

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, THURSDAY, MAY 17, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, as we pray for the members of this House, its officers and staff, we remember that You do not hurry, that You are the center of all peace.

But we are human. We grow tired. We feel the strain of meeting deadlines. We become irritated by frustrations. We need an inner calm, peace of mind; and only You can supply the needs of soul.

Give us Your peace, and refresh these men and women who labor for our state in this final week of their work. To You be glory and honor. 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: Sam Kichline, Samantha Mack, Caitlin Davis, Jack Follis, Austin Sherrill, Emma Short, Dominique Falls, John E. Willett and Nathan Kelly.

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2183 - Representative Relford
House Resolution No. 2184
through
House Resolution No. 2187 - Representative Naeger
House Resolution No. 2188 - Representative Bearden
House Resolution No. 2189
through
House Resolution No. 2191 - Representative Townley
House Resolution No. 2192 - Representatives Treadway and Barry
House Resolution No. 2193 - Representative Scheve
House Resolution No. 2194 - Representative Mayer
House Resolution No. 2195 - Representative Cooper
House Resolution No. 2196
through
House Resolution No. 2199 - Representative Bartle

House Resolution No. 2200

and

House Resolution No. 2201 - Representative Hohulin

House Resolution No. 2202 - Representative Hunter

House Resolution No. 2203 - Representative Crump

House Resolution No. 2204

through

House Resolution No. 2206 - Representative Levin

House Resolution No. 2207 - Representative Relford

SECOND READING OF SENATE BILL

SCS SB 586 was read the second time.

MESSAGES FROM THE SENATE

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 **HS HCS SS SCS SB 48, as amended**: Senators Sims, Bentley, Klarich, Johnson and Dougherty.

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 **HS HCS SCS SB 266, as amended**: Senators Bland, Stoll, Steelman, Westfall and Sims.

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 **HS SCS SB 393, as amended**: Senators Sims, Singleton, Bentley, Wiggins and Bland.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 369, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 369**.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 471, as amended, relating to drug trafficking, was taken up by Representative Jolly.

Representative Jolly moved that the House refuse to adopt **SCS HB 471, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL - INFORMAL

SCS SB 387, with House Committee Amendment No. 1, relating to recovery of fuel costs, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **House Committee Amendment No. 1** was adopted.

On motion of Representative Mays (50), **SCS SB 387, as amended**, was read the third time and passed by the following vote:

AYES: 121

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bowman
Boykins	Britt	Burcham	Burton	Byrd
Campbell	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Ford	Franklin	Fraser	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Linton	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 028

Bonner	Boucher	Bray 84	Carnahan	Clayton
Farnen	Gambaro	George	Green 15	Green 73
Harding	Harlan	Hickey	Hilgemann	Johnson 90
Jolly	Kelly 27	Levin	Lowe	McKenna
Monaco	Murphy	O'Toole	Reid	Reynolds
Selby	Treadway	Wilson 25		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Baker	Cierpiot	Foley	Holand	Hosmer
Lograsso	Long	Purgason	Van Zandt	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

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

NOES: 028

Bonner	Boucher	Bray 84	Carnahan	Farnen
Foley	Gambaro	George	Green 15	Green 73
Harding	Harlan	Hickey	Hilgemann	Johnson 90
Jolly	Kelly 27	Levin	Lowe	McKenna
Monaco	O'Toole	Reynolds	Selby	Treadway
Van Zandt	Ward	Wilson 25		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Cierpiot	Holand	Wiggins
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VACANCIES: 003

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 80, as amended, relating to antifraud enforcement, was taken up by Representative Ross.

Representative Ross moved that the House refuse to adopt **SCS HB 80, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 219, relating to fence law, was taken up by Representative Townley.

On motion of Representative Townley, **SCS HB 219** was adopted by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Cierpiot	Lograsso	McKenna	Wiggins
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VACANCIES: 003

On motion of Representative Townley, **SCS HB 219** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Cierpiot	Foley	Kennedy	Lawson
Lograsso	Marble	May 149	McKenna	Wiggins
Wilson 25				

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HS HCS HB 107, as amended, relating to tort victims' compensation fund, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HS HCS HB 107, as amended**, was adopted by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Ballard	Bartelsmeyer	Burton	Hunter	Marble
Marsh	Nordwald	Rector	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Crump	Foley	Wagner	Wiggins
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VACANCIES: 003

On motion of Representative Clayton, **SCS HS HCS HB 107, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 009

Ballard	Bartelsmeyer	Burton	Hunter	Marble
Marsh	Nordwald	Rector	Surface	

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Foley	Green 73	Hosmer	Wiggins
Williams				

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILLS IN CONFERENCE

CCR SS SCS HB 453, as amended, relating to environmental commissions and fees, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **CCR SS SCS HB 453, as amended**, and request the Senate to grant the House a further conference and the House conferees be bound to the last six lines of Section 1, Pages 80 and 81.

Representative Shields made a substitute motion that the House refuse to adopt **CCR SS SCS HB 453, as amended**, and request the Senate to grant the House a further conference and the House conferees be bound to the removal of the last six lines of Section 1 of the Conference Committee Substitute.

Which motion was adopted by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Crump	Foley	Kennedy	Reid	Richardson
Wiggins				

VACANCIES: 003

CCR SCS HCS HB 241, as amended, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **CCR SCS HCS HB 241, as amended**, was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Berkstresser	Crump	Dolan
Kennedy	Monaco	Reid	Reinhart	Richardson
Wiggins				

VACANCIES: 003

On motion of Representative Smith, **CCS SCS HCS HB 241** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Burton

Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Bray 84	Brooks	Crump
Dolan	Hartzler	Henderson	Kennedy	Reid
Richardson	Shields	Van Zandt	Wiggins	

VACANCIES: 003

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 157, relating to marriage licenses, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt **SCS HB 157** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences concerning the licensing provisions.

Which motion was adopted.

MESSAGES 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 **SCS HB 80, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 471, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 762**, entitled:

An act to repeal sections 197.285, 208.151 and 376.1209, RSMo 2000, relating to women's health services, and to enact in lieu thereof four new sections relating to the same subject.

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

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 27, by inserting immediately after said line the following:

“Section 1. 1. There is hereby created within the office of the governor a “Child Custody Abuse and Neglect Commission” which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child.

2. The child abuse and neglect commission shall be composed of twelve members to be appointed by the governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, and educator, the chairman of the children's services commission, a division of family services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years.

3. The commission shall make its first report to the governor and the general assembly by February 1, 2002, and any subsequent reports shall be made to the governor, the chief justice of the supreme court and the general assembly as necessary.

4. All members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

5. The office of the governor shall provide funding, administrative support, and staff for the effective operation of the commission.

6. This section shall expire on August 28, 2004.”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Pages 15-19, Section 354.900, by striking said section from the bill and inserting in lieu thereof the following:

“376.1199. 1. Each health carrier or health benefit plan that offers or issues health benefit plans providing obstetrical/gynecological benefits, which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2002, shall:

(1) Notwithstanding the provisions of subsection 4 of section 354.618, RSMo, provide enrollees with direct access to the services of a participating obstetrician, participating gynecologist or participating obstetrician/gynecologist of her choice within the provider network for covered services. The services covered by this subdivision shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician, gynecologist or obstetrician/ gynecologist, including but not limited to diagnosis, treatment and referral for such services. A health carrier shall not impose additional copayments, coinsurance, or deductibles upon any enrollee who seeks or receives health care services pursuant to this subdivision, unless similar additional copayments, coinsurance, or deductibles are imposed for other types of health care services received within the provider network. Nothing in this subsection shall be construed to require a health carrier to perform, induce, pay for, reimburse, guarantee, arrange, provide any resources for or refer a patient for an abortion, as defined in section 188.015, RSMo, other than a spontaneous abortion or to prevent the death of the female upon whom the abortion is performed, or to supersede or conflict with section 376.805;

(2) Notify enrollees annually of cancer screenings covered by the enrollees' health benefit plan and the current American Cancer Society guidelines for all cancer screenings or notify enrollees at intervals consistent with current American Cancer Society guidelines of cancer screenings which are covered by the enrollees' health benefit plans. The notice shall be delivered by mail unless the enrollee and health carrier have agreed on another method of notification;

(3) Include coverage for services related to diagnosis, treatment and appropriate management of osteoporosis when such services are provided by a person licensed to practice medicine and surgery in this state, for individuals with a condition or medical history for which bone mass measurement is medically indicated for such individual. In determining whether testing or treatment is medically appropriate, due consideration shall be given to peer reviewed medical literature. A policy, provision, contract, plan or agreement may apply to such services the same deductibles, coinsurance and other limitations as apply to other covered services; and

(4) If a health benefit plan provides coverage for pharmaceutical benefits, provide coverage for contraceptives either at no charge or at the same level of deductible, coinsurance or copayment as any other covered drug. No such deductible, coinsurance or copayment shall be greater than any drug on the health benefit plan's formulary. As used in this section, “contraceptive” shall include all prescription drugs and devices approved by the federal Food and Drug Administration for use as a contraceptive, but shall exclude all drugs and devices that are intended to induce an abortion, as defined in section 188.015, RSMo, which shall be subject to the provisions of section 376.805. Nothing in this subdivision shall be construed to exclude coverage for prescription contraceptive drugs or devices ordered by a health care provider with prescriptive authority for reasons other than contraceptive or abortion purposes.

2. For the purposes of this section, “health carrier” and “health benefit plan” shall have the same meaning as defined in section 376.1350.

3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

4. Notwithstanding the provisions of subdivision (4) of subsection 1 of this section to the contrary:

(1) Any health carrier may issue to any person or entity purchasing a health benefit plan, a health benefit plan that excludes coverage for contraceptives if the use or provision of such contraceptives is contrary to the moral, ethical or religious beliefs or tenets of such person or entity;

(2) Upon request of an enrollee who is a member of a group health benefit plan and who states that the use or provision of contraceptives is contrary to his or her moral, ethical or religious beliefs, any health carrier shall issue to or on behalf of such enrollee a policy form that excludes coverage for contraceptives. Any administrative costs to a group health benefit plan associated with such exclusion of coverage not offset by the decreased costs of providing coverage shall be borne by the group policyholder or group plan holder;

(3) Any health carrier which is owned, operated or controlled in substantial part by an entity that is operated pursuant to moral, ethical or religious tenets that are contrary to the use or provision of contraceptives shall be exempt from the provisions of subdivision (4) of subsection 1 of this section.

For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy.

5. Except for a health carrier that is exempted from providing coverage for contraceptives pursuant to this section, a health carrier shall allow enrollees in a health benefit plan that excludes coverage for contraceptives pursuant to subsection 4 of this section to purchase a rider to the health benefit plan that includes coverage for contraceptives.

6. Any health benefit plan issued by a health carrier described in subdivision (3) of subsection 4 of this section and any group health benefit plan issued pursuant to subsection 1 of this section shall provide clear and conspicuous written notice on the enrollment form or any accompanying materials to the enrollment form and the group health benefit plan contract:

(1) Whether coverage for contraceptives is or is not included;

(2) That an enrollee who is a member of a group health benefit plan with coverage for contraceptives has the right to exclude coverage for contraceptives if such coverage is contrary to his or her moral, ethical or religious beliefs; and

(3) That an enrollee who is a member of a group health benefit plan without coverage for contraceptives has the right to purchase coverage which includes coverage for contraceptives.

7. Health carriers shall not disclose to the person or entity who purchased the health benefit plan the names of enrollees who exclude coverage for contraceptives in the health benefit plan or who purchase a rider to the health benefit plan that includes coverage for contraceptives. Health carriers and the person or entity who purchased the health benefit plan shall not discriminate against an enrollee because the enrollee excluded coverage for contraceptives in the health benefit plan or purchased a rider to the health benefit plan that includes coverage for contraceptives.

8. The department of insurance may promulgate rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 26, by inserting after all of said line the following:

“Section 1. 1. Notwithstanding any other provision of law, when the Department of Insurance intends to enter into any contract or other written agreement or approve any letter of intent for payment of money by the state in excess of one hundred thousand dollars, modification or potential reduction of a party’s financial obligation to the state in excess of one hundred thousand dollars, the Department of Insurance shall forward a copy to the attorney general before entering into that contract, subcontract or other written agreement or approving the letter of intent.

2. Upon receiving the contract, other written agreement or letter of intent, the attorney general shall, within ten days, review and approve that contract, other written contract or letter of intent for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the contract, other written agreement or letter of intent with additional proposed provisions as may be necessary to the proper enforcement of the contract as required to protect the state’s legal interest. If the attorney general does not respond within ten days or, in the case of any contract that involves a payment of money by the state or a modification or potential reduction of a party’s financial obligation to the state of one million dollars or more, within thirty days, the contract shall be deemed approved.

3. Communications related to the attorney general's review are attorney-client communications. The attorney general's written disposition shall be subject to chapter 610, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Lines 16-17, by deleting all of said lines and inserting in lieu thereof the following:

“insurer, then the new policy shall provide coverage for prosthetic devices or reconstructive surgery and such coverage for prosthetic devices and reconstructive surgery shall be subject to the same deductible and coinsurance conditions applied to a mastectomy and all other terms and conditions applicable to other benefits under the new policy.”.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 23, by inserting at the end of said line the following: **“short-term major medical policies of six months or less duration,”.**

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 1, In the Title, Line 3 of said title, by striking “women's health services” and inserting in lieu thereof the following: **“the department of health”;** and

Further amend said bill, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“192.1010. 1. There is hereby established within the department of health, the “Life Sciences Research Program”. The program shall be administered by the director of the department of health based upon the recommendations of the “Life Sciences Research Board”, which is hereby created. The program shall consist of grant awards from moneys appropriated from the “Life Sciences Research Fund”, which is hereby created in the state treasury. The grant awards shall be designed to achieve the goals stated in subsection 4 of this section.

2. The life sciences research board shall consist of eight members who shall be appointed in the following manner:

(1) Each member shall be appointed by the governor with the advice and consent of the senate for a term of six years, except for the terms of the initial members. The board shall select its own chairperson from among its members;

(2) The members of the board shall be generally familiar with the life sciences and current research trends and developments, with either technical or scientific expertise in life sciences, and with an understanding of the application of the results of life sciences research;

(3) Two initial members of the life sciences research board shall be appointed to two-year terms. Three initial members shall be appointed to a four-year term. The remaining three initial members shall be appointed to six-year terms. All subsequent appointees shall be appointed to six-year terms;

(4) No member of the life sciences research board shall serve more than two consecutive full six-year terms on the board;

(5) The director of the department of health shall be a member of the board;

(6) The director of the office of minority health shall be a non-voting member of the board.

3. The life sciences research board shall solicit, collect and prioritize proposed research initiatives for consideration for funding by the board.

4. The life sciences research board shall take applications for grants-in-aid in order to increase the capacity and infrastructure for quality life sciences research in the state of Missouri and to improve the quantity

and quality of life sciences research. Such research shall include: basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and developmental research and clinical research, including but not limited to health research in human safety development and aging, cancer, endocrine, cardiovascular, neurological including nerve regeneration, pulmonary, diagnostic disease and infectious disease, and nutrition and food safety.

5. The applications shall be designed by the department of health in consultation with the board and shall contain information necessary to determine the potential benefits of grants-in-aid to be awarded, as well as other information deemed necessary for the administration of this program. The grant application shall describe in detail the proposed research project and how the research project shall be conducted in compliance with the requirements of 192.1010 to 192.1030. The department of health shall not approve a grant award unless the department makes specific written findings that such research project shall be conducted in compliance with sections 192.1010 to 192.1030. The grant application and the grant award shall be a public record within the meaning of chapter 610, RSMo. The department of health shall promulgate rules in accordance with chapter 536, RSMo, to implement the provisions of this subsection.

6. The department of health shall provide facilities, equipment, administrative and technical support services and administrative staff.

7. In determining projects to authorize, the life sciences research board shall consider the potential of any proposal to bring both health and economic benefit to the people of Missouri.

8. The life sciences research board shall have the authority to:

- (1) Award research grants;
- (2) Enter into contracts relating to research;
- (3) Adopt research standards;
- (4) Promulgate rules governing the administration of research programs, research grants, research contracts and licensing contracts, and the reimbursement of costs, utilization of intellectual property rights, conflict of interest guidelines, consistent with sections 192.1010 to 192.1035;
- (5) Make provision for peer review panels to recommend and review research projects;
- (6) Contract for administrative and technical support services;
- (7) Lease or acquire facilities and equipment;
- (8) Employ administrative staff; and
- (9) Receive, disburse and administer any funds appropriated to it.

