

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

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FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 20, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*For thus saith the Lord God, in returning and rest shall ye be saved; in quietness and in confidence shall be your strength. (Isaiah 30:15)*

O Almighty God, eternal source of wisdom, power, and love, Whose mercy is over all Your works and Whose will is ever directed to Your children's good - in quietness and in confidence we lift our hearts unto You. In the assurance of your presence we face the responsibilities of this day.

May the brightness and the glory of goodwill dwell in our hearts and may all ill will die. Fill us with kindness, compassion, and understanding - with all those moral qualities which make our life together a happy and enduring experience. May we lead our people away from the treacherous road of deceit, hypocrisy, and pretense and along the pathway of justice, freedom, and peace. Thus, may we follow You all the days of our lives. And the House says, "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: Eric Shultz, Brenden Hay and Anna Lillig.

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

## SPECIAL RECOGNITION

Dr. Chris Daniels of Chouteau Elementary, North Kansas City School District, was introduced by Representative Berry and recognized as the Missouri 2011 National Distinguished Principal.

Families of Max Starkloff and Jim Tuscher were introduced by Representative Hubbard and presented resolutions.

The McCluer North High School Basketball Team was introduced by Representative Taylor and recognized for attaining the 2011 Class 5A State Championship.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2310 through House Resolution No. 2427

Representative Smith (150) assumed the Chair.

### PERFECTION OF HOUSE BILLS

**HB 466**, relating to payroll deductions for contributions, was taken up by Representative Schoeller.

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

#### *House Amendment No. 1*

AMEND House Bill No. 466, Page 2, Section 130.028, Line 38, by inserting immediately after the word “**writing.**” the following:

**“Nothing in this section shall be interpreted as denying a labor organization the right to receive and use dues monies for any legal purpose.”**; and

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

Representative White offered **House Amendment No. 1 to House Amendment No. 1**.

#### *House Amendment No. 1*

*to*

#### *House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 466, Page 1, Line 4, by deleting all of said line and insert in lieu thereof the following:

**“annually. Nothing in this section shall be interpreted as denying a labor organization the right to receive”**; and

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

On motion of Representative White, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer

Leach	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 061

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Grisamore	Harris	Higdon	Hinson	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Leara	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wieland	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Funderburk	Hughes	Kander
Lasater	May	Nasheed	Quinn	

VACANCIES: 003

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

**House Substitute Amendment No. 1 for House Amendment No. 1, as amended,** was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Brown 50	Diehl	Funderburk	Haefner
Hughes	Kander	May	Nasheed	Quinn
Schad				

VACANCIES: 003

On motion of Representative Schoeller, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Schoeller, **HB 466, as amended**, was ordered perfected and printed.

**HCS HB 366**, relating to technology business facilities, was taken up by Representative Silvey.

Speaker Tilley resumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 366, Page 7, Section 144.810, Line 158, by inserting after all of said section and line the following:

“620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

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

(7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "**High-risk metropolitan statistical area**", a metropolitan statistical area as identified by the United States Bureau of Census:

**(a) Which is comprised of two or more states including the state of Missouri which include at least one county with an average household income equal to two hundred percent of the national average household income as determined by the most recent data available from the Bureau of Labor Statistics within the United States Department of Labor as of the date the qualified business submits its notice of intent; and**

**(b) From which at least five businesses have relocated outside of this state in the ten calendar years immediately preceding the date of the notice of intent and resulting in the loss of at least three thousand of such companies' employees from this state;**

(11) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

[(11)] (12) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

[(12)] (13) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) "New investment"[,];

**(a) For a qualified company not located within a high-risk metropolitan statistical area, the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;**

**(b) For a qualified company located within a high-risk metropolitan statistical area, funds spent at the project facility after the approval of the notice of intent for real or personal property and which may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;**

[(14)] (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)] (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)] (19) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] (20) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] (21) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] (22) "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] (23) "Project period", the time period that the benefits are provided to a qualified company;

