

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-SECOND DAY, WEDNESDAY, MAY 15, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as we bow our heads in prayer, help us to open our hearts to Your Spirit. In Your Holy presence, we are mindful of duties unperformed, promptings disobeyed, and Your truth ignored. Opportunities to make a difference are before us. Possibilities for doing good are present.

Bless these men and women of the House, as they confer, discuss, deal with pressures, and make decisions this day for the people of Missouri. Protect them from selfishness and narrow vision, prepare them for the day with the gift of Your peace.

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: Jody Gerth, Danton Clark, Heather Feth, Maxwell Ryan, Jenna Bezzole, Gregory Weidhas, Michael Figus, Sonya Liu, Kaela Nichols, Zach Cayer, Emma Hawksley, Benjamin Knarr, Christina Sherwood, Aaron Arnold, Paige Kamp, Lauren Riley Smith and Zachary Schwab.

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2019

through

House Resolution No. 2021	-	Representative Relford
House Resolution No. 2022	-	Representative Smith
House Resolution No. 2023	-	Representative Seigfreid
House Resolution No. 2024	-	Representative Barry
House Resolution No. 2025	-	Representative Naeger
House Resolution No. 2026	-	Representative Moore
House Resolution No. 2027	-	Representative May (149)
House Resolution No. 2028	-	Representatives Hampton and Koller

COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 670 & 684 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 856 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 923, 828, 876, 694 & 736 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 1186 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

BILLS CARRYING REQUEST MESSAGES

HS#2 HCS SS SCS SBs 969, 673 & 855, as amended, relating to sex crimes and crime prevention, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a conference.

Representative Gratz made a substitute motion that the House refuse to recede from its position on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, grant the Senate a conference, and the conferees be bound to the House position on House Amendment No. 2.

Which motion was adopted by the following vote:

AYES: 101

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Cunningham
Davis	Dempsey	Dolan	Enz	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hohulin
Holand	Holt	Hoppe	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	St. Onge	Townley
Treadway	Villa	Vogel	Ward	Whorton
Wright				

NOES: 053

Abel	Baker	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Fares	Farnen	Foley	Franklin	Fraser
Harding	Harlan	Haywood	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Koller	Lowe	Mays 50	Monaco
Ostmann	Relford	Rizzo	Scheve	Shelton
Skaggs	Smith	Surface	Thompson	Troupe
Van Zandt	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Brooks	Cierpiot	Graham	Green 73
Lawson	Ridgeway	Wagner		

VACANCIES: 001

HS HCS SCS SBs 1061 & 1062, as amended, relating to health insurance, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HS HCS SCS SBs 1061 & 1062, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS SCS SB 1026, as amended, relating to health insurance, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS SCS SB 1026, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1773, relating to compensation for St. Louis Police, was taken up by Representative Shelton.

On motion of Representative Shelton, **SCS HB 1773** was adopted by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Liese
Linton	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	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Boatright	Henderson	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Brooks	Champion	Crump
Franklin	Graham	Green 73	Harlan	Hickey
Lawson	Legan	Lograsso	Long	Richardson
Ridgeway	Scheve	Wagner		

VACANCIES: 001

On motion of Representative Shelton, **SCS HB 1773** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham

Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	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
Paone	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 005

Boatright	Henderson	Phillips	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Brooks	Crump	Franklin	Graham
Green 73	Harlan	Hickey	Hunter	Lawson
Lograsso	Scheve			

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman

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Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Boatright	Henderson	Linton	May 149	Phillips
Purgason	Rector	Roark	Robirds	

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Berkstresser	Brooks	Byrd	Crump
Graham	Green 73	Harlan	Hickey	Lawson
Lograsso	Long	Ridgeway	Scheve	

VACANCIES: 001

SS SCS HCS HJR 47, relating to joint municipal utility commissions, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **SS SCS HCS HJR 47** was adopted by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Chamahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Koller	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth

Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 011

Cooper	Froelker	Henderson	Jetton	Kelly 144
King	Linton	Miller	Myers	Purgason
Reid				

PRESENT: 001

Behnen

ABSENT WITH LEAVE: 018

Baker	Ballard	Bartelsmeyer	Berkstresser	Crump
Graham	Green 73	Harlan	Hartzler	Hickey
Jones	Lawson	Lograsso	Long	Monaco
Reinhart	Ridgeway	Scheve		

VACANCIES: 001

On motion of Representative Willoughby, **SS SCS HCS HJR 47** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds

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Ross	Schwab	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

May 149 Myers

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Berkstresser	Brooks
Carnahan	Clayton	Crump	Graham	Green 73
Harlan	Hickey	Hunter	Lawson	Lograsso
Monaco	Ridgeway	Scheve	Scott	Secrest
Williams				

VACANCIES: 001

Speaker Kreider declared the bill passed.

Representative Clayton assumed the Chair.

SS SCS HB 1270 & HB 2032, as amended, relating to special permits for oversized vehicles, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to adopt **SS SCS HB 1270 & HB 2032, 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.