9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 192.1010 to 192.1035 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. The rulemaking authority granted in such sections and the provisions of chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

192.1015. The life sciences research board shall make provision for and secure from the state auditor or outside certified public accounting firm an annual audit of its financial affairs and the funds expended from the life sciences research account. The audit shall be performed on a fiscal year basis. Any audit shall be paid for by moneys expended from the life sciences research fund, whether performed by the state auditor or outside certified public accounting firm. The board will make copies of each audit publicly available. Every three years the board with assistance of its staff or independent contractors as determined by the board shall prepare a comprehensive report assessing the work and progress of the life sciences research program. Such assessment report shall analyze the impact of the board's programs and research performed, shall be provided to the governor and members of the general assembly and shall be publicly available.

192.1020. Grant awards made by the life sciences research board shall provide for the reimbursement of costs. Whether reimbursement of particular costs will be allowed depends on the application of a four-part test balancing, which shall include:

- (1) The reasonableness of the cost;
- (2) The connection to the grant;
- (3) The consistency demonstrated in assigning costs to the grant; and
- (4) Conformance with the particular terms and conditions of the award.

192.1025. Grant recipients have an obligation to preserve research freedom, to ensure timely disclosure of their research findings to the scientific community, including through publications and presentations at

scientific meetings, and to promote utilization, commercialization and public availability of their inventions and other intellectual property developed in the performance of research funded by a grant award. Institutions or organizations receiving grant awards shall retain all right, title and interest, including all intellectual property rights, in and to any and all inventions, ideas, data, improvement, modifications, discoveries, know-how, creations, copyrightable material, trade secrets, methods, processes, discoveries and derivatives, whether patentable or not, which are made in the performance of work under a grant award. The life sciences research board may, however, adopt reasonable regulations to insure that any such intellectual property rights are utilized reasonably and in a manner which is in the public interest.

192.1030. 1. Notwithstanding the provisions of sections 192.1010 to 192.1025, no grant awards shall be paid, granted, or used, to subsidize in whole or in part:

- (1) Abortion services; or
- (2) Destructive human research; or
- (3) Development of drugs or chemicals intended to be used to induce an abortion; or
- (4) Human cloning.

2. For the purposes of this section:

(1) "Abortion services" shall mean performing or inducing, assisting in performing or inducing, or referring a woman for, an abortion, except when necessary to save the life of the mother;

(2) "Child" if in utero, shall mean the same as an unborn child, as defined in section 188.015, RSMo; and if ex utero, shall mean a human being at any of the stages of biological development of an unborn child from conception onward;

(3) "Destructive human research" shall mean research in which there is the taking or utilization of the organs, tissue or cellular material of a:

(a) Deceased child, unless consent was given the manner provided pursuant to sections 194.210 to 194.290, RSMo, relating to anatomical gifts, and neither parent caused the death of such child or consented to someone causing the death of such child; or

(b) Living child, when the intended or likely result of such taking or utilization is to kill or cause serious harm to the health, safety or welfare of such child, or when the purpose is to target such child for possible destruction in the future;

(4) "Facilities and administrative costs" shall mean those costs that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular research project or any other institutional activity;

(5) "Grant awards" shall mean awards of state funds pursuant to sections 192.1010 to 192.1030;

(6) "Human cloning" shall mean the replication of a human being genetically identical to another human being;

(7) "Research project" shall mean research specified in the grant award conducted under the auspices of the institution or institutions that applied for and received such grant award pursuant to sections 192.1010 to 192.1030, regardless of whether the research is funded in whole or part by such grant award. Such research shall include: basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and developmental research and clinical research, including but not limited to research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary and infectious disease, and nutrition and food safety. Such research may also include research and development on product safety and preventative care technologies.

3. No grant awards shall be paid or granted pursuant to sections 192.1010 to 192.1030 to or on behalf of an existing or proposed research project that involves, as part of the project, abortion services, destructive human research, the development of drugs or chemicals intended to be used to induce an abortion or human cloning. A research project that receives a grant award shall not share costs with another research project, person or entity not qualified to receive a grant award pursuant to sections 192.1010 to 192.1030; provided, however, the research project that receives a grant award may pay facilities and administrative costs directly allocable to such research project. A research project that receives a grant award shall maintain financial records that demonstrate strict compliance with this section. The audit conducted pursuant to section 192.1015 shall also certify compliance with this section.

4. Any taxpayer of this state or its political subdivisions shall have standing to bring suit against the department of health, its officers or employees, in a circuit court of proper venue to enforce the provisions of this section.

5. Sections 192.1010 to 192.1030 shall not be construed to permit or make lawful any conduct that is

otherwise unlawful under the laws of this state.

6. All of the provisions of sections 192.1010 to 192.1025 are severable; provided, however, the provisions of section 192.1030 are not severable from the provisions of sections 192.1010 to 192.1025. If any provision of sections 192.1010 to 192.1025 is found to be invalid, unenforceable or unconstitutional, the remaining provisions of sections 192.1010 to 192.1025 shall be and remain valid. However, if any provision of section 192.1030 shall be found to be invalid, unenforceable or unconstitutional, all the provisions of sections 192.1010 to 192.1025 shall be invalid and unenforceable.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 15, Section 208.151, Line 6, by inserting after all of said line the following:

“354.400. As used in sections 354.400 to 354.535, the following terms shall mean:

(1) “Basic health care services”, health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care **and chiropractic care, as defined in chapter 331, RSMo**, and outpatient medical **and chiropractic** services;

(2) “Community-based health maintenance organization”, a health maintenance organization which:

(a) Is wholly owned and operated by hospitals, hospital systems, physicians, or other health care providers or a combination thereof who provide health care treatment services in the service area described in the application for a certificate of authority from the department of insurance;

(b) Is operated to provide a means for such health care providers to market their services directly to consumers in the service area of the health maintenance organization;

(c) Is governed by a board of directors that exercises fiduciary responsibility over the operations of the health maintenance organization and of which a majority of the directors consist of equal numbers of the following:

a. Physicians licensed pursuant to chapter 334, RSMo;

b. Purchasers of health care services who live in the health maintenance organization's service area;

c. Enrollees of the health maintenance organization elected by the enrollees of such organization; and

d. Hospital executives, if a hospital is involved in the corporate ownership of the health maintenance organization;

(d) Provides for utilization review, as defined in section 374.500, RSMo, under the auspices of a physician medical director who practices medicine in the service area of the health maintenance organization, using review standards developed in consultation with physicians who treat the health maintenance organization's enrollees;

(e) Is actively involved in attempting to improve performance on indicators of health status in the community or communities in which the health maintenance organization is operating, including the health status of those not enrolled in the health maintenance organization;

(f) Is accountable to the public for the cost, quality and access of health care treatment services and for the effect such services have on the health of the community or communities in which the health maintenance organization is operating on a whole;

(g) Establishes an advisory group or groups comprised of enrollees and representatives of community interests in the service area to make recommendations to the health maintenance organization regarding the policies and procedures of the health maintenance organization;

(h) Enrolls fewer than fifty thousand covered lives;

(3) “Covered benefit” or “benefit”, a health care service to which an enrollee is entitled under the terms of a health benefit plan;

(4) “Director”, the director of the department of insurance;

(5) “Emergency medical condition”, the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of health and medicine, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

- (d) Inadequately controlled pain; or
- (e) With respect to a pregnant woman who is having contractions:
 - a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or
 - b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;
- (6) “Emergency services”, health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;
- (7) “Enrollee”, a policyholder, subscriber, covered person or other individual participating in a health benefit plan;
- (8) “Evidence of coverage”, any certificate, agreement, or contract issued to an enrollee setting out the coverage to which the enrollee is entitled;
- (9) “Health care services”, any services included in the furnishing to any individual of medical, **chiropractic** or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;
- (10) “Health maintenance organization”, any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of the United States Public Health Service Act;
- (11) “Health maintenance organization plan”, any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;
- (12) “Individual practice association”, a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:
 - (a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and
 - (b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;
- (13) “Medical group/staff model”, a partnership, association, or other group:
 - (a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;
 - (b) A majority of the members of which are licensed to practice medicine or osteopathy; and
 - (c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;
- (14) “Person”, any partnership, association, or corporation;
- (15) “Provider”, any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;
- (16) “Uncovered expenditures”, the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization.

354.640. 1. All managed care organizations subject to the provisions of sections 354.400 to 354.636 shall provide chiropractic benefits to covered enrollees. A covered enrollee may utilize the services of a chiropractic physician as defined in chapter 331, RSMo, without discrimination relative to access, fees, deductibles, co-payments, benefit limits and practice parameters subject to the terms and conditions of the policy. The covered enrollee shall retain the right to choose chiropractic care on an elective, self-pay, fee-for-service basis. No entity

regulated pursuant to this chapter shall prohibit a doctor of chiropractic from continuing care on such basis.

2. Nothing in this section shall be construed to limit the health plan's ability to credential providers or be deemed as an any willing provider provision.”; and

Further amend said title, enacting clause and intersectional references 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 President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 244, as amended**: Senators Staples, Mathewson, Childers, Cauthorn and Klindt.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 365, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SCS HB 80: Representatives Gratz, Smith, Kelly (36) Ross and Reinhart

SCS HB 471: Representatives Jolly, Johnson (90), Clayton, Lograsso and Scott

THIRD READING OF SENATE BILLS

SB 470, with House Committee Amendment No. 1, relating to second state capitol commission, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **House Committee Amendment No. 1** was adopted.

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

House Amendment No. 1

AMEND Senate Bill No. 470, Page 3, Section 8.007, Line 6 of said page, by inserting after all of said line the following:

“(3) Evaluate and recommend courses of action to ensure accessibility to the capitol for physically disabled persons;”; and

Further amend said bill, Page 3, Section 8.007, Line 7 of said page, by striking the numeral “(3)” and inserting in lieu thereof the numeral “(4)”;

Further amend said bill, Page 3, Section 8.007, Line 13 of said page, by striking the numeral “(4)” and inserting in lieu thereof the numeral “(5)”;

Further amend said bill, Page 3, Section 8.007, Line 16 of said page, by striking the numeral “(5)” and inserting in lieu thereof the numeral “(6)”;

Further amend said bill, Page 3, Section 8.007, Line 18 of said page, by striking the numeral “(6)” and inserting in lieu thereof the numeral “(7)”; and

Further amend said bill, Page 3, Section 8.007, Line 21 of said page, by inserting after all of said line the word “**and**”; and

Further amend said bill, Page 3, Section 8.007, Line 22 of said page, by striking the numeral “(7)” and inserting in lieu thereof the numeral “(8)”; and

Further amend said bill, Page 3, Section 8.007, Line 38 of said page, by striking the first occurrence of the word “**and**” and inserting in lieu thereof a comma “,”; and

Further amend said bill, Page 3, Section 8.007, Line 38 of said page, by inserting after the word “**restoration**” the following: “**and improved accessibility**”.

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

Representative O'Toole offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 470, Page 3, Section 8.007, Line 37, by inserting after the word “**stipulations,**” the word “**and**”.

On motion of Representative O'Toole, **House Amendment No. 2** was adopted.

On motion of Representative O'Toole, **SB 470, as amended**, was read the third time and passed by the following vote:

AYES: 135

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

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Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 017

Bartelsmeyer	Bearden	Burcham	Cooper	Cunningham
Dempsey	Enz	Hendrickson	Hohulin	Hunter
King	Linton	Marble	Miller	Nordwald
Purgason	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bray 84	Crump	Hosmer	Kennedy
Lograsso	Richardson	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 591, relating to sewer districts, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 591**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 8, Section 262.802, Line 17, by adding after the word “made” the following:

“However, if a political subdivision requires the property to be connected to the sewer system of the political subdivision pursuant to Section 644.027, RSMo, such connection shall not trigger the payment of the assessment.”.

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, by inserting in the appropriate place the following:

"277.212. 1. The attorney general shall enforce the provisions of sections 277.200 to 277.215. The department of agriculture shall refer violations of the provisions of sections 277.200 to 277.215 to the attorney general. The attorney general or any person injured by a violation of the provisions of sections 277.200 to 277.215 may bring an action pursuant to the provisions of chapter 407, RSMo, for any remedy allowed for unlawful merchandising practices.

2. A seller who receives a discriminatory price or who is offered only a discriminatory price in violation of the provisions of sections 277.200 to 277.215 may receive [treble] damages, costs and a reasonable attorney's fee.

277.215. 1. Each packer shall make available for publication and to the department of agriculture a daily report

setting forth information regarding prices paid for livestock under each contract in force in Missouri in which the packer and a Missouri resident are parties for the purchase of livestock by the packer and which sets a date for delivery more than fourteen days after the making of the contract.

2. The report shall be completed on forms prepared by the department for comparison with cash market prices for livestock and livestock carcasses according to procedures required by the department. The report shall not include information regarding the identity of a seller.

3. Any packer who fails to report as required by this section is guilty of a class A misdemeanor.

4. The department shall adopt rules to implement the provisions of sections 277.200 to 277.215.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

6. In the event a federal law regarding livestock price reporting becomes effective, the department of agriculture shall immediately adopt such rules as are necessary to permit Missouri producers and packers to remain economically competitive with producers and packers in other states.

[7. Sections 277.200 to 277.215 shall expire December 31, 2002.]; and

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

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

On motion of Representative O'Toole, **HS HCS SCS SB 591, as amended**, was adopted.

On motion of Representative O'Toole, **HS HCS SCS SB 591, as amended**, was read the third time and passed by the following vote:

AYES: 137

Abel	Ballard	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

Abel	Brooks	Haywood	Purgason	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 026

Baker	Barnett	Barry 100	Bartelsmeyer	Black
Boucher	Bowman	Boykins	Byrd	Cierpiot
Coleman	Copenhaver	Dolan	Enz	Hohulin
Hollingsworth	Hosmer	Kennedy	Koller	Lograsso
Long	Ridgeway	Shoemyer	Van Zandt	Wiggins
Willoughby				

VACANCIES: 003

On motion of Representative Hoppe, **SS SCS HS HB 381, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 004

Abel	Murphy	Purgason	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Barry 100	Behnen	Bland	Bowman
Boykins	Carnahan	Coleman	Copenhaver	Dolan
Gaskill	Green 73	Hohulin	Hollingsworth	Hosmer

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Kennedy	Koller	Lograsso	Richardson	Shoemyer
St. Onge	Van Zandt	Wiggins	Willoughby	Wright

VACANCIES: 003

Speaker Pro Tem Abel declared the Bill Passed

Representative Britt assumed the Chair.

BILL IN CONFERENCE

CCR HCS SB 319, as amended, relating to assessment of students, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **CCR HCS SB 319, as amended**, was adopted by the following vote:

AYES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 023

Ballard	Boatright	Byrd	Cierpiot	Cunningham
Enz	Froelker	Griesheimer	Hanaway	Henderson
Holand	Levin	Linton	Marble	Murphy
Nordwald	Phillips	Purgason	Ridgeway	Robirds
Secrest	St. Onge	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bray 84	Coleman	Foley	Ford	George
Hickey	Hohulin	Hollingsworth	Kelly 144	Long
Luetkenhaus	Shelton	Wiggins	Wright	

VACANCIES: 003

On motion of Representative Johnson (61), **CCS HCS SB 319** was truly agreed to and finally passed by the following vote:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Berkowitz	Berkstresser	Black
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Roark	Ross
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 019

Ballard	Byrd	Cierpiot	Cunningham	Enz
Griesheimer	Hanaway	Henderson	Holand	Levin
Linton	Marble	Nordwald	Phillips	Ridgeway
Robirds	Secrest	St. Onge	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Behnen	Bland	Bray 84	Coleman
Ford	Hickey	Hohulin	Hollingsworth	Kelley 47
Luetkenhaus	Moore	Purgason	Richardson	Scheve
Shelton	Wiggins	Wright		

VACANCIES: 003

Representative Britt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 022

Ballard	Barnitz	Byrd	Cierpiot	Cooper
Cunningham	Enz	Griesheimer	Hanaway	Henderson
Holand	Hunter	Levin	Linton	Marble
Nordwald	Phillips	Ridgeway	Robirds	Secrest
St. Onge	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bray 84	Coleman	Foley	Ford
Hickey	Hohulin	Hollingsworth	Kelly 27	Luetkenhaus
Purgason	Richardson	Shelton	Wiggins	Wright

VACANCIES: 003

MESSAGES FROM THE SENATE

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 **SCS HB 80, as amended**: Senators Kenney, Klarich, DePasco, Mathewson and Loudon.