[(23)] (24) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

- a. Certifies to the department that it plans to reorganize and not to liquidate; and
- b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production; or

(k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)] **(25)** "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

- (a) Open-looped biomass;
- (b) Close-looped biomass;
- (c) Solar;
- (d) Wind;
- (e) Geothermal; and
- (f) Hydropower;

[(25)] **(26)** "Related company" means:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)] **(27)** "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] **(28)** "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] **(29)** "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] **(30)** "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] **(31)** "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] **(32)** "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] **(33)** "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] (34) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government **or in a high-risk metropolitan statistical area**. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision [(19)] (20) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] (34) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director [of the department of economic development];

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs

advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, [2013] 2015;

**(5) Job retention projects within a high-risk metropolitan statistical area: a qualified company may retain ninety-five percent of the company's withholding tax from full-time jobs located at the high-risk metropolitan statistical area facility for a period of ten years for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:**

**(a) For the thirty-day period preceding the qualified company's notice of intent, the qualified company must have maintained at least one hundred fifty full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees shall meet or exceed the county or state average wage, whichever is less;**

**(b) The qualified company is considered to have a significant statewide effect on the economy and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887;**

**(c) The qualified company in the project facility will cause to be invested a minimum of ten million dollars in new investment prior to the end of three years or will cause to be invested a minimum of five million dollars in new investment prior to the end of three years and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company retains withholding tax under this program;**

**(d) Within six months of approval of the qualified company's notice of intent, the qualified company shall enter into an agreement with the department that memorializes the content of the notice of intent, the requirements of this section, and the consequences for failing to meet such requirements provided in paragraph (e) of this subdivision;**

**(e) No later than six months following the expiration of the three-year investment period described in paragraph (c) of subdivision (5) of subsection 3 of this section, the department shall determine whether the qualified company made the investment as required under this paragraph and shall notify the qualified company in writing of such determination. If the qualified company failed to make the requisite investment, the municipality in which the qualified company is located and the director shall jointly determine whether such investment shortfall occurred for reasons outside the qualified company's control, including without limitation, as a result of economic conditions. If it is determined that the investment shortfall did not occur as a result of reasons beyond the control of the qualified company, the director shall provide a written notice of suspension to the qualified company and the municipality providing that the qualified company shall repay all withholding taxes retained under this program and that within six months of the date of suspension notice the director and municipality shall meet with the qualified company to determine a revised schedule of investment and the terms of suspension of withholding tax retention rights; and**

**(6) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:**

**(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;**

**(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;**

**(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;**

**(d) All of the qualified company's and related companies' facilities are located in this state;**

**(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;**

**(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;**

**(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and**

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or

penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

**13. Notwithstanding any other provision of law to the contrary, a qualified company in a high risk metropolitan statistical area that is awarded benefits under this section shall not receive any tax credit or exemption or be entitled to retain withholding taxes under section 620.1910.**

**14. In addition to any other benefits available under subdivision (5) of subsection 3 of this section, a qualified company within a high-risk metropolitan statistical area that satisfies provisions in subdivision (5) of subsection 3 of this section shall be entitled to tax credits issued each year for a period of ten years from the date of the approval of the department in an amount equal to three percent of the retained payroll from the retained jobs; provided that in no event shall the total amount of the benefits provided to a qualified company in a high-risk metropolitan statistical area under this section exceed six percent of the retained payroll in any calendar year.**

**15. Upon approval of a notice of intent to request withholding tax benefits under subdivision (5) of subsection 3 of this section or to request tax credits under subdivision (5) of subsection 3 of this section, the department and the qualified company in a high-risk metropolitan statistical area shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:**

**(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;**

**(2) The date or time period during which withholding taxes will be retained or the tax credits shall be issued, which may be immediately or over a period not to exceed ten years from the date of the approval;**