SS HB 1748, as amended, relating to drinking water fees, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **SS HB 1748, 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.

SS SCS HCS HB 1403, as amended, relating to retainage in building contracts, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **SS SCS HCS HB 1403, as amended**, was adopted by the following vote:

AYES: 105

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bray 84	Britt	Burcham	Byrd	Campbell
Carnahan	Champion	Clayton	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Jetton	Johnson 90	Jolly
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
O'Toole	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Reid	Reinhart	Reynolds
Richardson	Rizzo	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Van Zandt	Vogel
Wagner	Ward	Willoughby	Wilson 25	Wright

NOES: 041

Bartelsmeyer	Bartle	Bearden	Bland	Bowman
Boykins	Brooks	Burton	Cierpiot	Cooper
Copenhaver	Curls	Daus	Hagan-Harrell	Hartzler
Haywood	Hegeman	Hohulin	Hoppe	Hunter
Johnson 61	Jones	Kelley 47	Kelly 144	Lograsso
Marble	Moore	Nordwald	Ostmann	Purgason
Rector	Relford	Ridgeway	Roark	Robirds
Ross	Thompson	Villa	Walker	Walton
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Berkstresser	Franklin	Gaskill
Gratz	Henderson	Hickey	Kelly 27	Lawson
Luetkenhaus	O'Connor	Scheve	Whorton	Williams
Mr. Speaker				

VACANCIES: 001

On motion of Representative St. Onge, **SS SCS HCS HB 1403, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 105

Abel	Barnitz	Barry 100	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis

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Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Hendrickson
Holand	Hollingsworth	Holt	Hosmer	Jetton
Johnson 90	Jolly	Kelly 36	King	Koller
Liese	Linton	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Reynolds	Richardson
Rizzo	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Vogel	Wagner
Ward	Whorton	Willoughby	Wilson 25	Wright

NOES: 030

Barnett	Bartelsmeyer	Bartle	Bearden	Bland
Bowman	Brooks	Cooper	Curls	Haywood
Hohulin	Hoppe	Hunter	Johnson 61	Jones
Kelley 47	Kelly 144	Lograsso	Marble	Purgason
Rector	Relford	Ridgeway	Roark	Robirds
Ross	Villa	Walker	Walton	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 027

Baker	Ballard	Berkstresser	Boykins	Cierpiot
Franklin	Gaskill	Gratz	Harlan	Hartzler
Henderson	Hickey	Hilgemann	Kelly 27	Lawson
Legan	Long	Luetkenhaus	Monaco	Moore
Nordwald	Ostmann	Phillips	Scheve	Seigfreid
Williams	Mr. Speaker			

VACANCIES: 001

Representative Clayton declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

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

HS HCS SCS SBs 1061 & 1062: Representatives Harlan, Riback Wilson (25), Smith, Luetkemeyer and Portwood

HS SCS SB 1026: Representatives Barry, Selby, Treadway, King and May (149)

MOTION

Representative Foley moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, pursuant to Rule 26.

Which motion was adopted by the following vote:

AYES: 105

Abel	Barnitz	Barry 100	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Campbell	Carnahan
Cierpiot	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
Koller	Legan	Liese	Long	Lowe
Marsh	May 149	Mays 50	McKenna	Merideth
Monaco	Murphy	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Schwab	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 044

Barnett	Bartelsmeyer	Bartle	Behnen	Boatright
Burcham	Burton	Byrd	Champion	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Gaskill	Hanaway	Hegeman	Henderson	Hendrickson
Jetton	Kelly 144	King	Linton	Luetkemeyer
Marble	Mayer	Miller	Moore	Myers
Naeger	Phillips	Purgason	Quinn	Rector
Roark	Ross	Scott	Secrest	Shields
Shoemaker	St. Onge	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Ballard	Bearden	Bray 84	Harlan
Hohulin	Hunter	Lawson	Lograsso	Luetkenhaus
Ridgeway	Scheve	Mr. Speaker		

VACANCIES: 001

BILL IN CONFERENCE

CCR HCS SB 758, relating to sex offender registration, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR HCS SB 758** was adopted by the following vote:

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AYES: 137

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Ballard	Barnett	Berkstresser	Boykins
Crowell	Crump	Franklin	Fraser	Gaskill
Gratz	Green 73	Hickey	Hilgemann	Lawson
Linton	Luetkenhaus	Monaco	O'Toole	Richardson
Scheve	Seigfreid	Williams	Wright	Mr. Speaker

VACANCIES: 001

On motion of Representative Hosmer, **CCS HCS SB 758** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Curls	Daus	Davis	Dempsey	Dolan

Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Ballard	Boykins	Cooper	Crump
Cunningham	Franklin	Gaskill	Gratz	Green 73
Harlan	Henderson	Hickey	Hilgemann	Holand
Lawson	Linton	Luetkenhaus	Monaco	O'Toole
Richardson	Scheve	Smith	Williams	Mr. Speaker

VACANCIES: 001

Representative Clayton declared the bill passed.

