solid waste disposal, to identify and prosecute persons disposing of solid waste illegally;

(2) Up to fifteen percent of the moneys may, upon appropriation, be used], **to conduct solid waste permitting activities**, to administer grants and perform other duties imposed in sections [260.255] **260.200** to 260.345 and section 260.432. **After August 28, 2005, up to twenty-five percent of the revenues shall be dedicated, upon appropriation, to the activities and duties authorized in this subdivision;**

[(3)] (2) **From August 28, 2004, to August 28, 2005**, at least [fifty] **fifty-eight** percent of the [moneys] **revenues** shall be allocated through grants, upon appropriation, to participating cities, counties, and districts [through grants or loans]. **After August 28, 2005, up to fifty percent of the revenues shall be allocated through grants, upon appropriation, to participating districts.** Forty percent of the revenue generated within each region and allocable under this subdivision may be allocated to the district upon approval of the department for implementation of a solid waste management plan **and district operations**, and sixty percent of the revenue generated within each region and allocable under this subdivision shall be allocated to the cities and counties [within] **of the district or to persons or entities providing solid waste management, waste reduction, recycling and related services in these cities and**

**counties.** For the purposes of this subdivision, revenue generated within each district shall be determined from the previous year's data. **From August 28, 2004, to August 28, 2005,** each district shall receive a minimum of [forty-five] **seventy-five** thousand dollars under this subdivision. **After August 28, 2005, each district shall receive a minimum of forty-five thousand dollars under this subdivision.** Each district receiving moneys under this subdivision shall expend such moneys pursuant to a solid waste management plan required under section 260.325, and only in the case that the district is in compliance with planning requirements established by the department, and shall submit, within ninety days of the end of the fiscal year, an audited report of the expenditure of all funds received under this subsection. Moneys shall be awarded based upon grant applications. Any moneys remaining in any fiscal year due to insufficient or inadequate applications may be reallocated pursuant to **this** subdivision [(4) of this subsection]. [Moneys received from a region without a district which are allocable under this subsection shall be accumulated through September 30, 1993, and may be allocated to any district which forms within the region before July 1, 1996, and to cities and counties within the district to further the purposes of sections 260.300 to 260.345. Moneys collected in and accumulated for a region without a district on June 30, 1996, shall be reallocated to existing districts after July 1, 1996, pursuant to this section;

(4) The] **(3) From August 28, 2004, to August 28, 2005, any** remaining moneys in the fund shall be used, upon appropriation, to provide grants [or loans] for **statewide solid waste management planning or research** projects to any district, county or city of the state or to any other person or entity involved in waste reduction or recycling **or for contracted services** to further the purposes of **section 260.225 and** sections 260.255 to 260.345]. Solid waste management districts may apply annually to the department for a three-to-one matching grant of up to twenty thousand dollars per district per year to be used for the purpose of district operations]. **After August 28, 2005, any remaining moneys in the fund shall be used, upon appropriation, to provide grants or loans for statewide solid waste management projects to any district, county or city of the state or to any other person or entity involved in waste reduction or recycling to further the purposes of sections 260.255 to 260.345. Solid waste management districts may apply annually to the department for a three-to-one matching grant of up to twenty thousand dollars per district per year to be used for the purpose of district operations;**

[(5)] **(4)** Funds may be made available under this subsection for the administration and grants of the used motor oil program described in section 260.253;

[(6)] **(5)** The department and the environmental improvement and energy resources authority shall conduct sample audits of grants provided under this subsection.

3. The advisory board created in section 260.345 shall recommend criteria to be used to allocate grant moneys to districts, cities and counties. These criteria shall establish a priority for proposals which provide methods of solid waste reduction and recycling. The department shall promulgate criteria for evaluating grants by rule and regulation. Projects of cities and counties located within a district which are funded by grants under this section shall conform to the district solid waste management plan.

4. **Beginning July 1, 2004, a joint committee appointed by the speaker of the house of representatives and the president pro tem of the senate shall consider proposals for fees, restructuring the distribution of the fees between solid waste districts, grant recipients, and the department. The committee shall consider options for the distribution of the tipping fee to the solid waste districts and any other matters it deems appropriate. The committee shall prepare and submit a report including its recommendation for changes to the governor, the house of representatives, and the senate no later than December 31, 2004.**

5. The funds awarded to the districts, counties and cities pursuant to this section shall be used for the purposes set forth in sections 260.300 to 260.345, and shall be used in addition to existing funds appropriated by counties and cities for solid waste management and shall not supplant county or city appropriated funds.

[5.] **6.** The department, in conjunction with the solid waste advisory board, shall review the performance of all grant recipients to ensure that grant moneys were appropriately and effectively expended to further the purposes of the grant, as expressed in the recipient's grant application. The grant application shall contain specific goals and implementation dates, and grant recipients shall be contractually obligated to fulfill same. The department may require the recipient to submit periodic reports and such other data as are necessary, both during the grant period and up to five years thereafter, to ensure compliance with this section. The department may audit the records of any recipient to ensure compliance with this section. Recipients of grants under sections 260.300 to 260.345 shall maintain such records as required by the department. If a grant recipient fails to maintain records or submit reports as required herein, refuses the department access to the records, or fails to meet the department's performance standards, the department may withhold subsequent grant payments, if any, and may compel the repayment of funds provided to the recipient pursuant to a grant. The department shall make available all of the unencumbered funds generated during prior fiscal years by the fees established under section 260.330 through grants or loans to solid waste management areas and processing



facilities, municipalities, counties, districts, and other appropriate persons who demonstrate a need for assistance to comply with section 260.250. Such grants or loans shall be used for educational programs, transportation, low-interest or no-interest loans to purchase property for composting or other solid waste source reduction activities stated to facilitate compliance with section 260.250.

[6.] 7. The department shall provide for a security interest in any machinery or equipment purchased through grant moneys distributed pursuant to this section.

**8. If the moneys are not transmitted to the department within the time frame established by the rule promulgated, interest shall be imposed on the moneys due the department at the rate of ten percent per annum from the prescribed due date until payment is actually made. These interest amounts shall be deposited to the credit of the solid waste management fund.";** and

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

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

On motion of Representative Townley, **SCS SB 1040, as amended**, 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	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	Hoskins	Hubbard	Hunter
Icet	Jackson	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	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

1867 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery                      Bruns                      Holand                      Willoughby

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	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	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	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	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 009

Barnitz	Burnett	Harris 23	Johnson 90	LeVota
Sager	Walker	Ward	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery                      Holand

Speaker Pro Tem Jetton assumed the Chair.

**HCS SB 1211**, relating to court personnel and court procedures, was taken up by Representative Byrd.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 1211, Section 3.130, Page 4, Line 59, by inserting after all of said line the following:

“56.750. The “Missouri Office of Prosecution Services” is hereby established as an autonomous entity in the Missouri attorney general’s office. It shall be the purpose of the Missouri office of prosecution services to assist the prosecuting attorneys throughout the state in their efforts against criminal activity in the state. Such assistance may include:

(1) The obtaining, preparing, supplementing, and disseminating of indexes to and digests of the decisions of the supreme court and the court of appeals of Missouri and other courts, and the statutes, and other legal authorities relating to criminal matters, and civil matters concerning the duties of prosecuting attorneys and circuit attorney;

(2) The preparation and distribution of model complaints, informations, indictments, instructions, search warrants, interrogation advices, and other common and appropriate documents employed in the administration of criminal justice;

(3) The preparation and distribution of a basic prosecutor’s manual and other educational materials;

(4) The promotion of and assistance in the training of prosecuting attorneys and circuit attorney on a statewide basis;

(5) The provision of legal research assistance to prosecuting attorneys and circuit attorney; [and]

**(6) The development, support and maintenance of automated case management and criminal history reporting systems approved by the Prosecutors Coordinators Training Council as the standard utilized by prosecuting attorneys and circuit attorney; and**

[(6)] (7) The provision of other assistance to prosecuting attorneys and circuit attorney that is necessary for the successful implementation of sections 56.750 to 56.775 or that hereinafter may be authorized by law.”; and

Further amend said bill, Section 476.820, Page 20, Line 6, by inserting after all of said line the following:

**“3. In all cases not included in subsection 2 of this section, such fees and expenses may be taxed as costs by the court to the parties. Prior to any proceeding requiring an interpreter or translator, the court may order either party, or both, to deposit money with the court in an amount reasonably necessary to cover such fees and expenses. Upon disposition of the proceeding the court may order such costs paid from such deposit and shall return any portion of the deposit not used for such court costs to the parties.”; and**

Further amend said bill, Section 488.2275, Page 26, Line 21, by inserting after all of said line the following:

“490.525. 1. This section shall apply to civil actions filed in any court of this state.