**(c) Clawback provisions provided in paragraph (e) of subdivision (5) of subsection 3 of this section.**

**16. In lieu of all other benefits under subdivision (5) of subsection 3 of this section or subsection 14 of this section, the department may award a qualified company within a high-risk metropolitan statistical area meeting the requirements of subdivision (5) of subsection 3 of this section tax credits in an amount not to exceed ninety percent of the amount the qualified company within a high-risk metropolitan statistical area may otherwise be eligible to retain for a period of five years under subdivision (5) of subsection 3 of this section.**

**17. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, the department may approve a qualified company in a high-risk metropolitan statistical area for an exemption of up to one hundred percent of the state sales and use taxes defined, levied, or calculated under sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 for a period not to exceed three years from the date of approval of sales and leases of tangible personal property purchased for use in the project facility and of sales and leases of tangible personal property and materials for the purpose of constructing, repairing, or remodeling the project facility. To qualify for the exemption provided in this subsection, the qualified company shall:**

**(1) Retain at least one hundred fifty retained jobs at the project facility in which the average wage meets or exceeds the county of state average wage, whichever is less;**

**(2) Commit to making at least ten million dollars in new capital investment at a project facility within a period of three years from the date of approval, or cause to be invested at least five million dollars in new capital investment within a period of three years from the date of approval and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company receives a benefit under this section.**

**18. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect**

without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.”; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 366, Page 3, Section 67.2050, Line 69, by inserting after all of said line the following:

**“9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.”; and**

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 366, Page 1, Section A, Line 2, by inserting after all of said line the following:

“67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

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

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

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

- (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;
  - (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
    - (a) The district's real property, except for public rights-of-way for utilities;
    - (b) The district's personal property, except in a city not within a county; or
    - (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
  - (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
  - (13) To loan money as provided in sections 67.1401 to 67.1571;
  - (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
  - (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
  - (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
    - (a) Pedestrian or shopping malls and plazas;
    - (b) Parks, lawns, trees, and any other landscape;
    - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
    - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
    - (e) Parking lots, garages, or other facilities;
    - (f) Lakes, dams, and waterways;
    - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
    - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
    - (i) Paintings, murals, display cases, sculptures, and fountains;
    - (j) Music, news, and child-care facilities; [and]
    - (k) **Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**
    - (l) Any other useful, necessary, or desired improvement;
  - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
  - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
  - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
  - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
  - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
  - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**
  - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
  - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
  - (25) To provide or support training programs for employees of businesses within the district;
  - (26) To provide refuse collection and disposal services within the district;
  - (27) To contract for or conduct economic, planning, marketing or other studies;
  - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
  - (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

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

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

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

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

The Chair ruled the point of order well taken.

**HCS HB 366, as amended**, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

#### **AFTERNOON SESSION**

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

#### **PERFECTION OF HOUSE BILLS**

**HCS HB 366, as amended**, relating to technology business facilities, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 366, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 366, as amended**, was ordered perfected and printed.

**HCS HBs 600, 337 & 413**, relating to public safety, was taken up by Representative Schad.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 3, Section 87.006, Line 26, by inserting after all of said section and line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. . . . . 2 points

(except any violation of municipal stop sign ordinance where no accident is involved. . . . . 1 point)

(2) Speeding In violation of a state law. . . . . 3 points  
In violation of a county or municipal ordinance. . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060. . . . . 12 points  
In violation of any county or municipal ordinance. . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. . . . . 4 points  
In violation of a county or municipal ordinance. . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. . . . . 2 points

(b) For the second conviction. . . . . 4 points

(c) For the third conviction. . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . . 12 points

(7) Obtaining a license by misrepresentation. . . . . 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. . . . . 8 points

In violation of a county or municipal ordinance or federal law or regulation. . . . . 8 points

(11) Any felony involving the use of a motor vehicle. . . . . 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585. . . . . 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. . . . . 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. . . . . 4 points