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 **SCS HB 471, as amended**: Senators Wiggins, Kenney, Westfall, Schneider and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House of Representatives further conference on **SS SCS HB 453, as amended**.

The President Pro Tem has reappointed the following Conference Committee to act with a like Committee from the House: Senators Steelman, Klarich, Gross, Mathewson and Quick.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 288, as amended**, and has taken up and passed **HS HCS SB 288, as amended**.

Emergency clause adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

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

SS SCS HB 453: Representatives Smith, Ransdall, Merideth, Jetton and Hohulin

On motion of Representative Green (73), the House recessed until 2:07p.m.

AFTERNOON SESSION

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2208 - Representative Kreider
House Resolution No. 2209 - Representative Fares
House Resolution No. 2210
and
House Resolution No. 2211 - Representative Holt
House Resolution No. 2212 - Representative May (149)
House Resolution No. 2213 - Representative Abel
House Resolution No. 2214 - Representative Kreider
House Resolution No. 2215 - Representative Hanaway

COMMITTEE REPORT

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

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SB 578 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

BILLS CARRYING REQUEST MESSAGES

HS HCS SB 365, as amended, relating to tourism, was taken up by Representative Overschmidt.

Representative Overschmidt moved that the House refuse to recede from its position on **HS HCS SB 365, as amended**, and grant the Senate a conference.

Which motion was adopted.

SS SCS HS HCS HB 762, as amended, relating to women's health services, was taken up by Representative Barry.

Representative Barry moved that the House refuse to adopt **SS SCS HS HCS HB 762, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 621

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Bill No. 621, with Senate Committee Amendment No. 1 and Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Bill No. 621, as amended;
2. That the House recede from its position on House Bill No. 621;
3. That the attached Conference Committee Substitute for House Bill No. 621 be adopted.

FOR THE HOUSE:

/s/ Rep. William Gratz
 /s/ Rep. Mark Hampton
 /s/ Rep. Carl Vogel
 /s/ Rep. Randall Relford
 /s/ Rep. Rex Rector

FOR THE SENATE:

/s/ Sen. Larry Rohrbach
 /s/ Sen. Sarah Steelman
 /s/ Sen. John Russell
 /s/ Sen. Wayne Goode
 /s/ Sen. Ronnie DePasco

BILL IN CONFERENCE

CCR HB 621, as amended, relating to penitentiary redevelopment commission, was taken up by Representative Gratz.

On motion of Representative Gratz, **CCR HB 621, as amended**, was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
King	Koller	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Brooks

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ABSENT WITH LEAVE: 016

Baker	Boykins	Byrd	Green 73	Harlan
Hickey	Hollingsworth	Kelley 47	Kennedy	Lawson
Legan	Monaco	Murphy	Troupe	Walton
Wiggins				

VACANCIES: 003

On motion of Representative Gratz, **CCS HB 621** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 015

Fraser	Green 73	Harlan	Hickey	Hollingsworth
Hunter	Kelley 47	Kennedy	Legan	Monaco
Murphy	Smith	Troupe	Walton	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 275, with House Substitute Amendment No. 2 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, relating to the hearing impaired, was taken up by Representative Levin.

House Substitute Amendment No. 2 for House Amendment No. 4 was withdrawn.

House Amendment No. 4 was withdrawn.

HS HCS SB 275 was withdrawn.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 275, Page 2, Section 302.174, Line 8, by deleting the word "a" before the word "**deaf**" and deleting the word "**is**" after the word "**or**"; and

Further amend said bill, Page 2, Section 302.174, Line 9, by deleting the word "**who**" and inserting in lieu thereof the word "**and**"; and

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

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

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

House Amendment No. 2 was withdrawn.

Representative Levin moved that **HCS SB 275, as amended**, be adopted.

Which motion was defeated.

On motion of Representative Levin, **SB 275** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser

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Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Clayton	Relford	Ward
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PRESENT: 001

Purgason

ABSENT WITH LEAVE: 011

Baker	Boucher	Harlan	Hollingsworth	Kelley 47
Kennedy	Lograsso	Moore	Overschmidt	Troupe
Wiggins				

VACANCIES: 003

Speaker Kreider declared the bill passed.

MESSAGES 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 **SCS HB 157** and grants the House a conference thereon; and further that the conferees be allowed to exceed the differences in the licensing provisions.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 617, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon; and further that the conferees be allowed to exceed the differences in the research provision of the bill.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 501**, entitled:

An act to repeal sections 204.300, 204.370, 250.236 and 640.755, RSMo 2000, relating to water and sewage systems, and to enact in lieu thereof sixteen new sections relating to the same subject.

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 adopted **HCA 1** to **SB 387** and has taken up and passed **SB 387, as amended**.

Emergency clause adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 617, as amended, relating to enterprise zones, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to recede from its position on **HS HCS SCS SB 617, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences on the Research and Development Tax Credit.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

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

HS HCS SCS SB 617: Representatives Rizzo, Scheve, Bonner, Byrd and Townley

THIRD READING OF SENATE BILLS

SS SCS SB 351, with House Committee Amendment No. 1, relating to peace officer training, was taken up by Representative Britt.

Representative Britt offered **HS SS SCS SB 351**.

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

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, by inserting in the appropriate location the following:

“590.118. 1. All law enforcement agency personnel records of a peace officer may be made available to any hiring law enforcement agency. The availability of any records shall be subsequent to and conditioned upon a hearing on the issues as defined in sections 590.080, 590.090 and 590.100.

2. Following a decision recommending punitive action from a hearing on the issues as defined in section 590.080, 590.090 and 590.100, the law enforcement agency shall provide such information to the peace officer standards and training commission.”; and

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

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

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

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 50, Section 590.195, Line 22, by inserting immediately after said line the following:

“590.519. 1. The department of corrections shall notify the department of public safety within ten days after any correctional officer or any person serving in the position of correctional officer within this state passes a course of training developed by competent instructors approved by the department of public safety and the department of corrections of at least two hundred ninety-six hours. The department of public safety shall issue a correctional officer certification for each officer who passes such a course. Such certification shall only be valid while employed by the department of corrections.

2. The department of corrections shall notify the department of public safety when any certified correctional officer is dismissed from employment. Upon receipt of such notification, the department of public safety shall immediately revoke the certification of the dismissed correctional officer.

3. The correctional officer shall not be deemed to have property interest in any certificate issued pursuant to this section.

4. Persons employed as correctional officers with the department of corrections on August 28, 2001, which have participated in a correctional officer training program prior to August 28, 2001, shall be eligible for certification.”; and

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

Speaker Pro Tem Abel resumed the Chair.

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

AYES: 088

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Dempsey	Dolan	Enz	Froelker
Gaskill	Graham	Gratz	Griesheimer	Hampton
Hanaway	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hoppe	Jetton
Kelly 144	Kelly 36	King	Koller	Legan
Levin	Linton	Long	Luetkemeyer	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab

Scott	Secrest	Seigfreid	Shelton	Shields
St. Onge	Surface	Townley	Vogel	Wagner
Ward	Wright	Mr. Speaker		

NOES: 065

Abel	Berkowitz	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Clayton
Curls	Davis	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Green 15	Hagan-Harrell	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Lawson	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Reid	Relford	Reynolds	Rizzo	Scheve
Selby	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Walton
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Green 73	Hunter	Kelley 47	Kennedy
Lograsso	Marble			

VACANCIES: 003

Representative Kelly (27) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 6, Section 57.020, Line 23 of said page, by adding after all of said line the following:

"217.305. 1. The sheriff or other officer charged with the delivery of persons committed to the department for confinement in a correctional center shall deliver the person to the reception and diagnostic center designated by the director at times and dates as designated by the director and shall receive a certificate of delivery of the offender from the center.

2. Appropriate information relating to the offender shall be provided to the department in a written or electronic format, at or before the time the offender is delivered to the department, including, but not limited to:

(1) A copy of the sentence received from the clerk of the sentencing court. If provided in written form, this document shall be certified by the court;

(2) All other judgment, sentencing and commitment orders of the court, or such documents as authorized by the prosecuting attorney or circuit attorney or required by the department;

(3) Further information regarding the offender's age, crime for which sentenced and circumstances surrounding the crime and sentence, personal history, which may include facts related to his home environment, work habits and previous convictions and commitments. Such information shall be prepared by the prosecuting attorney of the county or circuit attorney of any city not within a county who was charged with the offender's prosecution;

(4) Information regarding all significant aspects of the offender's physical and mental condition, including any currently prescribed medication and any attempts to commit suicide. Such information shall be prepared by the sheriff or other officer charged with delivering the offender to the department and shall include copies of all medical and mental health documents in the possession of jail personnel relating to the offender."; and

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

On motion of Representative Kelly (27), **House Amendment No. 3** was adopted.

Representative Wilson (42) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 20, Section 590.040, Line 15, by inserting after all of said line the following:

“4. The basic training of every peace officer, except agents of the conservation commission, concerning the investigation and management of cases shall include training regarding interacting with individuals with mental illness.”; and

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

Representative Purgason offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 20, Section 590.040, Line 15, by inserting after all of said line the following:

“4. The basic training of every peace officer, concerning the investigation and management of cases shall include training regarding interacting with individuals with mental illness.”; and

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

Representative Graham assumed the Chair.

On motion of Representative Griesheimer, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Britt, **HS SS SCS SB 351, as amended**, was adopted.

On motion of Representative Britt, **HS SS SCS SB 351, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner

Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Crowell	Franklin	Gambara	Harlan
Haywood	Hunter	Kelley 47	Kennedy	Lawson
Levin	Liese	Lograsso	Long	Murphy
O'Toole	Richardson	Treadway	Troupe	

VACANCIES: 003

Representative Graham declared the bill passed.

HCS SCS SB 10, relating to judicial procedures, was taken up by Representative Monaco.

Representative Monaco offered **HS HCS SCS SB 10**.

Representative Kelly (27) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 1, Line 3, by deleting the words “division of benefits in”; and

Further amend said bill, by inserting in the appropriate location in the bill the following:

“Section 1. When petitioning for any judgment, order or decree involving a proposed relocation, as that term is defined in section 452.377, the party seeking to relocate shall have the burden of proving that the proposed relocation is made in good faith and is in the best interest of the child. If that burden is met, the burden shifts to the non-relocating party to show that the proposed relocation is not in the best interest of the child.”; and

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

Representative Monaco raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Graham requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

House Amendment No. 1 was withdrawn.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Section 516.350, by inserting before said section the following:

"511.350. 1. Judgments and decrees rendered by the supreme court, by any United States district or circuit court held within this state, by any district of the court of appeals, by any circuit court and any probate division of the circuit court, except judgments and decrees rendered by associate, small claims and municipal divisions of the circuit courts, shall be liens on the real estate of the person against whom they are rendered, situate in the county for which or in which the court is held.

2. Judgments and decrees rendered by the associate divisions of the circuit courts shall not be liens on the real estate of the person against whom they are rendered until such judgments or decrees are filed with the clerk of the circuit court pursuant to sections [517.770] **517.141** and [517.780] **517.151**, RSMo.

3. Judgments and decrees rendered by the small claims and municipal divisions of the circuit court shall not constitute liens against the real estate of the person against whom they are rendered.

511.360. The lien of a judgment or decree shall extend as well to the real estate acquired after the rendition thereof, as to that which was owned when the judgment or decree was rendered. Such liens shall commence on the day of the rendition of the judgment, and shall continue for [three] **ten** years, subject to be revived as herein provided; but when two or more judgments or decrees are rendered at the same term, as between the parties entitled to such judgments or decrees, the lien shall commence on the last day of the term at which they are rendered."; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 2, Section 516.350, Line 13, by adding the following at the end of said line:

"An action to emancipate a child, and any personal service or order rendered thereon, shall not act to revive the support order."

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

On motion of Representative Monaco, **HS HCS SCS SB 10, as amended**, was adopted.

On motion of Representative Monaco, **HS HCS SCS SB 10, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Gambaro	Green 73	Harlan	Hohulin
Hunter	Kelley 47	Kennedy	O'Toole	Reid
Ridgeway	Shields	Troupe		

VACANCIES: 003

Representative Graham declared the bill passed.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SCS SB 186, relating to small loans, was taken up by Representative Liese.

Representative Liese offered **HS HCS SCS SB 186**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 1, In the title, Line 9 of said page, by inserting after the following: "2000," the following:

"and Section 367.100 as enacted by Senate Substitute for House Committee Substitute for House Bill No. 738, ninety-first general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by inserting after the following: "2000," the following:

"and Section 367.100 as enacted by Senate Substitute for House Committee Substitute for House Bill No. 738, ninety-first general assembly, first regular session,"; and

Further amend said bill, Section 367.100, Page 49, Lines 31 to 39 of said page; and Page 50, Lines 1 to 19 of said page, by deleting all of said section and inserting in lieu thereof the following:

"[367.100. As used in sections 367.100 to 367.200:

(1) "Consumer credit loans" shall mean loans for personal, family or household purposes in amounts of five hundred dollars or more;

(2) "Director" shall mean the director of the division of finance or such agency or agencies as may exercise the powers and duties now performed by such director;

(3) "Lender" shall mean any person engaged in the business of making consumer credit loans. A person who makes an occasional consumer credit loan or who occasionally makes loans but is not regularly engaged in the business of making consumer credit loans shall not be considered a lender subject to sections 367.100 to 367.200;

(4) "Person" shall include individuals, partnerships, associations, trusts, corporations, and any other legal entities, excepting those corporations whose powers emanate from the laws of the United States and those which under other law are subject to the supervisory jurisdiction of the director or the director of the division of credit unions of Missouri;

(5) "Supervised business" shall mean the business of making consumer credit loans, as herein defined, of money, credit, goods, or things in action.

The provisions of section 367.100(1)(b) shall not be effective until January 1, 2002.]

367.100. As used in sections 367.100 to 367.200:

(1) "Consumer credit loans" shall mean:

(a) **Prior to January 1, 2002**, loans for the benefit of or use by an individual or individuals:

[(a)] **a.** Secured by a security agreement or any other lien on tangible personal property or by the assignment of wages, salary or other compensation; or

[(b)] **b.** Unsecured and whether with or without comakers, guarantors, endorsers or sureties;

(b) **Beginning January 1, 2002 and thereafter, loans for personal, family or household purposes in amounts of five hundred dollars or more;**

(2) "Director" shall mean the director of the division of finance or such agency or agencies as may exercise the powers and duties now performed by such director;

(3) "Lender" shall mean any person engaged in the business of making consumer credit loans. A person who makes an occasional consumer credit loan or who occasionally makes loans but is not regularly engaged in the business of making consumer credit loans shall not be considered a lender subject to sections 367.100 to 367.200;

(4) "Person" shall include individuals, partnerships, associations, trusts, corporations, and any other legal entities, excepting those corporations whose powers emanate from the laws of the United States and those which under other law are subject to the supervisory jurisdiction of the director [of the division of the finance of Missouri,] or the director of the division of credit unions of Missouri;

(5) "Supervised business" shall mean the business of making consumer credit loans, as herein defined, of money, credit, goods, or things in action."; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 2, Section A, Line 5 of said page, by inserting after all of said section the following:

"33.193. 1. Any state payroll check issued to an employee of this state, or to an elected or appointed official of this state, shall, upon presentation of proof of identification by the presenter, be honored by any federally chartered bank, state-chartered bank, federally chartered savings and loan association, state-chartered savings and loan association, federally chartered credit union or state-chartered credit union located in this state, regardless of whether the holder of the state payroll check is a customer of the bank, savings and loan association or credit union. The bank, savings and loan association or credit union may charge the holder of the state payroll check an amount not greater than five dollars per payroll check for cashing payroll checks. This subsection shall be enforced by the Missouri division of finance for state-chartered institutions and by the Missouri attorney general for federally chartered institutions.

2. Any bank, savings and loan association or credit union which violates the provisions of this section may be subject to civil penalties in an amount not to exceed five thousand dollars for each violation. Such action may be brought by the employee privately or by the attorney general on behalf of the state. In addition, the attorney general may seek an injunction to prohibit a bank, savings and loan association or credit union from refusing to cash payroll checks in accordance with this section."; and

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

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

Which motion was defeated.