THIRD READING OF SENATE JOINT RESOLUTION

HCS SJR 24, relating to term limits, was taken up by Representative Farnen.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Joint Resolution No. 24, Page 1, Section 8, Line 1, by inserting “**consecutive**” after “eight”; and

Further amend said House Joint Resolution, Section 8, Page 1, Line 2, by inserting “**consecutive**” after “sixteen”.

Representative Walton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Farnen, **HCS SJR 24** was adopted.

On motion of Representative Farnen, **HCS SJR 24** was read the third time and passed by the following vote:

AYES: 098

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bearden	Berkowitz	Berkstresser	Black	Bland
Boucher	Bowman	Boykins	Bray 84	Brooks
Burton	Campbell	Carnahan	Clayton	Cooper
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Fares	Farnen	Fraser	Gambaro
George	Graham	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Johnson 61	Jones	Kelly 27
Kelly 36	Legan	Liese	Long	Lowe
May 149	Mays 50	McKenna	Merideth	Monaco
Moore	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Rector
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 051

Barnett	Bartle	Behnen	Boatright	Burcham
Byrd	Champion	Cierpiot	Crawford	Crowell
Cunningham	Dempsey	Enz	Froelker	Gaskill
Green 15	Griesheimer	Hanaway	Hendrickson	Holt
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	King	Linton	Lograsso	Luetkemeyer
Marble	Mayer	Miller	Murphy	Naeger
Nordwald	Phillips	Purgason	Quinn	Reid
Richardson	Ridgeway	Roark	Scheve	Schwab
Scott	Shoemaker	St. Onge	Vogel	Whorton
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bonner	Britt	Foley	Franklin
Gratz	Hoppe	Koller	Lawson	Luetkenhaus
Marsh	Troupe	Ward		

VACANCIES: 001

Representative Clayton declared the bill passed.

Representative Hohulin requested a verification of the roll call on the motion to third read and pass **HCS SJR 24**.

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 675, relating to elections, was taken up by Representative Seigfreid.

Representative Seigfreid offered **HS HCS SS SCS SB 675**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.074, Page 9, Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

“upgrade or improve the voting process or equipment. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and

Further amend said substitute, Section 115.076, Page 11, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

“Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and

Further amend said substitute, Section 115.098, Page 18, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

“dollars per hour. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may”.

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

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 31, Section 115.157, Line 7, by inserting after the word “a” the following: **“state or federal”**.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

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

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 31, Section 115.157, Line 7, by inserting after the word “a” the following: “**local, state or federal**”.

On motion of Representative Relford, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.126, Page 22, Line 16, by deleting “**August 31**” and inserting in lieu thereof “**December 31**”.

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.420, Page 71, Line 22, by inserting a period (.) at the end of said line; and

Further amend said section, Page 71, by deleting Lines 23-24; and

Further amend said section, Page 72, by deleting Line 1 and Lines 6-12.

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

Which motion was defeated by the following vote:

AYES: 054

Abel	Baker	Barnitz	Barry 100	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Carnahan	Clayton	Copenhaver
Crump	Daus	Foley	Franklin	Fraser
Gambaro	George	Green 15	Harding	Haywood
Hickey	Hilgemann	Hollingsworth	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Liese	Mays 50
O'Connor	Overschmidt	Paone	Relford	Rizzo
Scheve	Shelton	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Ward	Williams	Wilson 25	Wilson 42	

NOES: 089

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Holand	Holt	Hoppe	Hunter	Jetton
Kelly 144	Kelly 36	King	Koller	Legan
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Skaggs	St. Onge	Surface	Townley
Vogel	Whorton	Willoughby	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Graham	Green 73	Hagan-Harrell	Harlan
Hartzler	Hohulin	Kelley 47	Kelly 27	Lawson
Luetkenhaus	McKenna	Monaco	Murphy	O'Toole
Richardson	Shoemyer	Van Zandt	Mr. Speaker	

VACANCIES: 001

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

House Amendment No. 5 was withdrawn.

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 86, Section 115.493, Line 2, by inserting after all of said line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before [his] **the person's** election, both a registered voter of and a resident of the county and the committee district from which [he] **the person** is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first [class] **classification** containing the major portion of a city which has over three hundred thousand inhabitants, two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, **not later than six months after the decennial census has been reported to the President of the United States**, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered

from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Four members of the committee, two men and two women, shall be elected from each other township outside the city.

3. In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county [of the first class] with a charter form of government, for the portion of the city located within such county and notwithstanding [the provisions of] section 82.110, RSMo, it shall be the duty of the election authority, **not later than six months after the decennial census has been reported to the President of the United States**, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census. [Changes of ward or precinct lines shall not affect the terms of office of incumbent party committeemen or committeewomen elected from districts as constituted at the time of their election.]