**(17) Endangerment of emergency personnel or emergency responder in violation of section 304.894. . . . . 4 points**

**(18) Aggravated endangerment of emergency personnel or emergency responder in violation of section 304.894. . . . . 12 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.”; and

Further amend said bill, Page 4, Section 302.309, Line 14, by inserting brackets “[ ]” around the phrase “A business, occupation, or”, and inserting before the word “employment” the phrase “**Driving to and from the operator’s places of**”; and

Further amend said bill, Page 5, Section 302.309, Line 70, by deleting the phrase “[thirty] **forty-five** days of a suspension or”, and inserting in lieu thereof the phrase “thirty days of a suspension or **forty-five days of a**”; and

Further amend said bill, Page 6, Section 302.309, Line 97, by inserting after the phrase “subdivision (9)” the phrase “**of subsection 1**”; and

Further amend said page and section, Line 108, by inserting after the phrase “subdivision (10)” the phrase “**of subsection 1**”; and

Further amend said bill, Page 9, Section 304.892, Line 2, by inserting after the phrase “**section 302.302,**” the phrase “**other than those listed in subsection 2 of this section,**”; and

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

Representative Riddle offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No.1 to House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, Line 14, by deleting all of said line from the amendment and inserting in lieu thereof the following:

“(4) Careless and imprudent driving in violation of subsection [4] 1 of section [304.016] **304.012**..... 4”; and

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

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

On motion of Representative Schad, **House Amendment No. 1, as amended**, was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“flown on their behalf by the highway patrol; shall be credited to the fund. The state treasurer is”; and

Further amend said bill, Page 9, Section 304.890, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“**response or an area where an active emergency or incident removal is temporarily**”; and

Further amend said bill, Page 11, Section 304.894, Line 29, by inserting after the phrase “**sections 577.010 and 577.012;**”, the word “**or**”; and

Further amend said bill, Page 16, Section 306.118, Lines 38 and 40, by placing brackets “[ ]” around the comma “,” on said lines and inserting in lieu thereof a semicolon “;”; and

Further amend said bill, Page 20, Section 565.081, Line 14, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 22, Section 565.082, Line 37, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 23, Section 565.083, Line 22, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 18, Section 306.130, Line 20, by inserting after all of said section and line the following:

- “565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if he or she:
- (1) Recklessly causes the death of another person; or
  - (2) While in an intoxicated condition operates a motor vehicle or vessel in this state and, when so operating, acts with criminal negligence to cause the death of any person; or
  - (3) While in an intoxicated condition operates a motor vehicle or vessel in this state, and, when so operating, acts with criminal negligence to:
    - (a) Cause the death of any person not a passenger in the vehicle or vessel operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, or the highway's right-of-way; or vessel leaving the water; or
    - (b) Cause the death of two or more persons; or
    - (c) Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood; or
  - (4) Operates a motor vehicle in violation of subsection 2 of section 304.022, and when so operating, acts with criminal negligence to cause the death of any person authorized to operate an emergency vehicle, as defined in section 304.022, while such person is in the performance of official duties; **or**
  - (5) Operates a vessel in violation of subsections 1 and 2 of section 306.132, and when so operating acts with criminal negligence to cause the death of any person authorized to operate an emergency watercraft, as defined in section 306.132, while such person is in the performance of official duties.
2. Involuntary manslaughter in the first degree under subdivision (1) or (2) of subsection 1 of this section is a class C felony. Involuntary manslaughter in the first degree under subdivision (3) of subsection 1 of this section is a class B felony; **except that, any person who has a prior conviction or plea of guilty to driving while intoxicated who violates subdivision (3) of this section is guilty of a class A felony.** A second or subsequent violation of subdivision (3) of subsection 1 of this section is a class A felony. For any violation of subdivision (3) of subsection 1 of this section, the minimum prison term which the defendant must serve shall be eighty-five percent of his or her sentence. Any violation of subdivisions (4) and (5) of subsection 1 of this section is a class B felony.
3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
4. Involuntary manslaughter in the second degree is a class D felony.”; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, In the Title, Line 9, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word and number "and 577.023" and inserting in lieu thereof the following:

"577.023, and 577.665"; and

Further amend said bill, Page 30, Section 577.023, Line 135, by inserting after all of said line the following:

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

**(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;**

**(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.**

**2. Prior to any person less than eighteen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.**

**3. The department of health and senior services shall, by rule, develop a standard consent form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Any person who violates the provisions of this section is guilty of a class C misdemeanor. Any tanning facility that violates the provisions of this section shall be subject to a fine of one thousand dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.**

**5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services."; and**

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 20, Section 565.081, Lines 1 to 20, by deleting all of said lines and inserting in lieu thereof the following:

**"565.081. 1. A person commits the crime of assault of a transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.**

**2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.**

**3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.**

**4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.**

**5. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree is a class A felony.**"; and

Further amend said bill, Pages 21 to 23, Section 565.082, Lines 1 to 46, by deleting all of said lines and inserting in lieu thereof the following:

"565.082. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree if such person:**

(1) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(2) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means other than a deadly weapon or dangerous instrument;**

(3) **Recklessly causes serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer; or**

(4) **While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(5) **Acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(6) **Purposely or recklessly places a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate serious physical injury; or**

(7) **Acts with criminal negligence to create a substantial risk of death or serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree** is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence."; and

Further amend said bill, Page 23, Section 565.083, Lines 1 to 28, by deleting all of said lines and inserting in lieu thereof the following:

"565.083. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** if:

(1) Such person recklessly causes physical injury to a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(2) Such person purposely places a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate physical injury;**

(3) Such person knowingly causes or attempts to cause physical contact with a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer without the consent of the transit operator, the employee of a mass transit system, the law enforcement officer, the corrections officer, emergency personnel, the highway worker in a construction zone or work zone, utility worker, or the probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** is a class A misdemeanor."; and

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

Representative Pace moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Cox	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24

Kirkton	Kratky	Lampe	Leach	Marshall
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Scharnhorst	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin	Franz	Hughes	Johnson	Kander
May	McNeil	Riddle	Mr Speaker	

VACANCIES: 003

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 87.005, Line 7, by inserting at the end of said line the following:

**“In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.”;** and

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

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

Speaker Tilley resumed the Chair.

**HCS HBs 600, 337 & 413, as amended**, was laid over.

### **SPECIAL RECOGNITION**

Members of the Grand National Assembly of Turkey were introduced by Speaker Tilley and presented resolutions.

### **PERFECTION OF HOUSE BILLS**

**HCS HBs 600, 337 & 413, as amended**, relating to public safety, was again taken up by Representative Schad.

Representative Smith (150) resumed the Chair.

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

#### *House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 19, by inserting after all of said line the following:

“70.695. The right of a person to an allowance, to the return of accumulated contributions, the allowance itself, any allowance option, and any other right accrued or accruing under the provisions of sections 70.600 to 70.755, and all moneys belonging to the system shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or to any other process of law whatsoever, and shall be unassignable, except as is specifically provided in sections 70.600 to 70.755; except that:

(1) Any political subdivision shall have the right of setoff for any claim arising from embezzlement by or fraud of a member, retirant, or beneficiary; [and]

(2) Such rights shall not be exempt from attachment or execution in a proceeding instituted for the support and maintenance of children. In all such actions described in this subdivision, the system shall be entitled to collect a fee of up to twenty dollars chargeable against the person for each delinquent attachment, execution, sequestration or garnishment payment; **and**

(3) **A retirant may authorize the board to have deducted from his or her allowance the payments required of him or her to provide for health insurance or long-term care insurance premiums in accordance with Section 402 of the Internal Revenue Code of 1986, as amended.**”; and

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

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

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was adopted.

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was ordered perfected and printed.