Representative Britt resumed the Chair.

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Pages 8-9, Section 148.400, by deleting said section from the bill; and

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

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 74, Section 367.532, Line 2 of said page, by inserting after all of said line the following:

"379.316. 1. Section 379.017 and sections 379.316 to 379.361 apply to insurance companies incorporated pursuant to sections 379.035 to 379.355, section 379.080, sections 379.060 to 379.075, sections 379.085 to 379.095, sections 379.205 to 379.310, and to insurance companies of a similar type incorporated pursuant to the laws of any other state of the United States, and alien insurers licensed to do business in this state, which transact fire and allied lines, marine and inland marine insurance, to any and all combinations of the foregoing or parts thereof, and to the combination of fire insurance with other types of insurance within one policy form at a single premium, on risks or operations in this state, except:

- (1) Reinsurance, other than joint reinsurance to the extent stated in section 379.331;
- (2) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured pursuant to marine, as distinguished from inland marine, insurance policies;
- (3) Insurance against loss or damage to aircraft;
- (4) All forms of motor vehicle insurance; and
- (5) All forms of life, accident and health, and workers' compensation insurance.

2. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the director, or as established by general custom of the business, as inland marine insurance.

3. Commercial property and commercial casualty insurance policies [which meet the exemption requirements of section 379.362 shall be exempt from those insurance laws of this state which concern the regulation by the director of the department of insurance of the policy language, policy provisions or the format of such policies, or the regulation of the rates used to calculate the amount of premium charged] **are subject to rate and form filing requirements as provided in section 379.321.**

379.321. 1. Every insurer shall file with the director, except as to commercial property or commercial casualty insurance as provided in subsection 6 of this section [and as to inland marine risks which by regulation or general custom of the business are not written according to manual rates or rating plans], every manual of classifications, rules, underwriting rules and rates, every rating plan and every modification of the foregoing which it uses and the policies and forms to which such rates are applied. Any insurer may satisfy its obligation to make any such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings and by authorizing the director to accept such filings on its behalf, provided that nothing contained in section 379.017 and sections 379.316 to 379.361 shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization or as requiring any member or subscriber to authorize the director to accept such filings on its behalf. Filing with the director by such insurer or licensed rating organization within ten days after such manuals, rating plans or modifications thereof or policies or forms are effective shall be sufficient compliance with this section.

2. Except as to commercial property or commercial casualty insurance as provided in subsection 6 of this section and [as to contracts or policies for] inland marine risks [as to which filings are not required] **as provided in subsection 1 of this section**, no insurer shall make or issue a policy or contract except pursuant to filings which are in effect for

that insurer or pursuant to section 379.017 and sections 379.316 to 379.361. Any rates, rating plans, rules, classifications or systems, in effect on August 13, 1972, shall be continued in effect until withdrawn by the insurer or rating organization which filed them.

3. Upon the written application of the insured, stating his or her reasons therefor, filed with the insurer, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

4. Every insurer which is a member of or a subscriber to a rating organization shall be deemed to have authorized the director to accept on its behalf all filings made by the rating organization which are within the scope of its membership or subscribership, provided:

(1) That any subscriber may withdraw or terminate such authorization, either generally or for individual filings, by written notice to the director and to the rating organization and may then make its own independent filings for any kinds of insurance, or subdivisions, or classes of risks, or parts or combinations of any of the foregoing, with respect to which it has withdrawn or terminated such authorization, or may request the rating organization, within its discretion, to make any such filing on an agency basis solely on behalf of the requesting subscriber; and

(2) That any member may proceed in the same manner as a subscriber unless the rating organization shall have adopted a rule, with the approval of the director:

(a) Requiring a member, before making an independent filing, first to request the rating organization to make such filing on its behalf and requiring the rating organization, within thirty days after receipt of such request, either:

- a. To make such filing as a rating organization filing;
- b. To make such filing on an agency basis solely on behalf of the requesting member; or
- c. To decline the request of such member; and

(b) Excluding from membership any insurer which elects to make any filing wholly independently of the rating organization.

5. Any change in a filing made pursuant to this section during the first six months of the date such filing becomes effective shall be approved or disapproved by the director within ten days following the director's receipt of notice of such proposed change.

6. [Commercial property and commercial casualty insurance policies which meet the exemption requirements of section 379.362 shall adhere to the filing requirements of this section, provided however, that the filings for such policies shall be for informational purposes only. Therefore, all manuals of classifications, rules, underwriting rules, rates, rate plans and modifications, policy forms and other forms to which such rates are applied, shall be filed with the director for policies which meet the exemption requirements of section 379.362. Such filings shall be made with the director within thirty days after such materials are used by the insurer, but such policies and rates need not be reviewed or approved by the department of insurance as a condition of their use. Nothing in this subsection shall require the filing of individual policies or the rates related thereto where the original policy forms, manuals, rates and rules for the insurance plan or program to which such individual policies conform have already been filed with the director.]

Commercial property and commercial casualty requirements differ as follows:

(1) **All commercial property and commercial casualty insurance rates, rate plans, modifications, and manuals of classifications, where appropriate, shall be filed with the director for informational purposes only. Such rates are not to be reviewed or approved by the department of insurance as a condition of their use. Nothing in this subsection shall require the filing of individual rates where the original manuals, rates and rules for the insurance plan or program to which such individual policies conform have already been filed with the director;**

(2) **If an insurer will only renew a commercial casualty or commercial property insurance policy with an increase in premium of twenty-five percent or more, a "premium alteration requiring notification" notice must be mailed or delivered by the insurer at least sixty days prior to the expiration date of the policy, except in the case of an umbrella or excess policy the coverage of which is contingent on the coverage of an underlying policy of commercial property or casualty insurance, in which case notice of an increase in premium of twenty-five percent or more shall be mailed or delivered at least thirty days prior to the expiration date of the policy. Such notice shall be mailed or delivered to the agent of record and to the named insured at the address shown in the policy. If the insurer fails to meet this notice requirement, the insured shall have the option of continuing the policy for the remainder of the notice period plus an additional thirty days at the premium rate of the existing policy or contract. This provision does not apply if the insurer has offered to renew a policy without such an increase in premium or if the insured fails to pay a premium due or any advance premium required by the insurer for renewal. For purposes of this section, "premium alteration requiring notification" means an annual increase in premium of twenty-five percent or more, exclusive of premium increases due to a change in the operations of the insured which increases either the hazard insured against or the individual loss**

characteristics, or due to a change in the magnitude of the exposure basis, including, without limitation, increases in payroll or sales. For commercial multiperil policies, no "premium alteration requiring notification" shall be required unless the increase in premium for all of a policyholder's policies taken together amounts to a twenty-five percent or more annual increase in premium;

(3) Commercial property and commercial casualty policy forms shall be filed with the director as provided pursuant to subsection 1 of this section. However, if after review, it is determined that corrective action must be taken to modify the filed forms, the director shall impose such corrective action on a prospective basis for new policies. All policies previously issued which are of a type that is subject to such corrective action shall be deemed to have been modified to conform to such corrective action retroactive to their inception date;

(4) For purposes of this section, "commercial casualty" means "commercial casualty insurance" as defined in section 379.882. For purposes of this section, "commercial property" means property insurance, which is for business and professional interests, whether for profit, nonprofit or public in nature which is not for personal, family or household purposes, but does not include title insurance;

(5) Nothing in this subsection shall limit the director's authority over excessive, inadequate or unfairly discriminatory rates.

379.356. 1. No insurer, broker or agent shall knowingly charge, demand or receive a premium for any policy of insurance except in accordance with the provisions of section 379.017 and sections 379.316 to 379.361. No insurer or employee thereof, and no broker or agent shall pay, allow, or give, directly or indirectly, as an inducement to insurance, or after insurance has been effected, any rebate, discount, abatement, credit or reduction of the premium named in a policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy of insurance, except to the extent provided for in applicable filings. No insured named in any policy of insurance shall knowingly receive or accept, directly or indirectly, any such rebate, discount, abatement, credit or reduction of premium, or any such special favor or advantage or valuable consideration or inducement. Nothing in this section shall be construed as prohibiting the payment of, nor permitting the regulation of the payment of, commissions or other compensation to duly licensed agents and brokers; nor as prohibiting, or permitting the regulation of, any insurer from allowing or returning to its participating policyholders or members, dividends or savings.

2. An insurer or insurance producer, agent or broker may charge additional incidental fees for premium installments, late payments, policy reinstatements, or other similar services specifically provided for by law or regulation. Such fees shall be disclosed to the applicant or insured in writing.

379.425. 1. Sections 379.420 to 379.510 apply to casualty insurance, including fidelity, surety and guaranty bonds, and to all forms of motor vehicle insurance, on risks or operations in this state, except:

(1) Reinsurance, other than joint reinsurance to the extent stated in section 379.460 and subsection 2 of section 379.430;

(2) Insurance against workers' compensation liability;

(3) Accident and health insurance;

(4) Insurance against loss of or damage to aircraft, or against liability, other than employers' liability, arising out of the ownership, maintenance or use of aircraft.

2. Commercial casualty insurance policies [which meet the exemption requirements of section 379.362] shall be exempt from [those insurance laws of this state which concern the regulation by the director of insurance of the policy language, policy provisions or the format of such policies, or regulation of the rates used to calculate the amount of premium charged] **the provisions of sections 379.420 to 379.510 to the extent permitted pursuant to subsection 6 of section 379.321.**

379.888. 1. As used in sections 379.888 to 379.893, the following terms mean:

(1) "'A' rated risk", any insurance coverage for which rates are individually determined based upon judgment because neither a rate service organization nor the insurer has yet established a manual rate based upon experience, except that if a rate service organization or the insurer acquires sufficient experience to establish, or if the insurer itself has, a manual rate for such coverage, then such coverage shall no longer be considered an "A" rated risk for each insurer;

(2) "Base rate", the rate designed to reflect the average aggregate experience of a particular market, prior to adjustment for individual risk characteristics resulting from application of any rating plan;

(3) "Classification", a grouping of insurance risks according to a classification system used by an insurer;

(4) "Classification system", a schedule of classifications and a rule or set of rules used by an insurer for determining the classification applicable to an insured;

(5) "Commercial casualty insurance", casualty insurance for business or nonprofit interests which is not for

personal, family, or household purposes;

- (6) "Director", the director of the department of insurance;
- (7) "Rate", a monetary amount applied to the units of exposure basis assigned to a classification and used by an insurer to determine the premium for an insured;
- (8) "Rating plan", a rule or set of rules used by an insurer to calculate premium for an insured, and the parameter values used in such calculation, after application of classification premium rates to units of exposure; and
- (9) "Rating system", a collection of rating plans to be used by an insurer, rules for determining which rating plans are applicable to an insured, a classification system, and other rules used by an insurer for determining contractual consideration for insured.

2. [Every filing of commercial casualty insurance premium rates, rating plans or rating systems by an insurer or rating organization shall be submitted to the director for review prior to becoming effective if it produces an increase or decrease exceeding twenty-five percent annually from changes in any:

- (1) Base rates;
- (2) Rating basis;
- (3) Rating plans;
- (4) Manual rules;
- (5) Territorial definitions; or
- (6) Combination of such rating system components of subdivisions (1) to (5) of this subsection.

3.] Nothing in this section applies to premium increases or decreases from:

- (1) Change in hazard of the insured's operation;
- (2) Change in magnitude of the exposure basis for the insured, including, without limitation, changes in payroll or sales;

- (3) "A" rated risks[; or
- (4) Commercial casualty insurance that is exempt pursuant to section 379.362].

[4.] **3.** Any renewal notice of a commercial casualty insurance policy as defined in section 379.882 for any Missouri risk or portion thereof which would have the effect of increasing the premium charged to the insured due to a change in any scheduled rating factor applied to the policy during the previous policy period shall contain or be accompanied by a notice to the insured informing the insured that any inquiry by the insured concerning the change may be directed to the agent of record or directly to the insurer. When any insured makes a request for information pursuant to this subsection, the insurer, directly or through the insurer's agent, shall inform the insured in writing in terms sufficiently clear and specific of the basis for any reduction in a scheduled rating credit or increase in a scheduled rating debit which is applied to the policy. Evidence supporting the basis for any scheduled rating credit or debit shall be retained by the insurer for the policy term plus two calendar years pursuant to section 374.205, RSMo. The department of insurance shall notify commercial casualty insurers of the requirements of this section by bulletin.

4. Any renewal involving a "premium alteration requiring notification" as defined in subsection 6 of section 379.321, shall be handled pursuant to the requirements of that subsection."; and

Further amend said bill, Page 92, Section 513.430, Line 14 of said page, by inserting after all of said line the following:

"Section 1. No insurer or its agent or representative shall require any applicant or policyholder to divulge if any insurer has denied any claim of that applicant or policyholder."; and

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

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

On motion of Representative Liese, **HS HCS SCS SB 186, as amended**, was adopted.

On motion of Representative Liese, **HS HCS SCS SB 186, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Clayton	Gambaro	Hagan-Harrell	Harlan
Hohulin	Kelley 47	Kennedy	Long	Naegeer
O'Toole	Rizzo	Van Zandt		

VACANCIES: 003

Representative Britt declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

HCS SCS SB 486 & SB 422, relating to medical transport services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 486 & SB 422**.

Representative Van Zandt raised a point of order that **HS HCS SCS SB 486 & SB 422** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 and Senate Bill No. 422, Page 5, Section 67.582, Line 16, by deleting the words "**or fire protection**"; and

Further amend said bill, Page 50, Section 190.109, Lines 21 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 51, Section 190.109, Lines 1 to 9 of said page, by deleting all of said lines; and

Further amend said bill, Pages 113 to 118, Section 355.066, Lines 14 to 24 of Page 113, Lines 1 to 24 of Page 114, Lines 1 to 24 of Page 115, Lines 1 to 24 of Page 116, Lines 1 to 24 of Page 117, and Lines 1 to 20 of Page 118, by deleting all of said section; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 and Senate Bill No. 422, Page 79, Section 197.374, Line 22 of said page, by deleting the words "**units of service**" and inserting in lieu thereof the following: "**new machines or new rooms used for the listed services**"; and

Further amend said bill, Page 80, Section 197.374, Line 6 of said page, by inserting after all of said line the following:

"Nothing in this subdivision shall prohibit the replacement of the listed machines or rooms unless such replacement exceeds the threshold limits in this section."; and

Further amend said bill, Page 80, Section 197.374, Line 13 of said page, by inserting after the word "**sanatoriums**" the following:

"and any residential care facility I or residential care facility II operated by a religious organization qualified pursuant to Section 501(c)(3) of the Internal Revenue Code, as amended, which does not require the expenditure of public funds for purchase or operation, with a total licensed bed capacity of one hundred beds or less"; and

Further amend said bill, Page 81, Section 197.374, Line 21 of said page, by deleting the words "**an expenditure**" and inserting in lieu thereof the following: "**a capital expenditure, including lease costs,**"; and

Further amend said bill, Page 82, Section 197.374, Line 10 of said page, by deleting the words "**an expenditure**" and inserting in lieu thereof the following: "**a capital expenditure, including lease costs,**"; and

Further amend said bill, Page 82, Section 197.374, Line 14 of said page, by inserting after the word "**land**" the following: "**acquisition, newly constructed or acquired**"; and

Further amend said bill, Page 84, Section 197.386, Line 18 of said page, by inserting after the word "**writing**" the following: "**its finding of fact, conclusions of law and**"; and

Further amend said bill, Page 86, Section 197.384, Lines 18 to 22 of said page, by deleting all of said lines and renumbering remaining subsections accordingly; and

Further amend said bill, Page 88, Section 197.384, Line 10, by inserting after the word "**entirety**" the following: "**or within twelve months of a facility ceasing operation**"; and

Further amend said bill, Pages 88 and 89, Section 197.384, Line 24 of Page 88 and Line 1 of Page 89, by deleting all of said lines; and

Further amend said bill, Page 98, Section 197.398, Line 23 of said page, by inserting after all of said line the following:

"197.399. The provisions of subdivision (4) of section 197.374 to the contrary notwithstanding, after December 31, 2004, the term "health care facilities" in sections 197.370 to 197.399 shall mean:

- (1) Facilities licensed pursuant to chapter 198, RSMo;**
- (2) Long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo;**
- (3) Long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR, section 412.23(e); and**
- (4) Construction of a new hospital as defined in this chapter."; and**

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

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

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 118, Section 355.066, Line 21 of said page, by inserting after all of said line the following:

"590.010. As used in this chapter, the following terms mean:

- (1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;**
- (2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;**
- (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;**
- (4) "POST commission", the peace officer standards and training commission;**
- (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week.**

590.020. 1. No person shall hold a commission as a peace officer without a valid peace officer license.