4. In each county of the first [class] **classification** containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: **Within six months** after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

5. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

6. In all [first class] counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. **Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.**

7. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."; and

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

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

Representative Wilson (42) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.427, Page 73, Line 1, by deleting “or” and inserting the following after all of said line:

“(5) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter; or”; and

Further amend said section, Page 73, Line 2, by deleting “(5)” and inserting in lieu thereof “(6)”.

Representative Seigfreid 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 Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.427, Page 73, Line 3, by inserting "**other identification approved by federal law**" immediately after "section".

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

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

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 9, Section 115.074, Line 18, by inserting after the number "**115.074.**" the following:

"1. There is hereby created the "Election Activities Federal Grant Administration Board" to administer the grant programs created in subsection 2 of this section and in sections 115.076, 115.098, 115.801, and 115.803. The board shall consist of the secretary of state, the lieutenant governor, two members of the senate, one from each major political party, selected by the president pro tem of the senate, two members of the house of representatives, one from each major political party, selected by the speaker of the house of representatives, and two members of any local election authority, neither of which shall be members of the same local election authority or members of local election authorities within the same county."; and renumber remaining subsections accordingly; and

Further amend said bill, Page 9, Section 115.074, Line 19, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 9, Section 115.074, Line 22, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 9, Section 115.074, Line 24, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 10, Section 115.076, Line 14, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 11, Section 115.076, Line 12, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 11, Section 115.076, Line 14, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 17, Section 115.098, Line 21, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 18, Section 115.098, Line 2, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 18, Section 115.098, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the following: **"fund according to the provisions established for the grants by federal law and regulation, and may promulgate rules to effectuate this section."**; and

Further amend said bill, Page 87, Section 115.801, Line 15, by deleting the words **"secretary of state"** and inserting in lieu thereof the following: **"election activities federal grant administration board"**; and

Further amend said bill, Page 87, Section 115.801, Line 17, by deleting the words **"secretary of state"** and inserting in lieu thereof the following: **"election activities federal grant administration board"**; and

Further amend said bill, Page 87, Section 115.803, Line 19, by deleting the words **"secretary of state"** and inserting in lieu thereof the following: **"election activities federal grant administration board"**; and

Further amend said bill, Page 87, Section 115.803, Line 23, by deleting the words **"secretary of state"** and inserting in lieu thereof the following: **"election activities federal grant administration board"**; and

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

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

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.159, Page 33, Line 8, by deleting **"115.247"** and inserting in lieu thereof **"115.427"**; and

Further amend said substitute, Section 115.126, Page 22, Lines 16-19, by deleting the following:

"Not later than August first of each year thereafter, each election authority shall submit to the secretary of state a plan and funding request to implement the provisions of this section."

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.429, Page 77, Lines 2 and 6, by inserting the following after **"115.223"**:

"The election authority or the circuit court shall not allow a person to vote unless the person provides sufficient evidence that he or she has complied with the voter registration requirements in this chapter."

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

Representative Long raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 8** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Long moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel				

NOES: 070

Barnitz	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Lowe	Merideth
Monaco	O'Connor	Overschmidt	Paone	Ransdall
Relford	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 026

Abel	Baker	Ballard	Crawford	Crowell
Green 73	Harlan	Holand	Kelley 47	Koller
Lawson	Liese	Luetkenhaus	Mays 50	McKenna
Naeger	Nordwald	O'Toole	Reynolds	Richardson
Shoemaker	Van Zandt	Wagner	Ward	Wright
Mr. Speaker				

VACANCIES: 001

HCS SS SCS SB 675, with HS, as amended, pending, was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SB 916 - Fiscal Review and Government Reform (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 24**.

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 1962, 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 President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HS HCS HB 1962, as amended**: Senators Klarich, Gibbons, Loudon, Mathewson and Caskey.

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 SB 895, as amended**, and has taken up and passed **CCS HS HCS SB 895**.

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 SBs 915, 710 & 907, as amended**: Senators Westfall, Russell, Klindt, Staples and Goode.

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#2 HCS SS SCS SBs 969, 673 & 855, as amended**: Senators Westfall, Bentley, Klindt, Caskey and Coleman.

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 1026, as amended**: Senators Kenney, Sims, Rohrbach, Dougherty and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1898**, entitled:

An act to amend chapter 338, RSMo, by adding thereto eleven new sections relating to a tax on licensed retail pharmacies in this state, with an emergency clause and an expiration date.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 1:00 p.m.

AFTERNOON SESSION

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

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caitlin Dulle, Kelsey Reimler, Parker Joseph Breeden and Skylar Kathleen Gaw.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2029 - Representatives Copenhaver and Seigfreid
House Resolution No. 2030 - Representative Kelly (36)
House Resolution No. 2031 - Representative Riback Wilson (25)
House Resolution No. 2032
and
House Resolution No. 2033 - Representative Reid
House Resolution No. 2034 - Representative Davis
House Resolution No. 2035 - Representatives Liese and Vogel
House Resolution No. 2036 - Representative McKenna
House Resolution No. 2037 - Representative Gambaro

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 **HCS SCS SBs 894, 975 & 927 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HBs 1270 & HB 2032, 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 **SS HB 1748, 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 request the House not bind its conferees to **HA 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended.**

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 SCS SBs 1086 & 1126**, and has taken up and passed **CCS HCS SCS SBs 1086 & 1126.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1508**, entitled:

An act to repeal sections 226.540, 226.550, 226.573, 226.580 and 226.585, RSMo, and to enact in lieu thereof five new sections relating to highway beautification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HB 1748, as amended**: Senators Steelman, Klindt, Cauthorn, Johnson and Caskey.