2. Unless a controverting affidavit is filed as provided by this section, an affidavit that the amount a person charged for a service was reasonable at the time and place that the service was provided and that the service was necessary is sufficient evidence to support a finding of fact by judge or jury that the amount charged was reasonable or that the service was necessary.

3. The affidavit shall:

(1) Be taken before an officer with authority to administer oaths;

(2) Be made by the person **or that person’s designee** who provided the service;

(3) Include an itemized statement of the service and charge.

4. The party offering the affidavit in evidence or the party’s attorney shall file the affidavit with the clerk of the court and serve a copy of the affidavit on each other party to the case at least thirty days before the day on which evidence is first presented at the trial of the case.

5. A party intending to controvert a claim reflected by the affidavit shall file a counteraffidavit with the clerk of the court and serve a copy of the counteraffidavit on each other party or the party’s attorney of record:

- (1) Not later than:
  - (a) Thirty days after the day he receives a copy of the affidavit; and
  - (b) At least fourteen days before the day on which evidence is first presented at the trial of the case; or
- (2) With leave of the court, at any time before the commencement of evidence at trial.

6. The counteraffidavit shall give reasonable notice of the basis on which the party filing it intends at trial to controvert the claim reflected by the initial affidavit and must be taken before a person authorized to administer oaths. The counteraffidavit shall be made by a person who is qualified, by knowledge, skill, experience, training, education or other expertise, to testify in contravention of all or part of any of the matters contained in the initial affidavit.

491.640. 1. The **Prosecutors Coordinators Training Council, as established in Section 56.760, RSMo.** [director of the department of public safety] may, upon the **council's** [director's] own initiative or at the request of the attorney general, any prosecuting attorney or law enforcement agency, provide for the security of witnesses, potential witnesses and their immediate families in criminal proceedings instituted or investigations pending against a person alleged to have engaged in a violation of state law. Providing for witnesses may include provision of housing facilities and for the health, safety and welfare of such witnesses and their immediate families, if testimony by such a witness might subject the witness or a member of his immediate family to danger of bodily injury, and may continue so long as such danger exists.

2. The **Prosecutors Coordinators Training Council** [director of the department of public safety] may authorize the purchase, rental or modification of protected housing facilities for the purpose of this section. The **council** [director] may contract with any department of federal or state government to obtain or to provide the facilities or services to carry out this section.

3. The **Prosecutors Coordinators Training Council** [director of the department of public safety] may authorize expenditures to provide for the health, safety and welfare of witnesses and victims, and the families of such witnesses and victims, whenever, in his judgment, testimony from, or a willingness to testify by, such a witness or victim would place the life of such person, or a member of his family or household, in jeopardy. Applications by requesting law enforcement agencies under this section must include but not necessarily be limited to:

- (1) Statement of conditions which qualify persons for protection;
- (2) Precise methods the originating agency will use to provide protection, including relocation of persons and reciprocal agreements with other law enforcement agencies;
- (3) Statement of projected costs over a specified period of time.

4. **The Prosecutors Coordinators Training Council may delegate administration of the program set forth in this section to the Executive Director of the Missouri Office of Prosecution Services. Subject to appropriations from the general assembly for the purposes provided for in this section, funds may be appropriated from the Missouri Office of Prosecution Services Fund set forth in Section 56.765.2, general revenue or federal funds. Under no circumstance shall the expenditures from general revenue for the purposes provided for in this section exceed the amount of ninety-five thousand dollars, if and when appropriated by the general assembly for such purposes.**”; and

Further amend said bill, Section 494.430, Page 27, Line 10, by deleting the opening bracket “[“ after the word “hardship” on said line; and

Further amend said bill, Section 494.430, Page 27, Line 12, by deleting the closing bracket “]” after the word pharmacy on said line and inserting in lieu thereof the following:

**“, but only if such person provides a written statement to the court certifying that he or she is actually providing health care services to patients, and that the person’s service as a juror would be detrimental to the health of the person’s patients”;** and

Further amend said bill, Section 590.120, Pages 42 and 43, Lines 1 through 39, by deleting all of said lines; and

Further amend said bill, Section 630.130, Page 51, Line 30, by inserting after all of said line the following:

“632.498. Each person committed pursuant to sections 632.480 to 632.513 shall have a current examination of the person's mental condition made once every year by the director of the department of mental health or designee. The yearly report shall be provided to the court that committed the person pursuant to sections 632.480 to 632.513. The court shall conduct an annual review of the status of the committed person. Nothing contained in sections 632.480 to 632.513 shall prohibit the person from otherwise petitioning the court for discharge. The director of the department of

mental health shall provide the committed person with an annual written notice of the person's right to petition the court for release over the director's objection. The notice shall contain a waiver of rights. The director shall forward the notice and waiver form to the court with the annual report. The committed person shall have a right to have an attorney represent the person at the hearing but the person is not entitled to be present at the hearing. If the court at the hearing determines [that probable cause exists to believe] **by a preponderance of the evidence** that the [person's mental abnormality has so changed that the person is safe to be at large and will not] **person no longer suffers from a mental abnormality that makes the person likely to** engage in acts of sexual violence if discharged, then the court shall set a hearing on the issue. At the hearing, the committed person shall be entitled to be present and entitled to the benefit of all constitutional protections that were afforded the person at the initial commitment proceeding. The attorney general shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by a psychiatrist or psychologist not employed by the department of mental health or the department of corrections. In addition, the person may be examined by a consenting psychiatrist or psychologist of the person's choice at the person's own expense. The burden of proof at the [hearing] **trial** shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality remains such that the person is not safe to be at large and if released is likely to engage in acts of sexual violence.”; and

Further amend said bill, Section 2, Page 51, Lines 1 through 9, by deleting all of said lines; and

Further amend said bill, Section 452.420, Pages 51 and 52, Lines 1-5 on Page 51, and Line 6 on Page 52, by striking all of said section from the bill; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 1211, Page 4, Section 3.130, Line 59, by inserting after all of said line the following:

"57.260. It shall be the duty of the sheriff of Marion County to have at least one deputy[, residing in the city of Hannibal,] who shall attend district number 2 of the circuit court of Marion County at Hannibal; and if said sheriff shall neglect for one month to appoint a deputy [residing in the city of Hannibal,] as required by this section, he **or she** shall be liable to pay as a penalty therefor the sum of five hundred dollars for each month of such failure or neglect, and judgment may be entered for said penalty on a citation to show cause, issued from said court and served on said sheriff in like manner as an order or summons, or may be recovered by an action for that purpose brought in the name of the county of Marion.”; and

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

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

Representative Johnson (90) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 1211, Page 25, Section 488.2275, Line 6, by inserting after the comma the following:

**“and in any county of the first classification with more than one hundred ninety-eight thousand bus less than one hundred ninety-nine thousand two hundred inhabitants,”.**

On motion of Representative Johnson (90), **House Amendment No. 3** was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 1211, Page 27, Section 494.430, Line 3, by striking the opening bracket (“[“); and

Further amend said page, Line 4, by striking the closing bracket (“]”).

Representative Willoughby moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Byrd, **HCS SB 1211, as amended**, was adopted.

On motion of Representative Byrd, **HCS SB 1211, as amended**, was read the third time and passed by the following vote:

AYES: 156

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
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jones	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	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
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  
Wright  
Madam Speaker

Wilson 25  
Yaeger

Wilson 42  
Yates

Witte  
Young

Wood  
Zweifel

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 006

Avery  
Smith 118

Jolly

Kratky

Morris

Skaggs

Speaker Pro Tem Jetton declared the bill passed.

### BILLS IN CONFERENCE

**CCR SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, relating to county government, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **CCR SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, was adopted 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	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	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

1873 *Journal of the House*

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	Fares	Townley
-------	-------	---------

On motion of Representative Johnson (47), **CCS SS SCS HCS HBs 795, 972, 1128 & 1161** 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	Jackson	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	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 Townley Viebrock

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

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	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	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	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery Kelly 36 Myers Townley Viebrock  
Wilson 42

**CCR#2 SS HS HCS HB 978, as amended**, relating to small business, was taken up by Representative Baker.

On motion of Representative Baker, **CCR#2 SS HS HCS HB 978, as amended**, was adopted by the following vote:

AYES: 139

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
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	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Sprenge	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 022

Burnett	Campbell	Carnahan	Darrough	Daus
Donnelly	Fraser	Harris 110	Haywood	Hoskins
Hubbard	Johnson 90	Jolly	Lowe	Meiners
Muckler	Sager	Selby	Villa	Walker
Wilson 25	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery                      Smith 118

On motion of Representative Baker, **CCS#2 SS HS HCS HB 978** was read the third time and passed by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown

Bruns	Byrd	Cooper 120	Cooper 155	Corcoran
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Green	Guest	Hampton	Harris 23	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marshall
May	Mayer	McKenna	Meadows	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
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 023

Bland	Burnett	Campbell	Carnahan	Darrough
Daus	Donnelly	Fraser	Harris 110	Haywood
Hoskins	Johnson 90	Jolly	Lowe	Meiners
Muckler	Sager	Selby	Villa	Walker
Wildberger	Wilson 25	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Crawford	Smith 118
-------	----------	-----------

Speaker Pro Tem Jetton declared the bill passed.