**HCS HB 161**, relating to transient guest taxes, was taken up by Representative Cox.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 161, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) Any county [or of];
- (2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];
- (3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

**2. The governing body of any city or county listed in subsection 1 of this section** 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 county, 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 or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

[2.] **3. As used in this section and section 67.1002, the term "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, except that** in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests"[, as used in this section and section 67.1002.] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

[3.] **4.** Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four 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, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

**5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county 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 county 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 or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.**

**6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:**

**(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.**

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.**

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the ..... (City or County) levy a tax of ..... percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

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 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 governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand;

(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section 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 county 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 or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

**(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.**

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. 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 or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) 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 shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. 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.

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011."; and**

Further amend said bill, Page 3, Section 67.1008, Line 13, by inserting after all of said line the following:

"[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county 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

county 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 or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

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 or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent?

YES

NO

4. As used in this section, "transient guests" shall mean 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 title, enacting clause and intersectional references accordingly.

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

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

Representative Parkinson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cox, **HCS HB 161, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 161, as amended**, was ordered perfected and printed.

**HCS HB 523**, relating to certain insurance products, was taken up by Representative Molendorp.

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

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

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Molendorp, **HCS HB 523** was adopted.

On motion of Representative Molendorp, **HCS HB 523** was ordered perfected and printed.

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**SUPPLEMENTAL CALENDAR  
APRIL 20, 2011**

**HOUSE BILLS FOR THIRD READING**

- 1 HB 661 - Wells
- 2 HB 708 - Curtman
- 3 HB 1008 - Long
- 4 HCS HB 828, E.C. - Fisher
- 5 HCS HB 562 - Grisamore
- 6 HCS HB 664 - Leara

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**THIRD READING OF HOUSE BILLS**

**HB 661**, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **HB 661** was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller

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Shively	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 022

Atkins	Carlson	Colona	Ellinger	Hummel
Jones 63	Kirkton	McCann Beatty	McGeoghegan	Montecillo
Newman	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Sifton	Smith 71	Talboy
Walton Gray	Webb			

PRESENT: 002

Anders	Oxford
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ABSENT WITH LEAVE: 016

Carter	Dieckhaus	Franklin	Grisamore	Guernsey
Holsman	Hughes	Jones 117	Kander	May
McNeil	Pollock	Redmon	Spreng	Wright
Wyatt				

VACANCIES: 003

Representative Smith (150) declared the bill passed.

Speaker Tilley resumed the Chair.

**HB 1008**, relating to highway infrastructure, was taken up by Representative Long.

On motion of Representative Long, **HB 1008** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Carter	Conway 27	Dieckhaus	Holsman	Kander
Lasater	May	McNeil	Meadows	Pollock
Redmon	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

**HB 708**, relating to choice of law, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 708** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt

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Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Diehl	Kander	May	McNeil
Nolte	Redmon			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 193** and grants the House a conference thereon.

Speaker Tilley resumed the Chair.

### **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 HCS HB 193:** Representatives Diehl, Cox, Loehner, Hubbard and Nasheed

Speaker Pro Tem Schoeller resumed the Chair.

**THIRD READING OF HOUSE BILL**

**HCS HB 828**, relating to prevailing wages, was taken up by Representative Fisher.

Speaker Tilley resumed the Chair.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 111

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cross	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hoskins	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCann Beatty	McGeoghegan	McManus
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nolte	Oxford	Pace
Peters-Baker	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 026

Atkins	Carlson	Colona	Conway 27	Cox
Frederick	Hodges	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	McCaherty	McDonald	McNary
Nichols	Parkinson	Pierson	Schupp	Smith 71
Spreng	Swearingen	Talboy	Taylor	White
Wieland				

ABSENT WITH LEAVE: 023

Bahr	Brown 116	Cookson	Crawford	Curtman
Diehl	Dugger	Entlicher	Guernsey	Hinson
Holsman	Hough	Kander	Klippenstein	Korman