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 680, 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 **HCS SB 718** and has taken up and passed **HCS SB 718.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS#2 SCS SBs 984 & 985**, 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 **HCS SJR 24** and has taken up and passed **HCS SJR 24.**

SUPPLEMENTAL CALENDAR

May 15, 2002

SENATE BILL FOR THIRD READING

HCS SS#2 SCS SB 1279, 1162 & 1164 - Foley

THIRD READING OF SENATE BILL

HCS SS SCS SB 675, with HS, as amended, pending, relating to elections, was again taken up by Representative Seigfreid.

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting in the appropriate location the following:

“115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his eighteenth birthday.

2. No person who is adjudged incapacitated shall be entitled to register or vote. No person shall be entitled to vote:

- (1) While confined under a sentence of imprisonment;
- (2) While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or
- (3) After conviction of a felony or misdemeanor connected with the right of suffrage.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote, unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275.

115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered **to vote in the jurisdiction of his or her residence** no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, **unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275**. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall present a valid Missouri drivers license or other form of personal identification at the time of registration.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote, unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275.”; and

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

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

Representative Riback Wilson (25) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 65, Section 115.283, Line 6, by inserting after all of said line the following:

“115.284. 1. There is hereby established an absentee voting process to assist persons with permanent disabilities in the exercise of their voting rights.

2. The local election authority shall send an application to participate in the absentee voting process set out in this section to any registered voter residing within the election authority's jurisdiction upon request.

3. Upon receipt of a properly completed application, the election authority shall enter the voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

4. The application to participate in the absentee voting process shall be in substantially the following form:
State of County (City) of I,..... (print applicant's name), declare that I am a resident and registered voter of County, Missouri, and am permanently disabled. I hereby request that my name be placed on the election authority's list of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be delivered an absentee ballot application for each election in which I am eligible to vote.

.....
Signature of Voter

.....
.....
Voter's Address

5. **Not earlier than six weeks before an election but prior to the fourth Tuesday prior to an election,** [The] **the** election authority shall deliver to each voter qualified to participate as absentee voters pursuant to this section an absentee ballot application [for each election in which] **if** the voter is eligible to vote **in that election**. If the voter returns the absentee request application to the election authority not later than 5:00 p.m. on the Wednesday before an election and has retained the necessary qualifications to vote, the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

6. The election authority shall remove from the list of voters qualified to participate as absentee voters pursuant to this section any voter who:

- (1) Asks to be removed from the list;
- (2) Dies;
- (3) Becomes disqualified from voting pursuant to the provisions of chapter 115; or
- (4) No longer resides at the address of his or her voter registration.”; and

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

On motion of Representative Riback Wilson (25), **House Amendment No. 10** was adopted.

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

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 72, Section 115.427, Line 23, by inserting the following after all of said line:

“(4) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter:”; and

Further amend said section, Page 73, Line 2, by deleting “(5)” and inserting in lieu thereof “(6)”;

Further amend said section, Page 72, Line 24, by deleting “(4)” and inserting in lieu thereof “(5)”.

Representative Bray offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

House Substitute Amendment No. 1
for
House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 73, Section 115.427, Lines 4 to 9, by deleting all of said lines and inserting in lieu thereof the following:

"Completion of a secretary of state-approved affidavit signed by a voter who is without personal identification at the polling place shall be acceptable voter identification upon a comparison of the voter's signature on the affidavit with the precinct register that satisfies an election judge that the voter signing the affidavit is the voter whose name appears on the precinct register. The secretary"; and

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

Representative Bray moved that **House Substitute Amendment No. 1 for House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 007

Boucher	Bray 84	Franklin	Hilgemann	Shelton
Williams	Wilson 25			

NOES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bowman	Boykins
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	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	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

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PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Bonner	Burton	Enz
Foley	Fraser	Green 73	Harlan	Henderson
Hickey	Hohulin	Holand	Hosmer	Lawson
McKenna	Reynolds	Ridgeway		

VACANCIES: 001

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

Representative Johnson (61) offered **House Amendment No. 12**.

Representative Seigfreid raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Sanders Brooks offered **House Amendment No. 12**.

Representative Seigfreid raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675 by inserting the following in the appropriate location:

“115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in [March] **February** of each presidential election year.”; and

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

On motion of Representative Clayton, **House Amendment No. 12** was adopted.