**CCR#2 SCS HCS HB 959, as amended**, relating to financial services, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **CCR#2 SCS HCS HB 959, as amended**, was adopted by the following vote:

AYES: 157

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

1877 *Journal of the House*

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
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	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	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

Henke	Selby	Walker
-------	-------	--------

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Viebrock	Wilson 25
-------	----------	-----------

On motion of Representative Luetkemeyer, **CCS#2 SCS HCS HB 959** was read the third time and passed by the following vote:

AYES: 153

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	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	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	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	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Henke	Selby	Walker	Wilson 25
-------	-------	--------	-----------

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Deeken	Moore	Sager	Smith 118
Viebrock				

Speaker Pro Tem Jetton declared the bill passed.

**CCR SS HCS HB 1055, as amended**, relating to sexual offenses, was taken up by Representative Bruns.

On motion of Representative Bruns, **CCR SS HCS HB 1055, as amended**, was adopted by the following vote:

AYES: 158

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	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota

1879 *Journal of the House*

Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
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 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 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Marsh	Moore	Smith 118
-------	-------	-------	-----------

On motion of Representative Bruns, **CCS SS HCS HB 1055** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	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	Jackson	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	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 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 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Avery Marsh Smith 118

Speaker Pro Tem Jetton declared the bill passed.

**CCR HS HB 1487, 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,** relating to kidnapping a child, was taken up by Representative Self.

On motion of Representative Self, **CCR HS HB 1487, as amended,** was adopted 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	Jackson	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	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

1881 *Journal of the House*

Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	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	Marsh	Smith 118	Threlkeld
-------	-------	-----------	-----------

On motion of Representative Self, **CCS HS HB 1487** 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	Jackson	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	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 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 Marsh Smith 118

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted 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	Jackson	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	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 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 Marsh Purgason Smith 118

**CCR SS SCS HCS HB 1288, as amended**, relating to franchise agreements, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **CCR SS SCS HCS HB 1288, as amended**, was adopted by the following vote:

AYES: 158

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	Jackson	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	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 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Cunningham 145      Wasson

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery                      Marsh                      Smith 118

On motion of Representative Threlkeld, **CCS SS SCS HCS HB 1288** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks

Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	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
Icet	Jackson	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	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 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Cunningham 145            Wasson

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery                      Cooper 155                      Marsh                      Smith 118

Speaker Pro Tem Jetton declared the bill passed.

### THIRD READING OF SENATE BILL

**SCS SB 1265**, relating to civilian review boards, was taken up by Representative Byrd.

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

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 1265, Section 590.653, Page 1, Line 13, by striking the phrase “**a crime**” on said line and inserting immediately thereafter the following:

“**any felony, class A or B misdemeanor, or any crime involving the assault of a law enforcement officer, resisting arrest, or fleeing**”; and

1885 *Journal of the House*

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

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

On motion of Representative Byrd, **SCS SB 1265, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	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	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	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	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Townley
Viebrock	Villa	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 007

Boykins	Bringer	Brooks	El-Amin	Hubbard
Johnson 61	Jones			

PRESENT: 002

Vogt	Wilson 42
------	-----------

ABSENT WITH LEAVE: 007

Avery	Johnson 47	Marsh	Ruestman	Smith 118
Threlkeld	Wilson 25			

Speaker Pro Tem Jetton declared the bill passed.

**SENATE CONCURRENT RESOLUTION**

**SCR 37**, relating to a Joint Interim Committee on Teacher Support, Regulatory Reduction and Accountability, was taken up by Representative Engler.

On motion of Representative Engler, **SCR 37** was adopted.

**BILL IN CONFERENCE**

**CCR HCS HB 1617, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1**, relating to obstruction of securities investigations, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **CCR HCS HB 1617, as amended**, was adopted by the following vote:

AYES: 158

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	Hilgeman	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	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 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

1887 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery                      Kratky                      Marsh                      Moore                      Smith 118

On motion of Representative Hanaway, **CCS HCS HB 1617**, was read the third time and passed by the following vote:

AYES: 158

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
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	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	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	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Daus                      Whorton

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery                      Kratky                      Marsh

Speaker Pro Tem Jetton declared the bill passed.

### **HOUSE CONCURRENT RESOLUTION**

**HCR 41**, relating to the World Health Organization, was taken up by Representative Phillips.

Representative Phillips offered **HS HCR 41**.

Speaker Hanaway resumed the Chair.

On motion of Representative Phillips, **HS HCR 41** was adopted.

### **SENATE CONCURRENT RESOLUTIONS**

**SCR 34**, relating to services for the blind, was taken up by Representative Crawford.

On motion of Representative Crawford, **SCR 34** was adopted.

**SS SCR 47, with House Committee Amendment No. 1**, relating to a Joint Interim Committee on State Supported Passenger Rail Services and Multimodal Transportation, was taken up by Representative Pearce.

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

On motion of Representative Pearce, **SS SCR 47, as amended**, was adopted.

**SCR 30**, relating to the Revisor of Statutes, was taken up by Representative Yates.

On motion of Representative Yates, **SCR 30** was adopted.

### **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 adopted the Conference Committee Report on **HS HB 1487, as amended**, and has taken up and passed **CCS HS HB 1487**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SBs 1233, 840 & 1043, as amended**, and requests the House recede from its position or, failing to do so, grant the Senate a conference thereon and further that the Senate conferees are allowed to exceed the differences to address the issues of racial profiling and primary seatbelt enforcement.

**THIRD READING OF SENATE BILLS**

**HCS SCS SB 972**, relating to the Missouri Public Safety Medal of Valor, was taken up by Representative McKenna.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 972, Page 5, Section 650.615, Line 9 of said page, by inserting after the word "**safety**" the following:

**"from the fund created pursuant to section 650.620"; and**

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

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

On motion of Representative McKenna, **HCS SCS SB 972, as amended**, was adopted.

On motion of Representative McKenna, **HCS SCS SB 972, as amended**, was read the third time and passed by the following vote:

AYES: 158

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	Jackson	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	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 14
Sprenge	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 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Marsh	Smith 118	Townley	Wilson 25
-------	-------	-----------	---------	-----------

Speaker Hanaway declared the bill passed.

**SCS SB 987**, relating to water district boundaries, was taken up by Representative Johnson (47).

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

*House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 7, Section 247.165, Line 84, by inserting after all of said line the following:

**"644.581. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.**

**644.582. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.**

**644.583. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.";** and

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

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

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

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 4, Section 247.040, Line 96 of said page, by inserting immediately after said line the following:

**"247.085. 1. The board of directors of any public water supply district which is dependent upon purchases of water to supply its needs shall have power to sell and convey part or all of the property of the district to any city, owning and operating a waterworks system, in consideration whereof the city shall obligate itself to pay or assume the payment of all outstanding bond obligations of the district, and to provide reasonable and adequate water service and furnish water ample in quantity for all needful purposes, and pure and wholesome in quality, to the inhabitants of the territory lying**

within the district, during such period of time and under such terms and conditions as may be agreed upon by the city and the board of directors of the district; provided, however, that no action shall be taken as provided herein until said city and public water supply district shall cause a printed notice of their intention to act under this section to be published in a manner prescribed for by law in a newspaper having a general circulation in said city and public water supply district, and a statement of the time and manner of said publication shall be recited in any agreement or contract executed hereunder.

2. Thereafter the board of directors may sell and convey any remaining property of the district and after payment of the debts of the district, other than bond obligations, the board of directors may use the funds of the district for the purpose of providing fire protection or for any other public purpose which in the opinion of the board will be beneficial to the inhabitants of the district.

**3. The powers granted by this section are in addition to the powers granted by other sections and are not subject to the terms and conditions set forth in those sections.”; and**

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

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

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

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 2, Subsection 4, Lines 42-44, by striking the following:

“or by any municipality with boundaries located not more than two miles from any boundary of the proposed district;”.