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Loehner	May	McGhee	McNeil	Pollock
Redmon	Schieffer	Webber		

VACANCIES: 003

On motion of Representative Fisher, **HCS HB 828** was read the third time and passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Cross	Davis	Day	Denison
Dieckhaus	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 058

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Funderburk	Gatschenberger	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Korman	Kratky	Lampe
Lasater	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Molendorp	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Crawford	Curtman	Diehl	Dugger
Entlicher	Hinson	Kander	Loehner	May
McGhee	McNeil	Pollock	Redmon	Schieffer
Stream	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 082

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Cross
Davis	Day	Denison	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	McNary	Nance
Nolte	Parkinson	Phillips	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt	Mr Speaker			

NOES: 056

Anders	Atkins	Berry	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
Molendorp	Montecillo	Neth	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	Wieland
Zerr				

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 021

Aull	Cierpiot	Crawford	Curtman	Dieckhaus
Diehl	Entlicher	Funderburk	Gatschenberger	Hinson
Kander	Loehner	May	McGhee	McNeil
Nasheed	Pollock	Redmon	Riddle	Schieffer
Stream				

VACANCIES: 003

## RECESS

On motion of Representative Jones (89), the House recessed until 9:00 p.m.

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

## THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 9** and **HCR 19** were placed on the Informal Calendar.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 366** - Fiscal Review (Fiscal Note)

**HCS HB 473** - Fiscal Review (Fiscal Note)

**HCS HB 579** - Fiscal Review (Fiscal Note)

**HCS HBs 600, 337 & 413** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Corrections**, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 200**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS#2 SCS SB 62**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 669**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

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

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 597**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 96**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 96**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 97**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 97**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 219**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 220**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 11, Section 7.410, Lines 1-4, by deleting said section from the bill; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing

for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HCS HB 193**: Senators Rupp, Crowell, Lager, Callahan and Wright-Jones.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 21, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Work session on omnibus bill.

### **BUDGET**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Review of Tax Credits - Public Hearing.

### **CHILDREN AND FAMILIES**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 771  
Executive session may be held on any matter referred to the committee.

### **CONFERENCE COMMITTEE**

Thursday, April 21, 2011, 6:45 PM House Lounge.  
SS HCS HB 193

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 21, 2011, South Gallery upon morning adjournment.  
Executive session will be held: SB 250  
Executive session may be held on any matter referred to the committee.

### **ELEMENTARY AND SECONDARY EDUCATION**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.  
Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Thursday, April 21, 2011, 8:30 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.

### **INSURANCE POLICY**

Thursday, April 21, 2011, 9:15 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.  
2<sup>nd</sup> Quarter Meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.  
Highway namings.  
License plates.  
Director of MoDOT Kevin Keith.

LOCAL GOVERNMENT

Thursday, April 21, 2011, House Hearing Room 6 upon morning adjournment.  
Executive session may be held on any matter referred to the committee.  
Hearing Room change to 6.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 21, 2011, 8:00 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
CANCELLED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, April 21, 2011, House Hearing Room 7, 11:30 AM or upon morning adjournment.  
Executive session will be held: HCS HB 403, HCS HB 504, 505 & 874, HB 658, HCS HB 889,  
HCS SS#2 SCS SB 8, SS SB 55, HCS SS SCS SB 58, HCS SCS SB 366  
Executive session may be held on any matter referred to the committee.  
CANCELLED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 819, HB 1009  
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, April 21, 2011, 8:30 AM House Hearing Room 5.  
Public hearing will be held: HB 891, HB 1023  
Executive session will be held: HB 979, HB 885  
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.  
Public hearing will be held: HB 349, SS SB 202  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-NINTH DAY, THURSDAY, APRIL 21, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL CALENDAR**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore
- 3 HCS HB 664 - Leara
- 4 HCS HB 473, (Fiscal Review 4-20-11) - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

**BILLS IN CONFERENCE**

SS HCS HB 193 - Diehl