Representative Ransdall offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 50, Section 115.277, Line 4, by inserting “**active duty military**” before “federal”; and

Further amend said line by inserting brackets around “federal”; and

Further amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 50, Line 5, by inserting opening and closing brackets ([]) around “in any election”; and

Further amend said section, Page 50, Line 6, by deleting all of said line and inserting in lieu thereof the following:

“this state may vote **only** in the election **a presidential and vice presidential electors, United States senator and representative in Congress** even if the person it not”.

On motion of Representative Ransdall, **House Amendment No. 13** was adopted.

Representative Lograsso offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting at the appropriate location the following:

"115.507. 1. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of each election held within its jurisdiction and shall certify the returns to each political subdivision and special district submitting a candidate or question at the election. The statement shall include a categorization of the number of regular and absentee votes cast in the election, and how those votes were cast; provided however, that absentee votes shall not be reported separately where such reporting would disclose how any single voter cast his or her vote. When absentee votes are not reported separately the statement shall include the reason why such reporting did not occur. Nothing in this section shall be construed to require the election authority to tabulate absentee ballots by precinct on election night.

2. The verification board shall prepare the returns by drawing an abstract of the votes cast for each candidate and on each question submitted to a vote of people in its jurisdiction by the state and by each political subdivision and special district at the election. The abstract of votes drawn by the verification board shall be the official returns of the election.

3. **Any home rule city with more than four hundred thousand inhabitants and located in more than one county may by ordinance designate one of the election authorities situated partially or wholly within that home rule city to be the verification board that shall certify the returns of such city submitting a candidate or question at any election and shall notify each verification board within the city of that designation by providing each with a copy of such duly adopted ordinance. Not later than the second Tuesday after any election in any city making such a designation, each verification board within the city shall certify the returns of such city submitting a candidate or question at the election to the election authority so designated by the city to be its verification board, and such election authority shall announce the results of the election and certify the cumulative returns to the city in conformance with subsections 1 and 2 of this section not later than ten days thereafter.**

4. Not later than the second Tuesday after each election at which the name of a candidate for nomination or election to the office of president of the United States, United States senator, representative in Congress, governor, lieutenant governor, state senator, state representative, judge of the circuit court, secretary of state, attorney general, state treasurer, or state auditor, or at which an initiative, referendum, constitutional amendment or question of retaining a judge subject to the provisions of article V, section 29 of the state constitution, appears on the ballot in a jurisdiction, the election authority of the jurisdiction shall mail or deliver to the secretary of state the abstract of the votes given in its jurisdiction, by polling place or precinct, for each such office and on each such question. If mailed, the abstract shall be enclosed in a strong, sealed envelope or envelopes. On the outside of each envelope shall be printed: "Returns of election held in the county of (City of St. Louis, Kansas City) on the day of,, ", etc."; and

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

On motion of Representative Lograsso, **House Amendment No. 14** was adopted.

Representative Paone offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting the following in the appropriate location:

“115.365. 1. The nominating committee authorized to select a candidate for nomination or election to office [under the provisions of] **pursuant to** section 115.363 shall be one of the following:

- (1) To select a candidate for county office, the nominating committee shall be the county committee of the party;
 - (2) To select a candidate for state representative, the nominating committee shall be the legislative district committee of the party;
 - (3) To select a candidate for state senator, the nominating committee shall be the senatorial district committee of the party;
 - (4) To select a candidate for circuit court judge not subject to the provisions of article V, section 25 of the state constitution, the nominating committee shall be the judicial district committee of the party;
 - (5) To select a candidate for representative in Congress, the nominating committee shall be the congressional district committee of the party;
 - (6) To select a candidate for statewide office, the nominating committee shall be the state committee of the party.
2. After any decennial redistricting, the nominating committee shall be composed from the new districts, and the new district lines shall be used in the selection of a candidate; **provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130, RSMo, shall be from the old districts.**

115.367. 1. In the event that the boundaries of a district have been altered, or a new district established for a candidate to be selected by a party committee since the last election in which a party candidate ran for such office, the members of the nominating committee shall be the members of the various nominating committees for that office, as provided in section 115.365 who reside within the altered or new district; **provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130, RSMo, shall be from the old districts.** The chairman of the nominating committee shall be the committee chairman of the county which polled the highest vote for the party candidate for governor within the area to be represented at the last gubernatorial election.

2. In the event that a candidate is to be selected by a party committee of a new political party which has not yet elected committeemen and committeewomen in the manner provided by law, the chairman of the nominating committee shall be the provisional chairman of the party for the state, or if the political party is formed for a district or political subdivision less than the state, the chairman of the nominating committee shall be the provisional chairman of the party for such district or political subdivision. The chairman of the nominating committee shall appoint additional members of the nominating committee, not less than four in number.

3. In the event that a candidate is to be selected for nomination or election to an office by a new political party which has elected committeemen and committeewomen in the manner provided for established political parties, the members of the nominating committee shall be the same as provided in section 115.365.”; and

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

On motion of Representative Paone, **House Amendment No. 15** was adopted.