**SCS SB 987, as amended, with House Amendment No. 3, pending,** was laid over.

**HCS SB 1391**, relating to transient guest tax, was taken up by Representative Emery.

Representative Emery offered **HS HCS SB 1391**.

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

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Page 9, Section 94.838, Line 23, by inserting after all of said line the following:

"321.552. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or any county with a charter form of government with over one million inhabitants;] or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants, the governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection

district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

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

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

Yes  No

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

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

5. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales 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 and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

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

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

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

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

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

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Section A, Page 1, Line 2, by inserting the following after all of said line:

“94.070. In addition to the levy aforesaid for general municipal purposes, all cities of the third class are hereby authorized to levy annually not to exceed the following rates of taxation on all property subject to its taxing power for the following special purposes:

(1) For library purposes in the manner and at the rate authorized under the provisions of sections 182.140 to 182.301, RSMo;

(2) For hospitals, public health, and museum purposes [twenty] **thirty** cents on the one hundred dollars assessed valuation; and

(3) For recreational grounds in the manner and at the rate authorized under the provisions of sections 90.500 to 90.570, RSMo.”; and

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

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

Speaker Pro Tem Jetton resumed the Chair.

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

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Page 1, Section A, Line 8, by inserting immediately after said line the following:

“94.834. 1. The governing body of any city of the third classification with more than twelve thousand four hundred but less than twelve thousand five hundred inhabitants, **the governing body of any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants**, and the governing body of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the fourth classification with more than twenty-three thousand seven hundred but less than twenty-three thousand eight hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

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

Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the sole purpose of promoting tourism?

Yes

No

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

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

On motion of Representative Skaggs, **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 Bill No. 1391, Section A, Page 1, Line 8 of said page, by inserting after all of said line the following:

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

- (1) "Food", all products commonly used for food or drink, including alcoholic beverages;**
- (2) "Food establishment", any cafe, cafeteria, lunchroom, or restaurant which sells food at retail;**
- (3) "Gross receipts", the gross receipts from retail sales of food prepared on the premises and delivered to the purchaser (excluding sales tax);**
- (4) "Person", any individual, corporation, partnership, or other entity;**
- (5) "Tourism-related activities", those activities commonly associated with the development, promotion, and operation of tourism and related facilities for the city, including historic preservation and neighborhood revitalization.**

**2. The city council of any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants or any home rule city with more than four hundred thousand inhabitants and located in more than one county may impose a tax on the gross receipts derived from all retail sales of food by every person operating a food establishment situated in the city or a portion thereof. The tax authorized in this section may be imposed in increments of one-eighth of one percent, up to a maximum of two percent of such gross receipts. Such tax shall be in addition to all other sales taxes imposed on such food establishments, and shall be stated separately from all other charges and taxes. Such tax shall not become effective unless the city council, by order or ordinance, submits to the voters of the city a proposal to authorize the city council to impose a tax under this section on any day available for such city to hold municipal elections or at a special election called for the purpose.**

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

**Shall ..... (insert the name of the city) impose a tax on the gross receipts derived from the retail sales of food at any food establishment situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the sole purpose of providing funds for the development, promotion, and operation of museum and tourism-related activities and facilities, with ..... (insert rate of percent) percent of such tax dedicated to museum purposes?**

YES

NO

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.**

**4. The tax imposed under this section shall be known as the "Museum and Tourism-Related Activities Tax". Each city imposing a tax under this section shall establish separate trust funds to be known as the "Museum Trust Fund" and the "Tourism-Related Trust Fund". The city treasurer shall deposit the revenue derived from the tax imposed under this section for museum purposes in the museum trust fund, and shall deposit the revenue derived for tourism-related purposes in the tourism-related trust fund. The proceeds of such tax shall**

be appropriated by the city council exclusively for the development, promotion, and operation of museum and tourism-related activities and facilities in the city.

5. All applicable provisions in chapter 144, RSMo, relating to state sales tax, and in section 32.057, RSMo, relating to confidentiality, shall apply to the collection of any tax imposed under this section.

6. All exemptions for government agencies, organizations, individuals, and on the sale of certain tangible personal property and taxable services granted under sections 144.010 to 144.525, RSMo, shall be applicable to the imposition and collection of any tax imposed under this section.

7. The same sales tax permits, exemption certificates, and retail certificates required for the administration and collection of state sales tax in chapter 144, RSMo, shall be deemed adequate for the administration and collection of any tax imposed under this section, and no additional permit, exemption certificate, or retail certificate shall be required, provided that the director of the department of revenue may prescribe a form of exemption certificate for an exemption from any tax imposed under this section.

8. Any individual, firm, or corporation subject to any tax imposed under this section shall collect the tax from the patrons of the food establishment, and each such patron of the food establishment shall pay the amount of the tax due to the individual, firm, or corporation required to collect the tax. The city shall permit the individual required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city council may either require the license collector of the city to collect the tax, or may enter into an agreement with the director of the department of revenue to have the director collect the tax on behalf of the city. In the event such an agreement is entered into, the director shall perform all functions incident to the collection, enforcement, and operation of such tax, and shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for the costs of collecting the tax. If the director is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section.

9. It is unlawful for any person to advertise or hold out or state to the public or to any food establishment patron, directly or indirectly, that the tax or any part thereof imposed by this section, and required to be collected by that person, will be absorbed by that person, or anyone on behalf of that person, or that it will not be separately stated and added to the price of the food establishment bill, or if added, that it or any part thereof will be refunded.", and

Further amend said bill, Section 94.838, Page 9, Line 23 of said page, by inserting after all of said line the following:

"144.518. In addition to the exemptions granted pursuant to section 144.030, there is hereby specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, and sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, machines or parts for machines used in a commercial, coin-operated amusement and vending business where sales tax is paid on the gross receipts derived from the use of commercial, coin-operated amusement and vending machines."; 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 Barnitz offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for for Senate Bill No. 1391, Section 94.838, Page 9, Line 23, by inserting after all of said line the following:

**“Section 1. Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the county at a state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.”; and**

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

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

On motion of Representative Emery, **HS HCS SB 1391, as amended**, was adopted.

On motion of Representative Emery, **HS HCS SB 1391, as amended**, was read the third time and passed by the following vote:

AYES: 122

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Bruns	Byrd	Carnahan
Cooper 120	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Dempsey
Dethrow	Dixon	Dougherty	Emery	Engler
Fares	Fraser	George	Goodman	Graham
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Quinn	Ransdall	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemyer	Skaggs	Smith 14	St. Onge

1897 *Journal of the House*

Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright			

NOES: 034

Bishop	Brooks	Brown	Burnett	Cooper 155
Cunningham 86	Davis 19	Deeken	Donnelly	El-Amin
Ervin	Green	Guest	Harris 110	Harris 23
Henke	Jackson	Johnson 90	Lembke	LeVota
Page	Pratt	Purgason	Roark	Sager
Schneider	Shoemaker	Spreng	Walton	Yaeger
Yates	Young	Zweifel	Madam Speaker	

PRESENT: 001

Dusenberg

ABSENT WITH LEAVE: 006

Avery	Baker	Campbell	Johnson 47	Marsh
Smith 118				

Speaker Pro Tem Jetton declared the bill passed.

**MESSAGE FROM THE SENATE**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **SS HS HCS HB 978**, as amended.

**HOUSE BILL WITH SENATE AMENDMENT**

**SS SCS HCS HB 855**, relating to health insurance, was taken up by Representative Holand.

Speaker Hanaway resumed the Chair.

On motion of Representative Holand, **SS SCS HCS HB 855** was adopted by the following vote:

AYES: 146

Abel	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	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
Deeken	Dempsey	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green



Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kratky	Kuessner
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Quinn
Ransdall	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Smith 118	Smith 14	Spreng	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: 012

Angst	Bivins	Davis 19	Dethrow	Emery
Lager	Morris	Purgason	Rector	Roark
Shoemaker	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	King	Marsh	Skaggs	St. Onge
-------	------	-------	--------	----------

On motion of Representative Holand, **SS SCS HCS HB 855** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Engler	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn

1899 *Journal of the House*

Ransdall	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	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	Young	Zweifel	Madam Speaker	

NOES: 014

Angst	Bivins	Davis 19	Dethrow	Emery
Ervin	Lager	Morris	Rector	Roark
Shoemaker	Stevenson	Townley	Yates	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Byrd	Marsh	St. Onge	Sutherland
-------	------	-------	----------	------------

Speaker Hanaway declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS HB 978, as amended**, relating to small business, was taken up by Representative Baker.