2. The director shall establish various classes of peace officer license and may provide that certain classes are not valid for commission within counties of certain classifications, by certain state agencies, or for commission as other than a reserve peace officer with police powers restricted to the commissioning political subdivision.

3. Notwithstanding any other provision of this chapter, no license shall be required:

- (1) Of any person who has no power of arrest;**
- (2) To seek or hold an elected county office, subject to such requirements as chapter 57, RSMo, may impose;**
- (3) To be commissioned pursuant to section 64.335, RSMo, as a park ranger not carrying a firearm;**
- (4) To be commissioned as a peace officer by a political subdivision having less than four full-time paid peace officers or a population less than two thousand, provided that such commission was in effect on the**

effective date of this section and continually since that date, and provided that this exception shall not apply to any commission within a county of the first class having a charter form of government;

(5) Of any reserve officer continually holding the same commission since August 15, 1988; or

(6) For any person continually holding any commission as a full-time peace officer since December 31, 1978.

4. Any political subdivision or law enforcement agency may require its peace officers to meet standards more stringent than those required for licensure pursuant to this chapter.

590.030. 1. The POST commission shall establish minimum standards for the basic training of peace officers. Such standards may vary for each class of license established pursuant to subsection 2 of section 590.020.

2. The director shall establish minimum age, citizenship, and general education requirements and may require a qualifying score on a certification examination as conditions of eligibility for a peace officer license.

3. The director shall provide for the licensure, with or without additional basic training, of peace officers possessing credentials by other states or jurisdictions, including federal and military law enforcement officers.

4. The director shall establish a procedure for obtaining a peace officer license and shall issue the proper license when the requirements of this chapter have been met.

5. As conditions of licensure, all licensed peace officers shall:

(1) Obtain continuing law enforcement education pursuant to rules to be promulgated by the POST commission; and

(2) Maintain a current address of record on file with the director.

6. A peace officer license shall automatically expire if the licensee fails to hold a commission as a peace officer for a period of five consecutive years, provided that the POST commission shall provide for the relicensure of such persons and may require retraining as a condition of eligibility for relicensure, and provided that the director may provide for the continuing licensure, subject to restrictions, of persons who hold and exercise a law enforcement commission requiring a peace officer license but not meeting the definition of a peace officer pursuant to this chapter.

590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower than four hundred seventy and no higher than six hundred, with the following exceptions:

(1) Up to one thousand hours may be mandated for any class of license required for commission by a state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect; and

(5) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health, the division of family services, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence.

590.050. 1. The POST commission shall establish requirements for the continuing education of all peace officers. Peace officers who make traffic stops shall be required to receive annual training concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, non-combative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

2. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

4. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety.

590.060. 1. The POST commission shall establish minimum standards for training instructors and training centers, and the director shall establish minimum qualifications for admittance into a basic training course.

2. The director shall license training instructors, centers, and curricula, and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. Each person seeking entrance into a basic training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center where such person is seeking entrance. The training center shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the director. The person seeking entrance may be charged a fee for the cost of this procedure.

590.070. 1. The chief executive officer of each law enforcement agency shall, within thirty days after commissioning any peace officer, notify the director on a form to be adopted by the director. The director may require the chief executive officer to conduct a current criminal history background check and to forward the resulting report to the director.

2. The chief executive officer of each law enforcement agency shall, within thirty days after any licensed peace officer departs from employment or otherwise ceases to be commissioned, notify the director on a form to be adopted by the director. Such notice shall state the circumstances surrounding the departure from employment or loss of commission and shall specify any of the following that apply:

- (1) The officer failed to meet the minimum qualifications for commission as a peace officer;
- (2) The officer violated municipal, state or federal law;
- (3) The officer violated the regulations of the law enforcement agency; or
- (4) The officer was under investigation for violating municipal, state or federal law, or for gross violations of the law enforcement agency regulations.

3. Whenever the chief executive officer of a law enforcement agency has reasonable grounds to believe that any peace officer commissioned by the agency is subject to discipline pursuant to section 590.080, the chief executive officer shall report such knowledge to the director.

590.080. 1. The director shall have cause to discipline any peace officer licensee who:

- (1) Is unable to perform the functions of a peace officer with reasonable competency or reasonable safety as a result of a mental condition, including alcohol or substance abuse;
- (2) Has committed any criminal offense, whether or not a criminal charge has been filed;
- (3) Has committed any act while on active duty or under color of law that involves moral turpitude or a reckless disregard for the safety of the public or any person;
- (4) Has caused a material fact to be misrepresented for the purpose of obtaining or retaining a peace officer commission or any license issued pursuant to this chapter;
- (5) Has violated a condition of any order of probation lawfully issued by the director; or
- (6) Has violated a provision of this chapter or a rule promulgated pursuant to this chapter.

2. When the director has knowledge of cause to discipline a peace officer licensed pursuant to this section, the director may cause a complaint to be filed with the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue findings of fact and

conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to this section.

3. Upon a finding by the administrative hearing commission that cause to discipline exists, the director shall, within thirty days, hold a hearing to determine the form of discipline to be imposed and thereafter shall probate, suspend, or permanently revoke the license at issue. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

4. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the licensee's address of record. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. Notice may be given by publication.

5. Nothing contained in this section shall prevent a licensee from informally disposing of a cause for discipline with the consent of the director by voluntarily surrendering a license or by voluntarily submitting to discipline.

6. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission and pursuant to this section the rights and duties of the parties involved.

590.090. 1. The director shall have cause to suspend immediately the peace officer license of any licensee who:

(1) Is under indictment for, is charged with, or has been convicted of the commission of any felony;

(2) Is subject to an order of another state, territory, the federal government, or any peace officer licensing authority suspending or revoking a peace officer license or certification; or

(3) Presents a clear and present danger to the public health or safety if commissioned as a peace officer.

2. At any time after the filing of a disciplinary complaint pursuant to section 590.080, if the director determines that probable cause exists to suspend immediately the peace officer license of the subject of the complaint, the director may, without notice or hearing, issue an emergency order suspending such license until final determination of the disciplinary complaint. Such order shall state the probable cause for the suspension and shall be served upon the licensee by certified mail at the licensee's address of record. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. The director shall also notify the chief executive officer of any law enforcement agency currently commissioning the officer. The director shall have authority to dissolve an emergency order of suspension at any time for any reason.

3. A licensee subject to an emergency order of suspension may petition the administrative hearing commission for review of the director's determination of probable cause, in which case the administrative hearing commission shall within five business days conduct an emergency hearing, render its decision, and issue findings of fact and conclusions of law. Sworn affidavits or depositions shall be admissible on the issue of probable cause and may be held sufficient to establish probable cause. The administrative hearing commission shall have no authority to stay or terminate an emergency order of suspension without a hearing pursuant to this subsection. Findings and conclusions made in determining probable cause for an emergency suspension shall not be binding on any party in any proceeding pursuant to section 590.080.

4. Any party aggrieved by a decision of the administrative hearing commission pursuant to this section may appeal to the circuit court of Cole County as provided in section 536.100, RSMo.

590.100. 1. The director shall have cause to deny any application for a peace officer license or entrance into a basic training course when the director has knowledge that would constitute cause to discipline the applicant if the applicant were licensed.

2. When the director has knowledge of cause to deny an application pursuant to this section, the director may grant the application subject to probation or may deny the application. The director shall notify the applicant in writing of the reasons for such action and of the right to appeal pursuant to this section.

3. Any applicant aggrieved by a decision of the director pursuant to this section may appeal within thirty days to the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for denial, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for denial or any rehabilitation of the applicant or otherwise impinge upon the discretion of the director to determine whether to grant the application subject to probation or deny the application when cause exists pursuant to this section. Failure to submit a written request for a hearing to the administrative hearing commission within thirty days

after a decision of the director pursuant to this section shall constitute a waiver of the right to appeal such decision.

4. Upon a finding by the administrative hearing commission that cause for denial exists, the director shall not be bound by any prior action on the matter and shall, within thirty days, hold a hearing to determine whether to grant the application subject to probation or deny the application. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

5. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission pursuant to this section and the rights and duties of the parties involved.

[590.100. As used in sections 590.100 to 590.180, the following terms mean:

(1) "Certified training academy", any academy located within the state of Missouri which has been certified by the director to provide training programs for peace officers in this state;

(2) "Chief executive officer", the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for violation of ordinances of a county or municipality;

(3) "Director", the director of the Missouri department of public safety;

(4) "Peace officer", members of the state highway patrol, all state, county, and municipal law enforcement officers possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full time, with pay;

(5) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty. In a county of the first class adjoining a city not within a county, reserve peace officers may engage in all nonprimary enforcement activities without being under direct or immediate accompaniment of a certified peace officer.]

[590.101. In any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, the definitions contained in section 590.100 shall apply, except that as used in sections 590.100 to 590.180, the following terms shall mean:

(1) "Bailiff", an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, taking charge of the jury, guarding prisoners, and other services which are reasonably necessary for the proper functioning of the court;

(2) "Nonprimary enforcement activities", activities which include, but are not limited to, traffic control, crowd control, checking abandoned, vacated and temporarily vacated structures, conveyance of motor vehicles, public appearances, and public educational presentations;

(3) "Primary enforcement activities", activities used to enforce the police powers of the state, including, but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search, interrogations or the administration of first aid; and

(4) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under direct and immediate accompaniment of a certified peace officer of the same agency in order to engage in primary enforcement activities.]

[590.105. 1. A program of mandatory standards for the basic training and certification of peace officers and a program of optional standards for the basic training and certification of reserve officers in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours of training and core curriculum. In no event, however, shall the commission require more than one thousand hours of such training for either peace or reserve officers employed by any state law enforcement agency, or more than six hundred hours of such training for other peace or reserve officers; provided, however, that the minimum hours of training shall be no lower than the following:

(1) One hundred twenty hours as of August 28, 1993;

(2) Three hundred hours as of August 28, 1994; and

(3) Four hundred seventy hours as of August 28, 1996.

The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the

officer was employed or appointed.

2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment. Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has served as a bailiff prior to January 1, 1995, shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

5. Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

6. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

7. The peace officers standards and training commission with input from the department of health and the division of family services shall provide a minimum of thirty hours of initial education to all prospective law enforcement officers, except for agents of the conservation commission, concerning domestic and family violence.

8. The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection 6 of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

9. The course of instruction shall include, but is not limited to:

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including:

- (a) Physical abuse;
- (b) Sexual abuse;
- (c) Child fatalities;
- (d) Child neglect;
- (e) Interviewing children and alleged perpetrators;
- (2) The nature, extent and causes of domestic and family violence;
- (3) The safety of officers investigating incidents of domestic and family violence;
- (4) The safety of the victims of domestic and family violence and other family and household members;
- (5) The legal rights and remedies available to victims of domestic and family violence, including but not limited

to rights and compensation of victims of crime, and enforcement of civil and criminal remedies

(6) The services available to victims of domestic and family violence and their children;

(7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and

(8) The provisions of applicable state statutes concerning domestic and family violence.]

590.110. 1. The director may investigate any cause for the discipline of any license or denial of any application pursuant to this chapter. During the course of such investigation, the director shall have the power to inspect any training center, require by subpoena the attendance and sworn deposition of any witness and the production of any documents, records, or evidence that the director deems relevant. Subpoenas shall be served by a person authorized to serve subpoenas of courts of record. In lieu of the production of any document or

record, the director may require that a sworn copy of such document or record be delivered to the director.

2. The director may apply to the circuit court of Cole County or of any county where the person resides or may be found for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced. A show cause order and a copy of the application shall be served upon the person in the same manner as a summons in a civil action. If, after a hearing, the circuit court determines that the subpoena should be enforced, the court shall proceed to enforce the subpoena in the same manner as in a civil case.

[590.110. 1. No person shall be appointed as a peace officer by any public law enforcement agency, which is possessed of the duty and power to enforce the general criminal laws of the state or the ordinances of any political subdivision of this state, unless he has been certified by the director as provided in sections 590.100 to 590.180, unless he is appointed on a probationary basis, and the hiring agency, within one year after his initial appointment, takes all necessary steps to qualify him for certification by the director. Unless a peace officer is certified within the one-year period after appointment, his appointment shall be terminated and he shall not be eligible for appointment by any other law enforcement agency as a peace officer. Beginning on August 28, 1995, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment.

2. The chief executive officer of each law enforcement agency shall notify the director of the appointment of any peace or reserve officer not later than thirty days after the date of the appointment and include with such notification a copy of a fingerprint card verified by the Missouri state highway patrol pertaining to the results of a criminal background check of the officer appointed and evidence of the completion of the standards necessary for employment as provided in sections 590.100 to 590.180.

3. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer; however, any person who serves as a reserve officer in any public law enforcement agency which is possessed of the duty and power to enforce the general criminal laws of this state or the ordinances of any political subdivision of this state may, at the option of the political subdivision in which the reserve officer is appointed, participate in the basic training program required under the provisions of sections 590.100 to 590.180, and, upon completion of such training program, shall be certified by the director in the same manner as provided for peace officers.]

[590.112. 1. This section applies to any employees of the sheriff's department of any county of the first classification with a population of two hundred thousand or more inhabitants, who have been certified in a program of training, including but not limited to a training and certification program established pursuant to this chapter.

2. If any person subject to subsection 1 of this section is transferred to a department of public safety or similar agency as a result of the passage of a charter form of government in the county, then notwithstanding the provisions of this chapter, or any local ordinance or order to the contrary, such person's training certification shall remain in effect and shall not lapse, and the training and certification required for the person to be employed by the sheriff's department shall be deemed adequate to be appointed to the department of public safety or similar agency. If such person is thereafter reassigned to the sheriff's department, such person shall be deemed certified for appointment to such position, notwithstanding the provisions of section 590.110, to the contrary; and the chief executive officer as defined in section 590.100, shall not be required to furnish to the director of the department of public safety evidence that such person has satisfactorily completed instruction in a course of training for peace officers.]

[590.115. 1. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a peace officer who has been consistently employed as a full-time peace officer and was appointed before December 31, 1978, whether or not such officer changes his place of employment.

2. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer who was appointed as a reserve officer prior to August 15, 1988. Requirements for certification of such reserve officers may be determined by the commission. A certified reserve officer may transfer from one similar jurisdiction to another as a certified reserve officer without any additional training requirements unless or until the certified reserve officer becomes or attempts to become a full-time peace officer, at which time the individual must satisfy the requirements of this chapter to become a certified full-time police officer, or unless or until the certified reserve officer attempts to become a certified reserve officer in a jurisdiction wherein the basic training requirement is higher than the previous jurisdiction's basic training requirement, at which time the individual must satisfy the higher basic training requirements of the new jurisdiction to become a certified reserve officer.

3. Except as provided in subsections 1, 2 and 4 of this section, in the event that a peace officer claims to have had prior basic training, the chief executive officer shall furnish to the director evidence that the noncertified officer has satisfactorily completed instruction in a course of basic training for peace officers conducted by a law enforcement training academy or institute which is approved by the director as providing basic training equivalent to standards set

for jurisdictions within this state. The basic training course satisfactorily completed by the noncertified officer shall meet the minimum basic training requirements of the jurisdiction in which he is appointed or is to be appointed as required under the provisions of sections 590.100 to 590.180.

4. The director may certify a chief executive officer as qualified under sections 590.100 to 590.180, if the person's employer furnishes the director with evidence that the chief executive officer has training or experience equivalent to the standards set forth in subsection 1, 2, or 3 of this section or is a graduate of the FBI National Academy or its equivalent as determined by the director, or holds a bachelor of science degree in criminal justice or a related field received from an accredited college or university or a doctor of jurisprudence degree received from a college or university approved by the American Bar Association.

5. Peace officers and reserve officers meeting the basic training requirements under sections 590.100 to 590.180 shall be eligible to be certified by the director.

6. Beginning August 28, 1996, the peace officer standards and training commission shall establish a program of continuing law enforcement education and training. Each peace officer or reserve officer subject to the training provisions of sections 590.100 to 590.180 shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178. The peace officer standards and training commission shall require by rule that all peace officers or reserve officers, subject to the training provisions herein, contribute, based on standards set by the commission, to the cost of said training.