Representative Baker moved that the House grant the Senate further conference on **HS HCS HB 978, as amended**.

Which motion was adopted.

### **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 adopted the Conference Committee Report on **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 968 and SCS SB 969**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SS HS HCS HB 978, as amended**: Senators Yeckel, Nodler, Scott, Coleman and Caskey.

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 1277**, entitled:

An act to repeal sections 260.200, 260.270, 260.272, 260.273, 260.274, 260.275, 260.276, 260.278, 260.335, 260.342, 260.370, 260.375, 260.380, 260.475, 260.479, 444.762, 444.765, 444.767, 444.770, 444.787, and 621.015, RSMo, and to enact in lieu thereof twenty-three new sections relating to environmental regulation, with a penalty clause and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 75, Section 621.250, Line 7 of said page, by striking the word "fifteen" and inserting in lieu thereof the following:

**"sixty"**; and

Further amend Line 18 of said page, by inserting a beginning bracket "[" immediately after the word "commission"; and

Further amend Line 22 of said page, by inserting an ending bracket "]" immediately after the word "commission"; and

Further amend Lines 22-23 of said page, by striking the words "and legal basis"; and

Further amend said section, Page 76, Line 2 of said page, by striking "department of natural resources" and inserting in lieu thereof the following:

**"commission"**; and

Further amend Line 4 of said page, by inserting immediately after "6." the following:

**"Except as otherwise provided by law"**; and

Further amend Line 6 of said page, by inserting immediately after the word "resources" the following:

**"or the commission"**.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 57, Section 260.479, Line 8, by inserting immediately after said line the following:

"260.830. 1. Any county of the third classification or [any county of the second classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants or] any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants may, by a majority vote of its governing body, impose a landfill fee pursuant to this section and section 260.831, for the benefit of the county. No order or ordinance enacted pursuant to the authority granted by this section shall be effective unless the governing body of the county submits to the qualified voters of the county, at a public election, a proposal to authorize the governing body of the county to impose a fee under the provisions of this section. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a landfill fee of ..... (insert amount of fee per ton or volumetric equivalent of solid waste)?

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 order or ordinance and any amendments thereto shall become effective on the first day of the calendar quarter immediately after such election results are certified. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the fee authorized by this section unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose such fee, and the proposal is approved by a majority of the qualified voters voting thereon. **With the exception of any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants**, if an economic development authority does not exist in a county at the time that a landfill fee is adopted by such county under this section, then the governing body of such county shall establish an economic development authority in the county.

2. The landfill fee authorized by such an election may not exceed one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted, which charge may be in addition to any such fee currently imposed pursuant to the provisions of section 260.330.

260.831. 1. Each operator of a solid waste sanitary or demolition landfill in any county wherein a landfill fee has been approved by the voters pursuant to section 260.830 shall collect a charge equal to the charge authorized by the voters in such election, not to exceed one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted. Such fee shall be collected in addition to any fee authorized or imposed pursuant to the provisions of section 260.330, and shall be paid to such operator by all political subdivisions, municipalities, corporations, entities or persons disposing of solid waste or demolition waste, whether pursuant to contract or otherwise, and notwithstanding that any such contract may provide for collection, transportation and disposal of such waste at a fixed fee. Any such contract providing for collections, transportation and disposal of such waste at a fixed fee which is in force on August 28, 2003, shall be renegotiated by the parties to the contract to include the additional fee imposed by this section. Each such operator shall submit the charge, less collection costs, to the governing body of the county, which shall dedicate such funds for use by the industrial development authority within the county and such funds shall be used by the authority for economic development within the county, **except in the case of any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants, wherein the funds shall be credited to the county general revenue fund to be expended as prescribed by the county governing body**. Collection costs shall be the same as established by the department of natural resources pursuant to section 260.330, and shall not exceed two percent of the amount collected pursuant to this section.

2. The charges established in this section shall be enumerated separately from any disposal fee charged by the landfill. After January 1, 1994, the fee authorized under section 260.830 and this section shall be stated as a separate surcharge on each individual solid waste collection customer's invoice and shall also name the economic development authority which receives the funds. Moneys transmitted to the governing body of the county shall be no less than the amount collected less collection costs and in a form, manner and frequency as the governing body may prescribe. Failure to collect such charge shall not relieve the operator from responsibility for transmitting an amount equal to the charge to the governing body."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 64, Section 444.770, Lines 6-29 of said page, by striking all of said lines; and

Further amend said bill and section, Page 65 of said page, Lines 1 to 29, by striking all of said lines; and

Further amend said bill and section, Page 66, Lines 1 to 17 of said page, by striking all of said lines and inserting in lieu thereof the following:

"444.770. 1. **Except as provided in this section**, it shall be unlawful for any operator to engage in surface mining without first obtaining from the commission a permit to do so, in such form as is hereinafter provided, including

any operator involved in any **sand and gravel** mining operation where the annual tonnage of **sand and gravel** mined by such operator is less than five thousand tons. **The commission shall establish excavation standards for operators of in-stream sand and gravel mines that are exempt from permitting requirements pursuant to this section. Such excavation standards shall not be more stringent than standards required of operators required to obtain permits. If an operator of an in-stream sand and gravel mine that is exempt from permitting requirements pursuant to this section violates such excavation standards and causes a negative impact on a stream, such operator shall take corrective actions as directed by the commission and the commission shall require such operator to apply for a permit to continue operating at the site of such violations.**

2. Sections 444.760 to 444.790 shall apply only to those areas which are opened on or after January 1, 1972, or to the extended portion of affected areas extended after that date. The effective date of this section for minerals not previously covered under the provisions of sections 444.760 to 444.790 shall be August 28, 1990.

3. All surface mining operations where land is affected after September 28, 1971, which are under the control of any government agency whose regulations are equal to or greater than those imposed by section 444.774, are not subject to the further provisions of sections 444.760 to 444.790, except that such operations shall be registered with the land reclamation commission.

4. Any portion of a surface mining operation which is subject to the provisions of sections 260.200 to 260.245, RSMo, and the regulations promulgated thereunder, shall not be subject to the provisions of sections 444.760 to 444.790, and any bonds or portions thereof applicable to such operations shall be promptly released by the commission, and the associated permits canceled by the commission upon presentation to it of satisfactory evidence that the operator has received a permit pursuant to section 260.205, RSMo, and the regulations promulgated thereunder. Any land reclamation bond associated with such released permits shall be retained by the commission until presentation to the commission of satisfactory evidence that:

(1) The operator has complied with sections 260.226 and 260.227, RSMo, and the regulations promulgated thereunder, pertaining to closure and postclosure plans and financial assurance instruments; and

(2) The operator has commenced operation of the solid waste disposal area or sanitary landfill as those terms are defined in chapter 260, RSMo.

5. [Notwithstanding the provisions of subsection 1 of this section,] Any political subdivision which uses its own personnel and equipment **or contracts for excavation to obtain sand and gravel material solely for the use of such political subdivision** or any private individual for personal use may conduct in-stream **sand and gravel** operations without obtaining from the commission a permit to conduct such an activity. **Any private landowner may contract for in-stream sand and gravel operations and may either personally or through their contractor sell up to a total of two thousand tons of sand and gravel material annually without obtaining a permit from the commission. Any contractor conducting in-stream sand and gravel operations on the behalf of one or more landowner or political subdivision shall not remove more than a total of two thousand tons of sand and gravel material per year from all sources without obtaining a permit from the commission. Any political subdivision or their contractor conducting in-stream sand and gravel operations pursuant to this subsection shall comply with excavation standards and notify the commission of the stream location, dates of operation at the specific location and the name of operator prior to commencing such operations and in a manner as determined by the commission with the preceding information. Such information gathered by the commission shall be used for informational purposes only.**

6. **The commission shall provide information and educational opportunities to inform the public about permit requirements and best mining practices.**"; and

Further amend said section, by renumbering the remaining subsections accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 12, Section 260.270, Line 28 of said page, by striking the opening bracket "[" as it appears the second time on said line; and

Further amend said bill and section, Page 13, Line 3 of said page, by striking the closing bracket "]""; and

Further amend said bill and section, Page 14, Lines 23-24 of said page, by striking the following:

1903 *Journal of the House*

", scrap tire end-user facilities,"; and

Further amend said bill and section, Page 15, Line 13 of said page, by inserting immediately after the word "sites" the following:

", **processing facilities**"; and

Further amend said bill, Section 260.273, Page 19, Line 15 of said page, by striking the words "shall be"; and

Further amend Line 17, by striking the word "and"; and

Further amend said bill and section, Page 20, Line 11 of said page, by striking "5" and inserting in lieu thereof the following:

"**6**"; and

Further amend said bill and section, Page 21, Line 13 of said page, by striking the word "January" and inserting in lieu thereof the following:

"**July**"; and

Further amend said bill, Section 260.275, Page 24, Line 12 of said page, by striking the opening bracket "[", the closing bracket "]", and the word "scrap"; and

Further amend Line 14 of said page, by striking the opening bracket "[", the closing bracket "]", and the word "scrap".

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 19, Section 260.273, Line 9 of said page, by striking the word "eighteen" and inserting in lieu thereof the following:

"**nineteen**".

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 adopted the Conference Committee Report on **HS HCS SB 1394, as amended**, and has taken up and passed **CCS HS HCS SB 1394**.

**APPOINTMENT OF CONFERENCE COMMITTEE**

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

**SS HS HCS HB 978**: Representatives Baker, Byrd, St. Onge, Seigfreid and Skaggs

On motion of Representative Crowell, the House recessed until 6:30 p.m.

**EVENING SESSION**

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

**BILL CARRYING REQUEST MESSAGE**

**HS SS SCS SBs 1233, 840 & 1043, as amended**, relating to motor vehicles, was taken up by Representative Crawford.

Representative Crawford moved that the House refuse to recede from its position on **HS SS SCS SBs 1233, 840 & 1043, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences to address the issue of racial profiling.

Which motion was adopted.

**THIRD READING OF SENATE BILL**

**SCS SB 987, as amended, with House Amendment No. 3, pending**, relating to water district boundaries, was again taken up by Representative Johnson (47).

**House Amendment No. 3** was withdrawn.

Representative Johnson (47) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND Senate Committee Substitute for Senate Bill No. 987, Section 247.165, Pages 4-7, by deleting said section from the bill; and

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

On motion of Representative Johnson (47), **House Amendment No. 4** was adopted.

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

Representative Johnson (47) raised a point of order that **House Amendment No. 5** amends previously amended material.

The Chair ruled the point of order untimely.

**House Amendment No. 5** was withdrawn.

**SCS SB 987, as amended**, was laid over.

**HCS SCS SB 845**, relating to a memorial highway; state park system, was taken up by Representative Jackson.

**HCS SCS SB 845** 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 SS SCS SBs 1233, 840 & 1043:** Representatives Crawford, Schlottach, Smith (14), Bland and Boykins

Speaker Pro Tem Jetton resumed the Chair.

### **MESSAGE FROM THE SENATE**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SS SCS SBs 1233, 840 & 1043, as amended:** Senators Dolan, Bland, Days, Nodler and Griesheimer.

### **VETOED HOUSE BILL**

**CCS SS#2 SS SCS HS HCS HB 1304**, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd moved that **CCS SS#2 SS SCS HS HCS HB 1304** be passed, objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 097

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 110	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Lager
Lawson	Lembke	Lipke	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Seigfreid
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland



Threlkeld	Townley	Viebrock	Wallace	Wasson
Whorton	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 062

Abel	Bishop	Bland	Boykins	Brooks
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Muckler	Parker	Ransdall	Sager
Salva	Schneider	Schoemehl	Shoemyer	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bough	Marsh	Taylor
-------	-------	-------	--------

Representative Yates requested a verification of the roll call on the motion to pass **CCS SS#2 SS SCS HS HCS HB 1304**, the objections of the Governor notwithstanding.

Speaker Hanaway resumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SB 807**, relating to civil actions, was taken up by Representative Lembke.

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

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

The Chair ruled the point of order well taken.

Representative Dempsey assumed the Chair.

Representative Lembke moved that **HCS SB 807** be adopted.

Which motion was defeated.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Lembke, **SB 807** was truly agreed to and finally passed by the following vote:

AYES: 155

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	Darrrough
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	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Salva                      Whorton

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery                      Lawson                      Marsh                      McKenna                      Reinhart  
Stefanick

Speaker Pro Tem Jetton declared the bill passed.

**SCS SB 987, as amended**, relating to water district boundaries, was again taken up by Representative Johnson (47).

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

*House Amendment No. 6*

AMEND Senate Committee Substitute for Senate Bill No. 987, Section 247.040, Page 4, Line 106, by inserting the following after all of said line:

**"Section 1. When an entity considering or proposing the construction of a multiresidential or commercial development, which is located within the city limits of a city owning a waterworks and also located within the boundaries of a public water supply district, makes an inquiry of the city administrator respecting the supply of water service to such construction project, the city shall notify the public water supply district of such inquiry. Such notification shall be within ten days of the initial inquiry of the city administrator, shall be by certified mail, and shall state the location of such construction project to the extent the city administrator is aware of such.;"**  
and

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

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

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

*House Amendment No. 7*

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 2, Section 247.040, Line 21, by deleting **"two miles"** and inserting in lieu thereof **"one mile"**; and

Further amend said section and page, Line 43, by deleting **"two miles"** and inserting in lieu thereof **"one mile"**.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 7**.

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 7** is not a true amendment and goes beyond the scope of the underlying amendment.

The Chair ruled the point of order well taken.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
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

1909 *Journal of the House*

Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Whorton	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Lawson	Marsh	McKenna
-------	--------	-------	---------

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

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
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
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick

Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Whorton	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Lawson	Marsh	McKenna
-------	--------	-------	---------

Speaker Hanaway resumed the Chair.

On motion of Representative Johnson (47), **SCS SB 987, as amended**, was read the third time and passed by the following vote:

AYES: 125

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	Goodman	Graham
Guest	Hampton	Haywood	Hobbs	Holand
Hunter	Iceet	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Wagner
Wallace	Walton	Ward	Wasson	Whorton

1911 *Journal of the House*

Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yates	Madam Speaker

NOES: 033

Barnitz	Bishop	Bringer	Burnett	Darrough
Daus	Donnelly	El-Amin	George	Green
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 90	Kuessner	LeVota	Meadows
Muckler	Ransdall	Selby	Shoemyer	Spreng
Villa	Vogt	Walker	Walsh	Willoughby
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Lawson	Marsh	McKenna	Thompson
-------	--------	-------	---------	----------

Speaker Hanaway declared the bill passed.

**SB 1344**, relating to a Joint Committee on Economic Development, was taken up by Representative Dempsey.

Representative Dempsey offered **HS SB 1344**.

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

*House Amendment No. 1*

AMEND House Substitute for Senate Bill No. 1344, Page 2, Section 64.930, Line 14, by inserting after the word "predecessors." an open bracket "["; and

Further amend said page, Line 16, by inserting after all of said line a closing bracket "]".

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

Representative Cooper (120) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for Senate Bill No. 1344, Section 620.602, Page 13, Line 6, by inserting before all of said line the following:

"262.217. Effective September 1, 1995, there is created a "State Fair Commission" whose domicile for the purposes of sections 262.215 to 262.280 shall be the department of agriculture of this state. The commission shall consist of nine members, two of whom shall be active farmers, two of whom shall be either current members or past presidents of county or regional fair boards, one of whom shall be the director of the department of agriculture, one of whom shall be employed in agribusiness, and three at-large members who shall be Missouri residents. The director of the department of agriculture shall be the chairman of the commission until January 31, 1997, and shall not be counted against membership from a congressional district, at which time the chairman shall be elected from among the members of the commission by the commission members. Such officer shall serve for a term of two years. Commissioners shall be reimbursed for their actual and necessary expenses incurred when attending meetings of the commission, to be paid from

appropriations made therefor. Commissioners shall be appointed by the governor, with the advice and consent of the senate. The county fair association in the state may submit to the governor a list of nominees for appointment, three from each congressional district, for those commission members who are required to be current members or past presidents of county fair boards. Not more than four commissioners excluding the director of agriculture shall be members of the same political party. Each commissioner shall be a resident of the state for five years prior to his appointment. The eight initial commissioners shall be appointed as follows: two shall be appointed for terms of one year, two for terms of two years, two for terms of three years and two for terms of four years. Their successors shall be appointed for terms of four years. A commissioner shall continue to serve until his successor is appointed and qualified. Whenever any vacancy occurs on the commission, the governor shall fill the vacancy by appointment for the remainder of the term of the commissioner who was replaced. [There shall be no more than two commission members from any congressional district.]; and

Further amend said bill, Section 620.602, Page 15, Line 2, by inserting after all of said line the following:

“Section B. Because of the need for the State Fair Commission to better serve the citizens of this state, section 262.217 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

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

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Iceet	Jackson	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	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood

1913 *Journal of the House*

Henke	Hilgemann	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Davis 19	Holand	Hoskins	Lawson
Marsh	McKenna			

On motion of Representative Dempsey, **HS SB 1344, as amended**, was adopted.