7. The peace officer standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the commission deems necessary.]

[590.117. The department shall provide by administrative rule for the requirements for continuing certification of an inactive or unemployed peace officer during the term of such inactivity or unemployment, provided that the certification of such peace officers shall expire after five consecutive years of such inactivity or unemployment. The cost of any continuing law enforcement education and training required to maintain such certification shall be paid by the inactive or unemployed peace officer.]

590.118. 1. All law enforcement agency personnel records of a peace officer may be made available to any hiring law enforcement agency. The availability of any records shall be subsequent to and conditioned upon a hearing on the issues as defined in sections 590.080, 590.090 and 590.100.

2. Following a decision recommending punitive action from a hearing on the issues as defined in section 590.080, 590.090 and 590.100, the law enforcement agency shall provide such information to the peace officer standards and training commission.

590.120. 1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of nine members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No member of the **POST** commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the **POST** commission shall be police chiefs, three members [of the commission] shall be sheriffs, one member [of the commission] shall represent a state law enforcement agency covered by the provisions of [sections 590.100 to 590.180] **this chapter**, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by [sections 590.100 to 590.180] **this chapter**, or an activity or organization directly related to any profession certified or regulated under [sections 590.100 to 590.180] **this chapter**. Each member of the **POST** Commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are peace officers shall be qualified as established by [sections 590.100 to 590.180] **this chapter**. No member of the **POST** commission serving a full term of three years may be reappointed to the **POST** commission until at least one year after the expiration of his most recent term.

2. Three of the original members of the **POST** commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed

for terms of three years. Thereafter the terms of the members of the **POST** commission shall be for three years or until their successors are appointed. The director may remove any member of the **POST** commission for misconduct or neglect of office. Any member of the **POST** commission may be removed for cause by the director but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the **POST** commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term.

3. Annually the director shall appoint one of the members as chairperson. The **POST** commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the **POST** commission shall constitute a quorum.

4. No member of the **POST** commission shall receive any compensation for the performance of his official duties.

5. The **POST** commission shall [establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of peace officer standards and training and] guide and advise the director concerning duties [as outlined by sections 590.100 to 590.180. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo] **pursuant to this chapter.**

[590.121. The director shall certify such academies, core curriculum and instruction as necessary to fulfill the purposes of sections 590.100 to 590.180. The certification shall be made by the director on the basis of the experience and educational background of the instructors, the quality and aptness of curriculum, the educational equipment and materials used in the training and the methods and measurements used in such training. The director shall adopt and publish rules pertaining to the establishment of minimum standards for certification pursuant to sections 590.100 to 590.180.]

[590.123. 1. The peace officer standards and training commission may promulgate rules and regulations to effectuate the purposes of this chapter. No rule or portion of a rule promulgated under the authority of this section shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

2. Upon filing any proposed rule with the secretary of state, the commission shall concurrently submit such proposed rule to the committee which may hold hearings upon any proposed rule or portion thereof at any time.

3. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the commission may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

4. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based;
- (5) That the rule is arbitrary and capricious.

5. If the committee disapproves any rule or portion thereof, the commission shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

6. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

7. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.]

[590.125. The director may:

(1) Publish and distribute to all Missouri law enforcement agencies bulletins, pamphlets, and educational materials relating to training of peace officers;

(2) Provide seminars, in-service training and supervisory training to ensure that officers of all ranks, both appointed and elected, may be offered training in current enforcement and related subjects on a voluntary enrollment basis;

(3) Consult with and cooperate with any law enforcement agency or division of the state government or the federal government for the development of training programs for the fulfillment of specific needs in law enforcement;

(4) Issue or authorize the issuance of, suspend or revoke diplomas, certificates or other appropriate indicia of compliance and qualification to peace officers who complete specialized training courses offered by the department of public safety;

(5) Encourage the further professionalization of peace officers through training and education.]

[590.130. No elected county peace officer or official shall be required to be certified under sections 590.100 to 590.180 to seek or hold such office, but all appointive deputies or assistants of such officer or official who are employed as peace officers, provided that such county has five or more full-time peace officers, shall be certified as a condition of appointment in the same manner as other peace officers are required to be certified. No arrest shall be deemed unlawful in any criminal or civil proceeding solely because the peace officer is not certified under the terms of sections 590.100 to 590.180. Evidence on the question cannot be received in any civil or criminal case.]

[590.131. The chief executive officer of each law enforcement agency shall notify the director of a peace officer's separation from the agency, whether voluntary or involuntary, and shall set forth in detail the facts and reasons for the separation on a form to be provided by the director.]

[590.135. 1. The director or any of his designated representatives may:

(1) Visit and inspect any certified academy or training program requesting certification for the purpose of determining whether or not the minimum standards established pursuant to sections 590.100 to 590.180 are being complied with, and may issue, suspend or revoke certificates indicating such compliance;

(2) Issue, suspend or revoke certificates for instructors under the provisions of sections 590.100 to 590.180;

(3) Issue or authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to peace officers trained under the provisions of sections 590.100 to 590.180.

2. The director may refuse to issue, or may suspend or revoke any diploma, certificate or other indicia of compliance and qualification to peace officers or bailiffs issued pursuant to subdivision (3) of subsection 1 of this section of any peace officer for the following:

(1) Conviction of a felony including the receiving of a suspended imposition of a sentence following a plea or finding of guilty to a felony charge;

(2) Conviction of a misdemeanor involving moral turpitude;

(3) Falsification or a willful misrepresentation of information in an employment application, or records of evidence, or in testimony under oath;

(4) Dependence on or abuse of alcohol or drugs;

(5) Use or possession of, or trafficking in, any illegal substance;

(6) Gross misconduct indicating inability to function as a peace officer;

(7) Failure to comply with the continuing education requirements as promulgated by rule of the peace officers standards and training commission.

3. Any person aggrieved by a decision of the director under this section may appeal as provided in chapter 536, RSMo.

4. Any person or agency authorized to submit information pursuant to this section to the director shall be immune from liability arising from the submission of the information so long as the information was submitted in good faith and without malice.

5. The director may refuse to certify any law enforcement school, academy, or training program, any law enforcement instructor or any peace officer not meeting the requirements for certification under the provisions of sections 590.100 to 590.180. The director shall notify the applicant in writing of the reasons for the refusal. The applicant shall have the right to appeal the refusal by filing a complaint with the administrative hearing commission as provided by chapter 621, RSMo, and the director shall advise the applicant of this right of appeal.

6. The director shall cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any law enforcement instructor or any peace officer not in compliance with the requirements for certification under the provisions of sections 590.100 to 590.180.

7. After the filing of the complaint, the proceeding will be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection

5 of this section for disciplinary action are met, the director may revoke the certification of any such law enforcement school, academy, or training program, law enforcement instructor or any peace officer.]

[590.150. The provisions of sections 590.100 to 590.180 shall not apply to a political subdivision having a population of less than two thousand persons or which does not have at least four full-time paid peace officers unless such political subdivision is located in a county of the first class having a charter form of government; provided, however, the governing body of the political subdivision may by order or ordinance elect to come under the provisions of sections 590.100 to 590.180 or such election may be later rescinded and, provided further, that upon election to come under the provisions of sections 590.100 to 590.180 the political subdivision shall be entitled to authorize the fees allowed by section 590.140, otherwise, such fees shall not be collected.]

[590.170. 1. The director shall consult with Missouri sheriffs and their professional organizations and after such consultation shall formulate a training program for persons elected for the first time to the office of sheriff for the purpose of developing improved law enforcement procedures throughout the state.

2. The training program shall consist of at least one hundred twenty hours of instruction covering all major phases of law enforcement with emphasis on the duties and responsibilities of sheriffs.]

[590.175. 1. Any person who is elected to his first term as sheriff in a general election or in a special election in any county of this state shall, within eighteen months of such election, cause to be filed with the presiding circuit judge of the county and director of the department of public safety proof that he has completed the training program formulated pursuant to sections 590.170 and 590.175 or some other comparable training program of not less than one hundred twenty hours instruction approved by the director of the department of public safety.

2. Whether any person elected to his first term as sheriff attends such a training program prior to or after assuming the duties of his office shall be left to the discretion of the governing body of the county from which he was elected. During the time that a sheriff-elect is enrolled in such a training program, he shall be hired as a county employee and receive as full compensation from the county from which he was elected, compensation at a rate equal to that of the sheriff of the county. Tuition and room and board for newly elected sheriffs and sheriffs-elect enrolled in such a training program shall be paid by the state.]

590.180. 1. No arrest shall be deemed unlawful solely because of the licensure status of a peace officer, and evidence on the question cannot be received in any civil or criminal case.

2. The name, licensure status, and commissioning or employing law enforcement agency, if any, of applicants and licensees pursuant to this chapter shall be an open record. All other records retained by the director pertaining to any applicant or licensee shall be confidential and shall not be disclosed to the public or any member of the public, except with written consent of the person or entity whose records are involved, provided, however, that the director may disclose such information in the course of voluntary interstate exchange of information, during the course of litigation involving the director, to other state agencies, or, upon a final determination of cause to discipline, to law enforcement agencies. No closed record conveyed to the director pursuant to this chapter shall lose its status as a closed record solely because it is retained by the director. Nothing in this section shall be used to compel the director to disclose any record subject to attorney-client privilege or work-product privilege.

3. In any investigation, hearing, or other proceeding pursuant to this chapter, any record relating to any applicant or licensee shall be discoverable by the director and shall be admissible into evidence, regardless of any statutory or common law privilege or the status of any record as open or closed, including records in criminal cases whether or not a sentence has been imposed. No person or entity shall withhold records or testimony bearing upon the fitness to be commissioned as a peace officer of any applicant or licensee on the ground of any privilege involving the applicant or licensee, with the exception of attorney-client privilege.

4. Any person or entity submitting information to the director pursuant to this chapter and doing so in good faith and without negligence shall be immune from all criminal and civil liability arising from the submission of such information and no cause of action of any nature shall arise against such person.

5. No person shall make any unauthorized use of any testing materials or certification examination administered pursuant to subsection 2 of section 590.030.

[590.180. 1. Any person who purposely violates any of the provisions of section 590.110, 590.115 or 590.175 is guilty of a class B misdemeanor.

2. Any law enforcement agency which employs a peace officer who is not certified as required by sections 590.100 to 590.180 or who is otherwise in violation of any provision of sections 590.100 to 590.180 shall not be eligible to receive state or federal funds which would otherwise be paid to it for purposes of training and certifying peace officers or for other law enforcement, safety or criminal justice purposes.]

590.190. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created

under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

590.195. 1. A person commits a class B misdemeanor if, in violation of this chapter, such person knowingly:

- (1) Holds a commission as a peace officer without a peace officer license valid for such commission; or
- (2) Grants or continues the commission of a peace officer not validly licensed for such commission.

2. Any person who purposely violates any other provision of this chapter shall be guilty of a class B misdemeanor.

3. Any law enforcement agency that commissions a peace officer in violation of this chapter or that is otherwise in violation of any provision of this chapter shall not be eligible to receive state or federal funds that would otherwise be paid to it for the purpose of training and licensing peace officers or for any other law enforcement, safety, or criminal justice purpose."; and

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

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, by inserting in the appropriate location in the bill the following:

“Section 1. It shall be contrary to public policy to withhold Medicaid reimbursement to a Medicaid eligible skilled nursing facility for any resident of that skilled nursing facility who resided there for a period in excess of 90 days prior to being eligible for Medicaid reimbursement. Any instrumentality of the state shall waive or modify any provision of any contract license, authority or understanding with the approval of said skilled nursing facility in order to authorize and pay said Medicaid reimbursement.”; and

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

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

Representative Britt resumed the Chair.

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 32, Section 190.092.3, Line 9, by adding after the word “professional” on said line the following: **“including the licensed physician who reviews and approves the clinical protocol”**.

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

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 81, Section 197.374, Line 12, by deleting the words “**five hundred thousand**”.

Representative Foley raised a point of order that **House Amendment No. 6** amends previously amended material.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 81, Section 197.374, Line 12, by deleting the words “**five hundred thousand**” and adding the words “**six hundred thousand**”.

Representative Bartle moved that **House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated.

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

Which motion was defeated.

Representative Kelly (27) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 98, Section 197.398, Line 23 of said page, by inserting after said line the following:

"292.602. 1. The "Missouri Emergency Response Commission", herein to be known as the commission, is hereby established and is officially domiciled in the department of public safety. The commission shall be composed of the director of the department of economic development, or his designee; the director of the department of natural resources, or his designee; the director of the department of public safety, or his designee; the director of the department of health, or his designee; six members appointed by the governor with the advice and consent of the senate; one to represent transporters of hazardous materials; one to represent Missouri industry; one to represent local government; one chief fire officer from a recognized fire department or fire protection district; one police officer of the rank of captain or above from a recognized county or municipal police department; and one to represent the general public and four members of the general assembly, two of whom shall be appointed by the speaker of the house and two of whom shall be appointed by the president pro tem of the senate. All members of the commission shall represent the general interest of the public and shall, to the extent practicable, have technical expertise in the emergency response field. No

more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of three years, two shall have a term of two years and two will have a term of one year. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause.

2. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties.

3. The Missouri emergency response commission in conjunction with the department shall:

(1) Carry out those responsibilities designated under sections 292.600 to 292.625 and implement sections 292.600 to 292.625 and the Emergency Planning and Community Right-to-Know Act of 1986, Public Law 99-499, as amended, and all rules and regulations promulgated pursuant thereto, herein to be known as the Federal Act;

(2) Designate local emergency planning districts, **including a district encompassing any city with a population of at least seventy thousand but not more than seventy-three thousand located in a county of the first classification without a charter form of government and with a population of at least eighty-one thousand but not more than eighty-five thousand inhabitants**, to facilitate preparation and implementation of emergency plans, appoint members of a local emergency planning committee for each local emergency planning district, support and coordinate the activities of such committees, review the emergency plans submitted by local emergency planning committees, and make recommendations to the local emergency planning committees regarding those plans;

(3) Establish a single filing point for all reports and filings that are required to be submitted to the commission under the provisions of sections 292.600 to 292.625 and the Federal Act;

(4) Accept, receive and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out the functions and responsibilities enumerated in sections 292.600 to 292.625;

(5) Provide assistance to the local emergency planning committees for the purpose of carrying out the functions and responsibilities enumerated in sections 292.600 to 292.625 and the Federal Act by utilizing all available expertise both public and private, including, but not limited to, the departments of natural resources, public safety and health;

(6) Provide training to local emergency planning committees and other local officials to accomplish the purposes and objectives of the Federal Act and the provisions of sections 292.600 to 292.625. The department of public safety will coordinate the provisions of such training and periodically report to the commission on training activities;

(7) Enter into such agreements with other state agencies, local governments and other political subdivisions of the state, the federal government and other persons as is determined to be appropriate to implement the Federal Act and the provisions of sections 292.600 to 292.625;

(8) Allot funds as specified in section 292.604 to local emergency planning committees;

(9) Develop a data management system to store and retrieve information submitted under the provisions of sections 292.600 to 292.625 and the Federal Act. The commission and the department will provide assistance to local emergency planning committees and fire departments, fire protection districts, volunteer fire protection services and others to make this information readily available to them for planning and emergency response purposes."; and

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

On motion of Representative Kelly (27), **House Amendment No. 7** was adopted.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 29, Section 190.054, Line 7, by inserting after all of said line the following:

"190.072. 1. Any two or more contiguous ambulance districts may, by a majority vote of the governing body of each district or by a petition signed by at least seventy-five percent of the owners of real property in the affected area, provide for territory located in one district to be annexed and served by a contiguous district. Notice of the proposed annexation shall be filed with the circuit court in the county in which the affected area

is located, or in the circuit court of the county in which the greater physical portion of the affected area is located in the event that such area is located in more than one county. The court shall set a date for a hearing on the proposed annexation and shall cause notice to be published in the same manner as section 190.020.

2. If the court, after the hearing, finds that the proposed annexation would not be in the public interest, it shall order that the annexation not be allowed. If the court finds the proposed annexation to be in the public interest, it shall approve the annexation and the territory shall be detached from one or more districts and annexed to the other district or districts. The court shall not approve any boundary changes pursuant to this section until all districts involved in such change have provided for, and agreed upon, a plan of compensation for, or assumption of, the outstanding debt attributable to the affected area to be annexed.