On motion of Representative Dempsey, **HS SB 1344, as amended**, was read the third time and passed by the following vote:

AYES: 128

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Guest	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	King	Kingery
Kratky	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yates	Zweifel	Madam Speaker		

NOES: 030

Burnett	Daus	Davis 122	Donnelly	Dougherty
Fraser	Green	Hampton	Harris 110	Henke
Hoskins	Johnson 90	Kelly 36	Kuessner	LeVota
Meadows	Muckler	Ransdall	Sager	Schoemehl



Seigfreid                      Selby                              Shoemyer                      Villa                              Vogt  
Walton                          Whorton                          Wilson 25                      Yaeger                          Young

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery                              Brown                              Lawson                              Marsh                              McKenna

Speaker Hanaway declared the bill passed.

**SB 966**, relating to temporary employees, was taken up by Representative Smith (118).

Representative St. Onge offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 966, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal section 288.397 as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to"; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 288.397, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, is repealed, and four new sections enacted in lieu thereof, to be known as sections 288.401, 288.501, 288.502, and 1 to read as follows:"; and

Further amend said bill, Page 1, Section 288.401, Line 14, by inserting after all of said line the following:

**"288.501. 1. There is hereby created a "Missouri State Unemployment 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 difficult problems of unemployment compensation, particularly legal, accounting, actuarial, economic, and social aspects of unemployment compensation.**

**(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 less 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 less 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.

288.502. If any provision of this act is found by a court of competent jurisdiction to be invalid or unconstitutional it is the stated intent of the legislature that the legislature would have approved the remaining portions of the act, and the remaining portions of the act shall remain in full force and effect.

Section 1. For purposes of section 288.330, RSMo, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, the revisor of statutes shall renumber subdivision (16) of subsection 2 of such section as subdivision (17) of such subsection and renumber subdivision (17) of subsection 2 of such section as subdivision (16) of such subsection.

[288.397. The division shall send on or before September 30, 2004, to all employing units a report containing a summary of changes enacted in this act including but not limited to changes in the tax rate, contribution rate, taxable wage base, temporary solvency charges, benefit or eligibility charges, and other pertinent information to enable the employing units to comply with the changes made.]; and

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

On motion of Representative St. Onge, **House Amendment No. 1** was adopted by the following vote:

AYES: 137

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brown	Bruns	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	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Guest	Hampton
Harris 110	Harris 23	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 017

Barnitz	Bringer	Burnett	El-Amin	Green
Haywood	Henke	Jones	LeVota	Myers
Seigfreid	Selby	Skaggs	Vogt	Walton
Ward	Wilson 25			

PRESENT: 002

Brooks	Johnson 61
--------	------------

ABSENT WITH LEAVE: 007

Avery	Graham	Hunter	Lawson	Marsh
McKenna	Sager			

On motion of Representative Smith (118), **SB 966, as amended**, was read the third time and passed by the following vote:

AYES: 146

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120

1917 *Journal of the House*

Cooper 155	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
Hoskins	Hubbard	Ice	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
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	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 010

Barnitz	Bringer	El-Amin	Green	Jones
LeVota	Seigfreid	Selby	Vogt	Ward

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 006

Avery	Hunter	Lawson	Marsh	McKenna
Sager				

Speaker Hanaway declared the bill passed.

**CONFERENCE COMMITTEE REPORT NO. 3**  
**ON**  
**SENATE SUBSTITUTE**  
**FOR**  
**HOUSE SUBSTITUTE**  
**FOR**  
**HOUSE COMMITTEE SUBSTITUTE**  
**FOR**  
**HOUSE BILL NO. 978**

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 978;
3. That the attached Conference Committee Substitute No. 3 for Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel  
/s/ Sen. Gary Nodler  
/s/ Sen. Delbert Scott  
/s/ Sen. Maida Coleman  
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Neal St. Onge  
/s/ Rep. Brian Baker  
/s/ Rep. Richard Byrd  
/s/ Rep. James Seigfreid  
/s/ Rep. Trent Skaggs

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1182**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, with Senate Amendment Nos. 1, 2, 3, 4, & 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1182;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Rep. Brian Munzlinger  
/s/ Rep. Jim Guest  
/s/ Rep. Steve Hobbs  
/s/ Rep. Wes Shoemyer  
/s/ Rep. Wayne Henke

FOR THE SENATE:

/s/ Sen. David Klindt  
/s/ Sen. John Cauthorn  
/s/ Sen. Delbert Scott  
/s/ Sen. Joan Bray  
/s/ Sen. James Mathewson

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1453**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 9, 11, 13, 14, 15, 16, and 17, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1453;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields  
/s/ Sen. Norma Champion  
/s/ Sen. Sarah Steelman  
/s/ Sen. Patrick Dougherty  
/s/ Sen. Charles Wheeler

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway  
/s/ Rep. Bryan Stevenson  
/s/ Rep. Mark Wright  
/s/ Rep. Vicky Riback Wilson  
/s/ Rep. Daniel Bishop

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1548**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1548, with Senate Amendment Nos. 1, 2, 3, & 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1548, as amended;
2. That House recede from its position on House Bill No. 1548;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1548, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Cauthorn  
/s/ Sen. David Klindt  
/s/ Sen. Carl Vogel  
/s/ Sen. Harold Caskey  
/s/ Sen. Patrick Dougherty

FOR THE HOUSE:

/s/ Rep. Bill Deeken  
/s/ Rep. Larry Crawford  
/s/ Rep. Richard Byrd  
/s/ Rep. James Seigfreid  
/s/ Rep. Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 758**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 758;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Griesheimer  
/s/ Sen. Peter Kinder  
/s/ Sen. Doyle Childers  
/s/ Sen. Rita Heard Days  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Brian D. Nieves  
/s/ Rep. Shannon Cooper  
/s/ Rep. Mike Sutherland  
/s/ Rep. Michael George Corcoran  
/s/ Rep. Thomas Villa

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE BILL NO. 762**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, with House Amendment Nos. 1, 2, 3, 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment Nos. 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, as amended;
2. That the Senate recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 762;



3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Norma Champion  
/s/ Sen. Charles Shields  
/s/ Sen. Sarah Steelman  
/s/ Sen. Patrick Dougherty  
/s/ Sen. Charles Wheeler

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway  
/s/ Rep. Bryan Stevenson  
/s/ Rep. Mark Wright  
/s/ Rep. Vicky Riback Wilson  
/s/ Rep. Daniel Bishop

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 968  
AND  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 969**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields  
/s/ Sen. Bill Foster  
/s/ Sen. Matt Bartle  
/s/ Sen. Harold Caskey  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Brian Baker  
/s/ Rep. Maynard Wallace  
/s/ Rep. D.J. Davis  
/s/ Rep. Ed Wildberger

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 1020, 889 & 869**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, with House Amendment Nos. 1, 5, 6, 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, be Third Read and Finally Passed.

FOR THE SENATE:

\_\_\_\_\_/s/ Sen. Sarah Steelman  
\_\_\_\_\_/s/ Sen. Norma Champion  
\_\_\_\_\_/s/ Sen. John Griesheimer  
\_\_\_\_\_/s/ Sen. Wayne Goode  
\_\_\_\_\_/s/ Sen. Ed Quick

FOR THE HOUSE:

/s/ Rep. Jack Goodman  
/s/ Rep. Charles Schlottach  
/s/ Rep. Robert Harris  
/s/ Rep. Paul LeVota

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 1233, 840 & 1043**

The Conference Committee appointed on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, with House Amendment Nos. 1, 2, 3, 4, 6, 7, 8 and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the attached Conference Committee Amendment No. 1 be adopted;
2. That the House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, with House Amendment No. 1, 2, 3, 4, 6, 7, 8 and 9, and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Jon Dolan  
/s/ Sen. Rita Days  
/s/ Sen. Mary Bland  
/s/ Sen. John Griesheimer  
/s/ Sen. Gary Nodler

FOR THE HOUSE:

/s/ Rep. Larry Crawford  
/s/ Rep. Charles Schlottach  
/s/ Rep. Joe Smith  
/s/ Rep. Craig Bland  
/s/ Rep. Amber Boykins

*Conference Committee Amendment No. 1*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 358, Section 577.080, Line 14 of said page, by inserting immediately after said line the following:

“590.650. 1. As used in this section “minority group” means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle [for a violation of any motor vehicle statute or ordinance], that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The [traffic violation or violations alleged to have been committed that led to] **reasons for** the stop;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person’s property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;
- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop of the search;
- (9) If an arrest was made, the crime charged; and

(10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

**8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.";** and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1394**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 1394, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 1394, as amended;
2. That the Senate recede from its position on Senate Bill No. 1394;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 1394, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Carl Vogel  
/s/ Sen. Matt Bartle  
/s/ Sen. John Griesheimer  
/s/ Sen. Victor Callahan  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Shannon Cooper  
/s/ Rep. Allen Ictet  
/s/ Rep. Mike Sutherland  
/s/ Rep. John Burnett  
/s/ Rep. Terry Young

#### 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 adopted the Conference Committee Report on **SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, and has taken up and passed **CCS SS SCS HCS HBs 795, 972, 1128 & 1161**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SCS HCS HB 959, as amended**, and has taken up and passed **CCS#2 SCS HCS HB 959**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HB 1055, as amended**, and has taken up and passed **CCS SS HCS HB 1055**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1099**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCR 32** and has taken up and adopted **HCS SCR 32**.



Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----

I, State Representative Amber H. Boykins, District 60, hereby state and affirm that my votes as recorded on Pages 1745, 1747, 1749, and 1804 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ Amber H. Boykins  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Cole             )

Subscribed and sworn to before me this 13th 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 vote as recorded on Page 1745 of the House Journal for Wednesday, May 12, 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 no. 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 13th day of May 2004.

/s/ Margaret Donnelly  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Cole             )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on Page 1745 of the House Journal for Wednesday, May 12, 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.

1929 *Journal of the House*

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Curt Dougherty  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----  
I, State Representative Theodore Hoskins, District 80, hereby state and affirm that my vote as recorded on Page 1800 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ Theodore Hoskins  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----  
I, State Representative Steve Hunter, District 127, hereby state and affirm that my votes as recorded on Pages 1745 and 1747 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ Steve Hunter  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----



I, State Representative Cathy Jolly, District 45, hereby state and affirm that my vote as recorded on Page 1762 of the House Journal for Wednesday, May 12, 2004 showing that I voted no 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 13th day of May 2004.

/s/ Cathy Jolly  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Cole                 )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----

I, State Representative J.C. Kuessner, District 152, hereby state and affirm that my vote as recorded on Page 1747 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ J.C. Kuessner  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Cole                 )

Subscribed and sworn to before me this 13th 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 Pages 1744-1745 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ Trent Skaggs  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Cole                 )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

-----  
I, State Representative Jim Viebrock, District 134, hereby state and affirm that my vote as recorded on Page 1749 of the House Journal for Wednesday, May 12, 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 13th day of May 2004.

/s/ Jim Viebrock  
State Representative

State of Missouri            )  
  ) ss.  
County of Cole                )

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

### **COMMITTEE MEETING**

#### **BUDGET**

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Other bills as assigned or referred for fiscal review.

### **HOUSE CALENDAR**

SEVENTIETH DAY, FRIDAY, MAY 14, 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)
- 20 HB 1678 - St. Onge (88)

### **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 FOR THIRD READING**

- 1 HCS SCR 35, (5-12-04, Pages 1807-1808) - Kelly (144)
- 2 SCR 51, (5-12-04, Pages 1809-1810) - Goodman (132)

### **SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SJR 29 - Engler (106)
- 2 SCS SJR 44 - Crawford (117)

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

- 1 SB 772 - Daus (67)
- 2 SB 894 - Dusenberg (54)
- 3 SCS SB 962 - Lager (4)
- 4 SCS SB 974 - Rupp (13)
- 5 SCS SB 1188, E.C. - Luetkemeyer (115)
- 6 SCS SB 1212 - Johnson (47)
- 7 SCS SB 1215 - Dixon (140)
- 8 SB 781 - Byrd (94)
- 9 SB 883 - Lager (4)
- 10 SCS SB 1044 - Pearce (121)
- 11 HCS SCS SB 771 - Daus (67)
- 12 SCS SB 1075 - Jones (63)

1933 *Journal of the House*

- 13 SB 1296 - Dougherty (53)
- 14 HCS SCS SB 1336 - Bruns (113)

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 3 SS SS SCS SB 715 - Johnson (47)
- 4 HCS SCS SB 1038 - Luetkemeyer (115)
- 5 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 6 SCS SB 1062 - Johnson (47)
- 7 SCS SB 1045 - Haywood (71)
- 8 SB 783, E.C. - Smith (118)
- 9 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 10 SCS SB 827 - Byrd (94)
- 11 SB 1007 - Byrd (94)
- 12 HCS SS SCS SB 1034 - Marsh (136)
- 13 SB 1229 - Mayer (159)
- 14 SCS SB 1240 - Schlottach (111)
- 15 SCS SB 1262 - Engler (106)
- 16 HCS SCS SB 845 - Jackson (89)
- 17 HCS SB 900 - Schlottach (111)
- 18 HCS SCS SB 1225 - Hubbard (58)
- 19 HCS SB 1323 - Purgason (151)
- 20 HCS SCS SB 710 - Dusenberg (54)
- 21 SB 1153, HCA 1 - Hobbs (21)
- 22 HCS SS SCS SB 1183 - Johnson (47)
- 23 SCS SB 961 - Luetkemeyer (115)
- 24 HCS SCS SB 1116 - Pearce (121)
- 25 HCS SCS SBs 1027 & 896 - Behnen (2)
- 26 SCS SB 810 - Ervin (35)
- 27 HCS SS SB 1023 - Threlkeld (109)
- 28 SB 1064 - Cunningham (145)
- 29 HCS SB 1076 - Byrd (94)
- 30 HCS SCS SB 1171, E.C. - Jackson (89)
- 31 HCS SCS SB 1220 - Sutherland (99)

#### **SENATE BILL FOR THIRD READING - REVISION**

SRB 1108 - Crowell (158)

#### **SENATE BILL FOR THIRD READING - FEDERAL MANDATE**

SCS SB 1096 - Sutherland (99)

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate  
recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HCS HB 1177, as amended - Guest (5)
- 3 SS HS HCS HB 1511, as amended - Byrd (94)
- 4 SS HS HCS HB 1207, as amended - Icet (84)
- 5 SCS HS HB 1193 - Self (116)
- 6 SCS HCR 21, (5-07-04, Pages 1633 - 1634) - Ruestman (131)
- 7 HCS HB 1093, SA 1 - Deeken (114)
- 8 HS HCS HB 1433, SA 1 - Wood (62)
- 9 SCS HS HB 1599, as amended - Ervin (35)
- 10 SS#2 SCS HS HCS HB 1268 & 1211, as amended, E.C. - Smith (118)
- 11 SS HS HCS HB 1285 - Engler (106)
- 12 SCS HCS HB 1403 - Moore (20)
- 13 SCS HB 841, as amended - Angst (146)
- 14 SS#2 HCS HB 980, as amended - Myers (160)
- 15 SS SCS HCS HB 946, 1106 & 952, as amended, E.C. - Crawford (117)
- 16 SS SCS HCS HB 1277, as amended, E.C. - Townley (112)

**BILLS IN CONFERENCE**

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 3 CCR HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)
- 4 CCR HS HCS SS SCS SB 1081, as amended, (exceed differences) - Pratt (55)
- 5 HS SB 932, as amended - Wilson (130)
- 6 CCR HCS SB 884 - Lager (4)
- 7 CCR HCS SCS SB 758, E.C. - Nieves (98)
- 8 CCR HS HCS SCS SBs 1020, 889 & 869, as amended, E.C. - Goodman (132)
- 9 CCR HS HCS SS SCS SB 968 and SCS SB 969, as amended, E.C. - Baker (123)
- 10 CCR SS SCS HCS HB 1182, as amended, E.C. - Munzlinger (1)
- 11 CCR SS SCS HS HCS HB 1453, as amended, E.C. - Hanaway (87)
- 12 CCR SCS HB 1548, as amended - Crawford (117)
- 13 CCR HS HCS SB 1394, as amended, E.C. - Cooper (120)
- 14 CCR#3 SS HS HCS HB 978, as amended - Baker (123)
- 15 CCR HS SS SCS SBs 1233, 840 & 1043, as amended, (exceed differences), E.C. -  
Crawford (117)

1935 *Journal of the House*

**VETOED HOUSE BILL**

HCR 5 - Byrd (94)

**HOUSE RESOLUTION**

HR 2913, (5-12-04, Pages 1808-1809) - Dixon (140)