3. After the annexation is approved, each district shall amend its decree of incorporation to reflect the change in its boundaries as a result of the annexation, and the governing body of the county shall, prior to any subsequent election for ambulance district board members, redivide any election districts established pursuant to section 190.050. A certified copy of the amended decree showing the boundary change and the new subdistricts shall be filed in the office of the recorder of deeds, in the office of the county clerk in each county having territory in the district and in the office of the secretary of state.

4. The costs incurred in the enlargement or extension of the district shall be taxed to the district being enlarged or extended, unless otherwise provided by the districts in an agreement approved by the circuit court; provided that, no costs shall be taxed to the directors of the district."; and

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

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

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 85, Section 197.378, Line 9, by inserting after all of said line the following:

"Section 1. A review certification may be granted pursuant to Section 197.378 if an applicant can demonstrate that a need exists for a competitive alternative to existing facilities in highly concentrated markets."; and

Further amend the title and enacting clause accordingly.

Representative Campbell moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

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

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 4, Section 34.140, Line 12, by inserting after all of said line the following:

"58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Criminal abortions, including those self-induced;
- (3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the

thirty-six-hour period preceding the death;

(4) In any unusual or suspicious manner;

(5) Any injury or illness while in the custody of the law or while an inmate in a public institution; the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or his deputy shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The coroner or his deputy shall take possession of all property of value found on the body, making exact inventory of such property on his report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or his deputy shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.

3. Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff and the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of his report.

4. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

5. The coroner shall certify the cause of death in any case under his charge when a physician is unavailable to sign a certificate of death.

6. When the cause of death is established by the coroner, he shall file a copy of his findings in his office within thirty days.

7. When a coroner investigates a death, the office of the coroner shall, within seventy-two hours of occurrence or discovery of the death, make the following information, to the extent it is known, available as an incident report for public inspection and copying:

(1) The name, age, address, sex and race of the deceased;

(2) The address or location where the body was found and, if different, the address or location where the death occurred;

(3) The name of the agency to which the death was reported;

(4) The name of the responsible public official notifying the coroner of the death, and the name of the person in charge of the investigation;

(5) The entity taking custody of the body;

(6) Information regarding any autopsy limited to the date, the person who performed the autopsy, where the autopsy was performed and a conclusion as to the reason for death, such limited autopsy information to be available within seventy-two hours of the completion of the autopsy.

[7.] 8. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on his own authority may make or cause to be made an autopsy on the body. The coroner may on his own authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, he shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

[8.] 9. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, he shall make out his warrant directed to

the sheriff of the city or county requiring him forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased came to his death.

[9.] **10** When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, the county from which the person is first removed shall be considered the place of death and the county coroner of the county from which the person was being transferred shall be responsible for the certificate of death and for investigating the cause and manner of the death. If the coroner or medical examiner in the county in which the person died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination at the expense of such coroner or medical examiner and shall be responsible for the certificate of death and for investigating the cause and manner of the death. Such coroner or medical examiner shall immediately notify the coroner or medical examiner of the county from which the person was being transferred of the death of such person and after an investigation is completed shall notify such coroner or medical examiner of his findings. If a person does not die while being transferred and is institutionalized after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person dies shall immediately notify the coroner or medical examiner of the county from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

[10.] **11.** Except as provided in subsection 9 of this section, if a person dies in one county and his body is subsequently transferred to another county, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

[11.] **12** In performing his duties, the coroner or medical examiner shall make reasonable efforts to accommodate organ donation.

58.740. The medical examiner shall keep full and complete records in his office, properly indexed, giving the name, if known, of each deceased person investigated under sections 58.010, 58.020, 58.060, 58.090, 58.160, 58.375, 58.451, 58.455 and 58.700 to 58.765 the place where the body was found, date and cause of death, and all other available information. The original report of the medical examiner or pathologist and the detailed findings of the autopsy, if any, shall be attached to the record of each case. The medical examiner shall promptly deliver to the prosecuting attorney of the county copies of all records relating to every death in which, in the judgment of such medical examiner, further investigation may be deemed advisable. The prosecuting attorney of the county may obtain from the office of the medical examiner copies of these records or other information which he may deem necessary.

2. When a medical examiner investigates a death, the office of the medical examiner shall, within seventy-two hours of occurrence or discovery of the death, make the following information, to the extent it is known, available for public inspection and copying:

- (1) the name, age, address, sex and race of the deceased;
- (2) The address or location where the body was found and, if different, the address or location where the death occurred;
- (3) The name of the agency to which the death was reported;
- (4) The name of the responsible public official notifying the medical examiner of the death, and the name of the person in charge of the investigation;
- (5) The entity taking custody of the body;
- (6) Information regarding any autopsy limited to the date, the person who performed the autopsy, where the autopsy was performed and a conclusion as to the reason for death, such limited autopsy information to be available within seventy-two hours of the completion of the autopsy.”; and

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

Representative Hoppe raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Cooper, **House Amendment No. 10** was adopted.

Representative Byrd offered **House Amendment No. 11**.

Speaker Kreider resumed the Chair.

Representative Hoppe raised a point of order that **House Amendment No. 11** amends previously amended material and is dilatory.

The Chair ruled the point of order well taken.

Representative Harlan offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, by inserting in the appropriate location in the bill the following:

“Section 1. A completed application for medical assistance for services described in section 208.152, 1 (4) shall be approved or denied within fifteen days after the division of family services receives all assessments, applications and documentation necessary for the department to make a determination of eligibility.

The division of medical services shall remit payments to a licensed Medicaid certified nursing home operator who has billed for the Medicaid payment for a newly admitted Medicaid resident in a licensed long-term facility within forty-five days of the resident’s approval for Medicaid benefits.”; and

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

On motion of Representative Harlan, **House Amendment No. 11** was adopted.

Representative Shields, having voted on the prevailing side, moved that the vote by which **House Amendment No. 1** was adopted, be reconsidered.

Representative Hoppe raised a point of order that it could not be determined that the maker of the motion voted on the prevailing side because House Amendment No. 1 was adopted by a voice vote.

The Chair ruled the point of order well taken.

Representative Hoppe moved that **HS HCS SCS SB 486 & SB 422, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Barnitz	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Farnen	Foley	Ford

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Fraser	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Murphy	O'Connor
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 078

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bray 84
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Franklin
Froelker	Gaskill	Griesheimer	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Holand
Hunter	Jetton	Kelly 144	King	Koller
Lawson	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Monaco	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Van Zandt
Vogel	Walton	Wright		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 008

Baker	Barry 100	Gambaro	Hohulin	Kelley 47
Long	O'Toole	Scheve		

VACANCIES: 003

Representative Lograsso, having voted on the prevailing side, moved that the vote by which **HS HCS SCS SB 486 & SB 422, as amended**, was defeated on third reading and final passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares

Farnen	Foley	Ford	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Reid	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 018

Boatright	Bray 84	Champion	Clayton	Crowell
Enz	Henderson	Hendrickson	Koller	Marble
Phillips	Purgason	Reinhart	Reynolds	Ridgeway
Roark	Shoemyer	Wiggins		

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Barry 100	Franklin	Gambaro	Green 73
Hegeman	Hohulin	Kelley 47	Kelly 36	Long
Monaco	Troupe	Van Zandt		

VACANCIES: 003

Representative Hoppe, having voted on the prevailing side, moved that the vote by which to adopt **HS HCS SCS SB 486 & SB 422, as amended**, was defeated be reconsidered.

Which motion was adopted by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Lawson

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Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Ballard	Boatright	Bray 84	Campbell	Clayton
Crowell	Cunningham	Enz	Franklin	Henderson
Hendrickson	Koller	Marble	Phillips	Reynolds
Ridgeway	Roark	Seigfreid	Van Zandt	Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100	Gambaro	Green 73	Hohulin	Hollingsworth
Kelley 47	Long	Monaco	O'Toole	Portwood
Troupe				

VACANCIES: 003

Representative Byrd offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 51, Line 10, by inserting the following in the appropriate location:

“190.110. Any nonprofit, public benefit corporation that owned and operated a licensed ambulance service on December 31, 1997, and converts to a for profit corporation, limited liability company, partnership or related entity (the “New Entity”) subsequent to December 31, 2000, and selling substantially all of its assets to such New Entity, shall receive an ambulance service license from the department for the same service area, unless the license of the non profit, public benefit corporation was suspended, revoked or terminated prior to such sale, conversion or similar transaction, upon application of the New Entity to the department and adherence to the rules and regulations of the department promulgated pursuant to sections 190.001 to 190.245 as if the New Entity had operated on December 31, 1997.”; and

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

On motion of Representative Byrd, **House Amendment No. 12** was adopted by the following vote:

AYES: 112

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
Kennedy	King	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	Shoemyer	Smith
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Walton	Ward	Wiggins	Williams
Willoughby	Wright			

NOES: 030

Boucher	Bowman	Clayton	Farnen	Foley
Ford	George	Harlan	Hickey	Hollingsworth
Holt	Hoppe	Kelly 27	Koller	Lawson
Luetkenhaus	McKenna	O'Connor	Overschmidt	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Skaggs	Troupe	Wagner	Wilson 25	Mr. Speaker

PRESENT: 005

Brooks	Copenhaver	Lowe	St. Onge	Treadway
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ABSENT WITH LEAVE: 013

Baker	Barry 100	Bland	Franklin	Gambaro
Green 73	Hohulin	Holand	Kelley 47	Long
Monaco	O'Toole	Wilson 42		

VACANCIES: 003

On motion of Representative Hoppe, **HS HCS SCS SB 486 & SB 422, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 486 & SB 422, as amended**, was read the third time and passed by the following vote:

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AYES: 120

Abel	Barnett	Barnitz	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Cierpiot	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	McKenna	Merideth
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Ransdall	Rector	Reid
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 027

Ballard	Bartelsmeyer	Bartle	Boatright	Campbell
Champion	Clayton	Crowell	Cunningham	Enz
Ford	Franklin	Hendrickson	Marble	Miller
Monaco	Phillips	Portwood	Purgason	Reinhart
Relford	Ridgeway	Roark	Seigfreid	Troupe
Van Zandt	Wright			

PRESENT: 002

Cooper	Treadway
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ABSENT WITH LEAVE: 011

Baker	Barry 100	Gambaro	Green 73	Hickey
Hohulin	Kelley 47	Long	Mays 50	Moore
O'Toole				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Fraser
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Ransdall
Reid	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 032

Ballard	Barnitz	Bartelsmeyer	Bartle	Boatright
Cierpiot	Cooper	Crowell	Cunningham	Enz
Ford	Franklin	Hendrickson	Hunter	Jetton
Kelly 144	Linton	Marble	May 149	Miller
Moore	Phillips	Portwood	Purgason	Rector
Reinhart	Ridgeway	Roark	Secrest	Troupe
Van Zandt	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Froelker	Gambaro	Green 73	Griesheimer
Hohulin	Kelley 47	Long	Nordwald	O'Toole
Relford				

VACANCIES: 003

MESSAGES FROM THE SENATE

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 **SCS HB 157**: Senators Bentley, Stoll, Childers, Klarich and Yeckel.

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 SCS HS HCS HB 762, as amended**, and grants the House a conference thereon.

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

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS No. 2 SCS HS HCS HBs 328 & 88**, entitled:

An act to repeal sections 354.603, 354.606, 376.383 and 376.406, RSMo 2000, relating to the regulation of managed care, and to enact in lieu thereof five new sections relating to the same subject, with an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 5, Senate Amendment No. 8 and Senate Amendment No. 12

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 2, Section 354.603, Line 26 of said page, by inserting an opening bracket before the word “**financial**” and a closing bracket after the word “**capability**” on said line.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 1, Section A, Line 4, by inserting after all of said line the following:

“197.285. 1. Hospitals and ambulatory surgical centers shall establish and implement a written policy adopted by each hospital and ambulatory surgical center relating to the protections for employees who disclose information pursuant to subsection 2 of this section. This policy shall include a time frame for completion of investigations related to complaints, not to exceed thirty days, and a method for notifying the complainant of the disposition of the investigation. This policy shall be submitted to the department of health to verify implementation. At a minimum, such policy shall include the following provisions:

(1) No supervisor or individual with authority to hire or fire in a hospital or ambulatory surgical center shall prohibit employees from disclosing information pursuant to subsection 2 of this section;

(2) No supervisor or individual with authority to hire or fire in a hospital or ambulatory surgical center shall use or threaten to use his or her supervisory authority to knowingly discriminate against, dismiss, penalize or in any way retaliate against or harass an employee because the employee in good faith reported or disclosed any information pursuant to subsection 2 of this section, or in any way attempt to dissuade, prevent or interfere with an employee who wishes to report or disclose such information;

(3) Establish a program to identify a compliance officer who is a designated person responsible for administering the reporting and investigation process and an alternate person should the primary designee be implicated in the report.

2. This section shall apply to information disclosed or reported in good faith by an employee concerning:

(1) Alleged facility mismanagement or fraudulent activity;

(2) Alleged violations of applicable federal or state laws or administrative rules concerning patient care, patient safety or facility safety; or

(3) The ability of employees to successfully perform their assigned duties.

All information disclosed, collected and maintained pursuant to this subsection and pursuant to the written policy requirements of this section shall be accessible to the department of health at all times and shall be reviewed by the department of health at least annually. Complainants shall be notified of the department of health's access to such information and of the complainant's right to [appeal to the department of health] **notify the department of health of any information concerning alleged violations of applicable federal or state laws or administrative rules concerning patient care, patient safety or facility safety.**

3. Prior to any disclosure to individuals or agencies other than the department of health, employees wishing to make a disclosure pursuant to the provisions of this section shall first report to the individual or individuals designated by the hospital or ambulatory surgical center pursuant to subsection 1 of this section.

4. If the compliance officer, compliance committee or management official discovers credible evidence of misconduct from any source and, after a reasonable inquiry, has reason to believe that the misconduct may violate criminal, civil or administrative law, then the hospital or ambulatory surgical center shall report the existence of misconduct to the appropriate governmental authority within a reasonable period, but not more than seven days after determining that there is credible evidence of a violation.

5. Reports made to the department of health shall be subject to the provisions of section 197.477, provided that the restrictions of section 197.477 shall not be construed to limit the employee's ability to subpoena from the original source the information reported to the department pursuant to this section.

6. Each written policy shall allow employees making a report who wish to remain anonymous to do so, and shall include safeguards to protect the confidentiality of the employee making the report, the confidentiality of patients and the integrity of data, information and medical records.

7. Each hospital and ambulatory surgical center shall, within forty-eight hours of the receipt of a report, notify the employee that his or her report has been received and is being reviewed.

[8. The enactment of this section shall become effective January 1, 2001.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 20, Section 376.381, Line 1, by inserting immediately after said line the following:

"Section 1. 1. A completed application for medical assistance for services described in section 208.152 shall be approved or denied within thirty days from submission to the Division of Family Services or its successor.

2. The Division of Medical Services shall remit to a licensed nursing home operator the medicaid payment for a newly admitted medicaid resident in a licensed long term care facility within forty-five days of the resident's date of admission."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 20, Section 376.383, Line 1 of said page, by inserting immediately after all of said line the following:

"Section 1. No insurer or its agent or representative shall require any applicant or policyholder to divulge if any insurer has denied any claim of that applicant or policyholder."; and

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

Senate Amendment No. 12

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 16, Section 386.384, Lines 21 to 26, by striking all of said lines and inserting in lieu thereof the following:

"7. On or after January 1, 2003, all claims submitted electronically for reimbursement for a health care service provided in this state shall be submitted in a uniform format utilizing standard medical code sets. The uniform format and the standard medical code sets shall be promulgated by the department of insurance through rules consistent with but no more stringent than the federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996.".

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 refuses to concur in **HS HCS SCS SB 591, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

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 **HS HCS SCS SB 617, as amended**: Senators Steelman, Klarich, Kenney, House and Scott.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 241**, and has taken up and passed **CCS SCS HCS HB 241**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 621, as amended**, and has taken up and passed **CCS HB 621**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 244**, and has taken up and passed **CCS HCS SS SB 244**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SB 351, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SCS SB 393, as amended**, and has taken up and passed **CCS HS SCS SB 393**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 610**, and has taken up and passed **CCS HCS SB 610**.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SCS HB 157: Representatives Britt, Smith, Hosmer, Linton and Reid

HS HCS SB 365: Representatives Robirds, Berkstresser, Overschmidt, Koller and Hampton

SS SCS HS HCS HB 762: Representatives Barry, Bonner, Selby, Holand and Ostmann

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 453**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Bill No. 453, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 453, as amended;
2. That the House recede from its position on House Bill No. 453;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 453 be adopted.

FOR THE HOUSE:

/s/ Rep. Bill Ransdall
/s/ Rep. Phil Smith
/s/ Rep. Denny Merideth
/s/ Rep. Martin Hohulin
/s/ Rep. Rod Jetton

FOR THE SENATE:

/s/ Sen. Sarah Steelman
/s/ Sen. David Klarich
/s/ Sen. Chuck Gross
/s/ Sen. James Mathewson
/s/ Sen. Edward Quick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 471**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Bill No. 471, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 471, as amended;

2. That the House recede from its position on House Bill No. 471;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 471 be adopted.

FOR THE HOUSE:

/s/ Rep. Cathy Jolly
/s/ Rep. Rick Johnson
/s/ Rep. Robert Clayton
/s/ Rep. Don Lograsso
/s/ Rep. Delbert Scott

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Harry Wiggins
/s/ Sen. Bill Kenney
/s/ Sen. Anita Yeckel
/s/ Sen. John Schneider

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 302 & 38**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, with Senate Amendment No. 1 and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 302 & 38;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38 be adopted.

FOR THE HOUSE:

/s/ Rep. Craig Hosmer
/s/ Rep. Phillip Britt
/s/ Rep. Gary Kelly
/s/ Rep. Robert Mayer
/s/ Rep. Sam Gaskill

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Marvin Singleton
/s/ Sen. David Klarich
/s/ Sen. Ted House
/s/ Sen. Harold Caskey

BILLS IN CONFERENCE

CCR No. 2 SS SCS HB 453, as amended, relating to environmental commissions and fees, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR No. 2 SS SCS HB 453, as amended**, was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Ransdall	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 015

Bartelsmeyer	Boatright	Cooper	Crowell	Cunningham
Hohulin	Kelly 144	Phillips	Portwood	Purgason
Rector	Reid	Ridgeway	Roark	Scott

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Barry 100	Bonner	Byrd	Champion
Foley	Franklin	Gambaro	Green 73	Hilgemann
Holand	Kelley 47	Levin	Long	O'Toole
Troupe				

VACANCIES: 003

On motion of Representative Ransdall, **CCS No. 2 SS SCS HB 453** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Cooper	Cunningham	Hohulin	Hunter	Kelly 144
Phillips	Portwood	Purgason	Ridgeway	Roark

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Bonner	Foley	Franklin
Gambaro	Kelley 47	Long	O'Toole	Seigfreid
Troupe				

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR SCS HB 471, as amended, relating to drug trafficking, was taken up by Representative Jolly.

On motion of Representative Jolly, **CCR SCS HB 471, as amended**, was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Foley	Gambaro	Kelley 47
Long	O'Toole	Richardson	Troupe	

VACANCIES: 003

On motion of Representative Jolly, **CCS SCS HB 471** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen

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Foley	Ford	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100	Brooks	Crump	Dolan	Fraser
Gambaro	Kelley 47	Long	Myers	O'Toole
Troupe				

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR No. 2 SCS HCS HBs 302 & 38, as amended, relating to blood alcohol content violations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR No. 2 SCS HCS HBs 302 & 38, as amended**, was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson

Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Van Zandt	Villa	Vogel
Wagner	Walton	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 012

Ford	George	Green 73	Hickey	Hohulin
Johnson 61	Lograsso	O'Connor	Reynolds	Townley
Treadway	Ward			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Gambaro	Kelley 47	Linton
Long	O'Toole	Overschmidt	Troupe	

VACANCIES: 003

On motion of Representative Hosmer, **CCS SCS HCS HBs 302 & 38**, was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Ransdall

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Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Van Zandt
Villa	Vogel	Wagner	Walton	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

George	Green 73	Hickey	Hohulin	Lograsso
O'Connor	Reynolds	Townley	Treadway	Ward

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Gambaro	Jetton	Kelley 47
Long	O'Toole	Overschmidt	Troupe	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS No. 2 SCS HS HCS HBs 328 & 88, as amended, relating to regulation of managed care, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SS No. 2 SCS HS HCS HBs 328 & 88, as amended**, was adopted by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector

Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Barry 100	Bonner	Burcham	Ford	Gambaro
Gaskill	Green 73	Hosmer	Kelley 47	Koller
Long	Luetkenhaus	Mays 50	O'Toole	Overschmidt
Ridgeway	Secrest	Troupe	Wiggins	Williams

VACANCIES: 003

On motion of Representative Hosmer, **SS No. 2 SCS HS HCS HBs 328 & 88, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Barry 100	Bonner	Copenhaver	Ford	Gambaro
Gaskill	Green 73	Hosmer	Kelley 47	Linton
Long	Luetkenhaus	O'Toole	Secrest	Troupe

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HS HCS SCS SB 591, as amended, relating to sewer districts, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HS HCS SCS SB 591, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS SS SCS SB 351, as amended, relating to peace officer training, was taken up by Representative Britt.

Representative Britt moved that the House refuse to recede from its position on **HS SS SCS SB 351, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HS HCS SCS SB 591: Representatives Hoppe, Shoemyer, Clayton, Legan and Black
HS SS SCS SB 351: Representatives Britt, Hosmer, McKenna, Barnett and Burcham

COMMITTEE REPORT

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

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 31

WHEREAS, the General Assembly believes the principles of free markets, limited government, federalism and individual liberty are essential to providing the greatest amount of economic and political freedom for our citizens; and

WHEREAS, careful stewardship of our nation's precious natural resources is essential if future generations are to enjoy and prosper from them; and

WHEREAS, voluntary industry leadership in the private sector is the best method of productive and economically viable environmental stewardship of our land, forests, water and wild life; and

WHEREAS, the General Assembly believes that voluntary forest product management and leadership by the private sector in sustaining forest resources is preferable to government-imposed resource management mandates; and

WHEREAS, Americans have taken pride in their nation's rich bounty of natural resources, and careful stewardship of these precious assets is essential if future generations are to enjoy and benefit from them; and

WHEREAS, the forest products industry, an essential component of the nation's economy sustaining businesses, families, and rural communities since its founding, is comprised of more than 34,000 employees and 400,000 forest landowners; and

WHEREAS, close to one-third of the nation's land is forested, with 14 million acres in Missouri alone, and the vital importance of the industry underscores the necessity for intelligent management of the over 736 million acres of America's forest land; and

WHEREAS, the forest products industry relies on forest resources to make this state one of the leading producers of wood flooring, staves, furniture, cabinetry, lumber, pallets, charcoal, and other wood products, and meeting society's increasing demand for wood and wood-related products is important to our nation's quality of life; and

WHEREAS, America's forest products companies have made considerable capital improvements in recycling, and the industry nationally has voluntarily set a goal to recover 50% of the paper it produces; and

WHEREAS, Missouri's forest products industry, in recognition of its stewardship responsibilities in nurturing the forest resources, has pledged itself to the continuing principles of sustainable forestry by initiating the "Sustainable Forestry Initiative Program", a comprehensive program committed to responsible environmental stewardship of the forests, water resources and wild life; and

WHEREAS, the goal of the Sustainable Forestry Initiative Program is to educate the public on the importance of industry leadership in voluntarily protecting these valuable resources, and to promote and monitor the progress made toward this worthy goal; and

WHEREAS, the Missouri Forest Products Association's members are actively demonstrating a commitment to the principles of sustainable forestry and are bench marking this commitment by implementing Sustainable Forestry Initiative Program principles and practices, such as prompt reforestation and protection of water quality and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, recognize the Missouri Forest Products Association's member companies, forest landowners and loggers, and the state's forest products industry for its commitment to the responsible use of natural resources, and commend the creation and implementation of the Sustainable Forestry Initiative Program as a means to this end; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare copies of this resolution for the Missouri Forest Products Association.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 186, as amended**, and has taken up and passed **HS HCS SCS SB 186, as amended**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 157**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Bill No. 157, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 157;
2. That the House recede from its position on House Bill No. 157;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 157 be adopted.

FOR THE HOUSE:

/s/ Craig Hosmer
/s/ Phil Smith
/s/ Phil Britt
/s/ William Linton
/s/ Mike Reid

FOR THE SENATE:

/s/ Roseann Bentley
/s/ Stephen Stoll
/s/ David Klarich
/s/ Doyle Childers
/s/ Anita Yeckel

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 266**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 266;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

s/ Joan Barry
/s/ Phil Smith
/s/ Harry Kennedy
/s/ Roy Holand
/s/ Shannon Cooper

FOR THE SENATE:

/s/ Mary Bland
/s/ Steve Stoll
/s/ Sarah Steelman
/s/ Morris Westfall
/s/ Betty Sims

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 236**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 11, 12, 13 and House Substitute Amendment No. 1 for House Amendment No. 14; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 236;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Lana Ladd Baker
/s/ Dr. Charles Portwood
/s/ Mark Abel
/s/ Tim Harlan
/s/ Charles Shields

FOR THE SENATE:

/s/ Betty Sims
/s/ Roseann Bentley
/s/ Sarah Steelman
/s/ Jim Mathewson
/s/ Sidney Johnson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 393**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for Senate Committee Substitute for Senate Bill No. 393, with House Amendment Nos. 1 and 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill No. 393, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 393;
3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill No. 393 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Joseph Treadway
/s/ Richard Johnson
/s/ Wes Shoemyer
/s/ Roy Holand
/s/ Linda Bartelsmeyer

FOR THE SENATE:

/s/ Betty Sims
/s/ Roseann Bentley
/s/ Marvin Singleton
/s/ Mary Groves Bland
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 244**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 244, with House Amendment Nos. 1, 2, 4, 5, 6, 8, 9, 10, 11 and 13; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 244, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 244;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 244 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Don Koller
/s/ Wayne Crump
/s/ Tim Green (15th)
/s/ Van Kelly (144th)
/s/ Carson Ross

FOR THE SENATE:

/s/ Danny Staples
/s/ James Mathewson
/s/ Doyle Childers
/s/ John Cauthorn
/s/ David Klindt

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 610**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Bill No. 610, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 610;
2. That the Senate recede from its position on Senate Bill No. 610;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 610 be adopted.

FOR THE HOUSE:

/s/ Rep. Thomas Hoppe

/s/ Rep. Henry Rizzo

/s/ Rep. Bill Skaggs

FOR THE SENATE:

/s/ Sen. Morris Westfall

/s/ Sen. Chuck Gross

/s/ Sen. John Cauthorn

/s/ Sen. Sidney Johnson

/s/ Sen. Danny Staples

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Friday, May 18, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fifth Day, Wednesday, May 16, 2001, pages 2238 and 2239, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Page 2239, roll call, by showing Representatives Dempsey, Hosmer, Johnson (90) and Ridgeway voting "aye" rather than "absent with leave".

Page 2240, roll call, by showing Representatives Crawford and Ridgeway voting "aye" rather than "absent with leave".

Pages 2261 and 2262, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 2262 and 2263, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

Pages 2263 and 2264, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 2266 and 2267, roll call, by showing Representative Smith voting "no" rather than "absent with leave".

Pages 2270 and 2271, roll call, by showing Representatives King and Reinhart voting "aye" rather than "absent with leave".

Pages 2326 and 2327, roll call, by showing Representatives Shields, King and St. Onge voting "aye" rather than "absent with leave".

Pages 2331 and 2332, roll call, by showing Representatives Hosmer, King and Liese voting "aye" rather than "absent with leave".

Pages 2332 and 2333, roll call, by showing Representatives Hosmer and King voting "no" rather than "absent with leave".

Pages 2334 and 2335, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 2334 and 2335, roll call, by showing Representatives Hosmer and King voting "no" rather than "absent with leave".

Pages 2337 and 2338, roll call, by showing Representatives Franklin, Hosmer, Kelly (27), King and Ward voting "aye" rather than "absent with leave".

Pages 2338 and 2339, roll call, by showing Representatives Franklin, Kelly (27) and Ward voting "aye" rather than "absent with leave".

Pages 2343 and 2344, roll call, by showing Representatives Black, Franklin, Kelly (27), King and Lowe voting "aye" rather than "absent with leave".

Pages 2344 and 2345, roll call, by showing Representatives Boucher, Enz, Froelker, King and Ridgeway voting "aye" rather than "absent with leave".

Page 2349, roll call, by showing Representatives King and Wagner voting "aye" rather than "absent with leave".

Pages 2349 and 2350, roll call, by showing Representatives King, Lowe and Wagner voting "aye" rather than "absent with leave".

Pages 2350 and 2351, roll call, by showing Representatives Franklin, King and Wagner voting "aye" rather than "absent with leave".

Page 2359, roll call, by showing Representatives King, Naeger and Wagner voting "aye" rather than "absent with leave".

Page 2359, roll call, by showing Representative Surface voting "no" rather than "aye".

Pages 2360 and 2361, roll call, by showing Representatives Black, King and Wagner voting "aye" rather than "absent with leave".

HOUSE CALENDAR

SEVENTY-SEVENTH DAY, FRIDAY, MAY 18, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 18, (5-14-01, pgs. 2135 & 2136) - Barry

HOUSE BILLS FOR THIRD READING

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

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCS SCR 31, (5-17-01) - Relford

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4 - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 SB 370, HCA 1 - Smith
- 2 SCS SB 52 & 91, HCA 1 & HCA 2 - Koller
- 3 HCS SCS SB 44 & 59 - Monaco
- 4 HCS SCS SB 136 - Barry
- 5 HCS SS SCS SB 551, 410, 539, 528 & 296, (Fiscal Review 5-15-01) - Barry
- 6 HCS SS SCS SB 46 & 47, E.C. (Fiscal Review 5-15-01) - Barry
- 7 SCS SB 578 - Green (73)
- 8 HCS SCS SB 317 - Hollingsworth
- 9 SB 430 - Carnahan
- 10 SB 76 - Skaggs

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SB 392 - Rizzo
- 4 HCS SS SCS SB 433 & 248 - Hoppe
- 5 HCS SS SCS SB 476, 427 & 62, (Fiscal Review 5-14-01) - Seigfreid
- 6 HCS SS SCS SB 89 & 37, (Fiscal Review 5-15-01) - Hosmer
- 7 HCS SS SCS SB 214, 124, 209 & 322, (Fiscal Review 5-15-01) - Hosmer
- 8 SB 32, HCA 1 (Fiscal Review 5-15-01) - Merideth
- 9 SS#2 SCS SB 22 & 106, HCA 1 - Scheve

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 HB 769, SAs 1,2,3,4,5,& 6 - Harlan
- 4 SCS HB 626 - Hosmer
- 5 HB 262, SCA 1, SA 2, SA 3, SA 1 to SA 4, SA 4, as amended - Linton
- 6 SS SCS HB 501 - Bowman

BILLS IN CONFERENCE

- 1 CCR HCS SS SB 193, as amended - Ward
- 2 CCR HCS SB 610 - Hoppe
- 3 HCS SB 304 - Monaco
- 4 CCR#2 HCS SCS SB 151 - Gaskill
- 5 CCR SCS HCS HB 205, 323 & 549 - Relford
- 6 CCR HCS SB 274 - Harlan
- 7 HS HCS SB 460, as amended, E.C. - Kennedy
- 8 HS HCS SB 72, as amended - Smith
- 9 CCR HS HCS SCS SB 236, as amended, E.C. - Ladd Baker
- 10 CCR HS HCS SS SCS SB 369, as amended - Burton
- 11 CCR HS SCS SB 393, as amended, E.C. - Treadway
- 12 CCR HS HCS SCS SB 266, as amended - Barry
- 13 HS HCS SS SCS SB 48, as amended - Hollingsworth
- 14 CCR HCS SS SB 244 - Koller
- 15 SCS HB 80, as amended, E.C. - Ross
- 16 HS HCS SB 365, as amended - Overschmidt
- 17 HS HCS SCS SB 617, as amended - Rizzo
- 18 CCR SCS HB 157 - Hosmer
- 19 SS SCS HS HCS HB 762, as amended - Barry
- 20 HS HCS SCS SB 591, as amended - Hoppe
- 21 HS SS SCS SB 351, as amended - Britt