Representative Shields offered **House Amendment No. 16.**

Representative Long raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 16**.

Representative Seigfreid raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Seigfreid, **HS HCS SS SCS SB 675, as amended**, was adopted.

On motion of Representative Seigfreid, **HS HCS SS SCS SB 675, as amended**, was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	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	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Johnson 61

PRESENT: 000

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ABSENT WITH LEAVE: 008

Ballard	Boykins	Brooks	Foley	Hickey
Hohulin	Reid	Shelton		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

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

NOES: 001

Johnson 61

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Boykins	Britt	Brooks
Foley	Hickey	Hohulin	Jolly	Kelly 27
Mays 50	Ransdall	Troupe	Wright	

VACANCIES: 001

SB 713, relating to non-compete clauses for physicians, was taken up by Representative Hosmer.

Representative Johnson (90) offered **House Amendment No. 1**.

Representative Britt assumed the Chair.

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

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Kreider resumed the Chair.

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

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

The Chair ruled the point of order well taken.

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

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

The Chair ruled the point of order well taken.

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

House Amendment No. 1

AMEND Senate Bill No. 713, Page 1, Section 334.113, Line 6, by deleting all the words after the word “with” on Lines 6 and 7, and replacing with the words “**a hospital or physician group practice.**”.

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

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Boatright	Bonner	Bowman	Bray 84
Burcham	Burton	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis

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Dempsey	Dolan	Enz	Fares	Froelker
Gambaro	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Hollingsworth	Holt	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Roark	Ross	Schwab	Scott
Secrest	Seigfreid	Shoemyer	Skaggs	St. Onge
Surface	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Whorton	Willoughby	Wilson 42	Wright	

NOES: 033

Behnen	Berkstresser	Boucher	Boykins	Farnen
Franklin	Fraser	Gaskill	George	Graham
Hagan-Harrell	Harlan	Holand	Hoppe	Hosmer
Johnson 90	Kelly 27	Marsh	Monaco	Murphy
O'Toole	Rizzo	Robirds	Scheve	Selby
Shelton	Shoemaker	Smith	Thompson	Ward
Williams	Wilson 25	Mr. Speaker		

PRESENT: 002

Champion	Shields
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ABSENT WITH LEAVE: 008

Ballard	Britt	Brooks	Crump	Foley
Hickey	Long	Mays 50		

VACANCIES: 001

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

House Amendment No. 2

AMEND Senate Bill No. 713, Page 2, Section 334.113, Lines 20 and 21, by striking the words “within one year of termination of the contract or employment”; and

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

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

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

Representative Hosmer raised a point of order that **House Amendment No. 3** amends previously amended material and is improperly drafted.

The Chair ruled the point of order well taken.

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

House Amendment No. 3

AMEND Senate Bill No. 713, Page 2, Section 334.113, by adding a new subpart 6 as follows:

“6. All physicians subject to a covenant not to compete shall be, for liability purposes, considered an employee of the hospital to which they have agreed not to compete with regards to all actions or omissions occurring at said hospital. This subpart shall apply to all covenant whenever entered into by the parties”.

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

Representative Hosmer moved that **SB 713, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 032

Abel	Barry 100	Behnen	Boucher	Britt
Clayton	Copenhaver	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Green 73	Harlan	Holand	Hosmer	Kelly 27
Marsh	Naeger	O'Connor	O'Toole	Paone
Richardson	Robirds	Selby	Surface	Ward
Wilson 25	Mr. Speaker			

NOES: 121

Baker	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Bowman	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Froelker	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Whorton	Williams	Willoughby	Wilson 42
Wright				

PRESENT: 002

Champion Shields

ABSENT WITH LEAVE: 007

Ballard Boykins Bray 84 Brooks Hickey
Lowe Monaco

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS HB 1748: Representatives Ransdall, Relford, Willoughby, Hegeman and Rector

SS SCS HB 1270: Representatives Gratz, Relford, Williams, Legan and Burcham

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF SENATE BILL

HCS SB 856, relating to property development, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS SB 856**.

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

“[644.018. In any contested case or judicial proceeding filed after January 1, 1998, involving surface water in any flood-prone area, if any defendant has obtained and fully complied with a permit from a political subdivision which has enacted orders or ordinances as required by the Federal Emergency Management Agency as a prerequisite to participation in the National Flood Insurance Program, and which political subdivision has jurisdiction, pursuant to the zoning laws of this state or the laws and regulations of the Federal Emergency Management Agency, over the area in dispute, then the proper permitting and compliance with all conditions of such permitting of such project shall be conclusive proof that the project is a reasonable use and meets any reasonable-use test imposed by law or by a court.]”;
and

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

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

"Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey a permanent easement on property owned by the state in the County of Callaway to the City of Fulton. The easement to be conveyed is more particularly described as follows:

A 20' permanent easement located in the east half of the southwest quarter and in the northwest quarter of the southeast quarter of Section 16, T47N, R9W of the 5th Principal Meridian, in Fulton, Callaway County, Missouri, more particularly described as follows:

Commencing at the section corner common to Sections 16, 17, 20, 21; Thence S87E22'59"E, along the south line of the southwest quarter of the southwest quarter of Section 16, 1237.50 feet, said point being N87E22'59"W, 82.50 feet from the southwest corner of the southeast quarter of the southwest quarter of said Section 16; Thence N1E41'00"E, along the west line of a unrecorded survey by RLS #1188, dated December, 1979, and a Quitclaim Deed recorded in Book 349, Page 762 of the Callaway County Recorder's Office, Fulton, Missouri, 1033.47 feet to the south right-of-way line of Missouri State Route "O"; Thence S88E55'31"E, along the south right-of-way line of said Missouri State Route "O", 607.20 feet to the P.C. station (18+43.4) of a curve to the left having a radius of 1939.86 feet, a arc length of 13.87 feet, a chord bearing of S89E07'48"E, 13.87 feet; Thence leaving said Missouri State Route "O" right-of-way S2E36'19"W, along an existing fence being the west line of the Missouri State Hospital property as described in said Quitclaim Deed, 795.77 feet to the intersection of the centerline of a 20' permanent easement and POINT OF BEGINNING; Thence along said centerline a curve to the right having a radius of 100.00 feet, a arc length of 89.34 feet, a chord bearing of N61E10'18"E, 86.40 feet; Thence N86E15'05"E, 35.00 feet; Thence along a curve to the left having a radius of 95.00 feet, a arc length of 148.23 feet, a chord bearing of N41E33'04"E, 133.65 feet and the point of reverse curve; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 38.59 feet, a chord bearing of N8E29'14"E, 38.32 feet; Thence N20E07'26"E, 149.70 feet; Thence along a curve to the left having a radius of 200.00 feet, a arc length of 115.02 feet, a chord bearing of N3E38'56"E, 113.44 feet; Thence N12E49'34"W, 155.68 feet; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 90.50 feet, a chord bearing of N14E27'52"E, 87.12 feet; Thence N41E45'18"E, 128.67 feet; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 57.37 feet, a chord bearing of N59E03'23"E, 56.51 feet; Thence N76E21'28"E, 41.89 feet; Thence along a curve to the left having a radius of 35.00 feet, a arc length of 39.72 feet, a chord bearing of N43E50'43"E, 37.62 feet to the south right-of-way line of Missouri State Route "O" at station 22+70.45 AH; Thence entering said Route "O" right-of-way and continuing along said curve to the left, a arc length of 13.41 feet, a chord bearing of N0E21'24"E, 13.33 feet; Thence N10E37'11"W, 38.95 feet; Thence along a curve to the right having a radius of 35.00 feet, a arc length of 8.04 feet, a chord bearing of N4E02'02"W, 8.03

feet to the north right-of-way line of Missouri State Route "O" at station 22+74.05 AH.; Thence leaving said Route "O" right-of-way and continuing along said curve to the right, a arc length 35.27 feet, a chord bearing of N31E25'15"E, 33.80 feet; Thence N60E17'24"E, 194.94 feet; Thence along a curve to the right having a radius of 150.00 feet, a arc length of 93.88 feet, a chord bearing of N78E13'09"E, 92.35 feet; Thence S83E51'07"E, 374.88 feet more or less to the west right-of-way line of Wood Street and being 66.20 feet more or less north of the north right-of-way line of Missouri State Route "O" and the end of this easement, containing 0.925 acre, more or less.

Also an additional temporary construction easement 10 feet either side of the 20 foot permanent easement described above.

Except that part lying in the Missouri State Route "O" right-of-way.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance."; and

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

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

Representative Green (73) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

"99.805. As used in sections 99.800 to [99.865] **99.873**, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) "High unemployment", unemployment in the census block group or contiguous group of block groups in which the redevelopment project is located of at least one and one-half times that of the metropolitan statistical area in which the area is located or, one and one-half times the unemployment rate of nonmetropolitan counties if the area is not located in a metropolitan statistical area;

(8) "Low fiscal capacity", per capita assessed valuation of property in the municipality of less than sixty percent of the entire county in which it is located, or, in unincorporated areas, when the per capita assessed valuation of property in the school district is less than sixty percent of the entire county in which it is located;

(9) "Moderate income", either a Missouri municipality within a metropolitan statistical area which has a population of at least one thousand five hundred and median household income of under ninety percent of the median household income for the metropolitan statistical area, according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition, the definition shall include municipalities not within a metropolitan statistical area, with a median household income of under ninety percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census;

[(7)] **(10) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;**

[(8)] **(11) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;**

[(9)] **(12) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;**

[(10)] **(13) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;**

[(11)] **(14)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(12)] **(15)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(13)] **(16)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(14)] **(17)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

(18) "Retail", any establishment possessing a retail sales license and responsible for the collection of sales taxes pursuant to the provisions of section 144.080, RSMo;

(19) "Retail redevelopment project", any development project within a redevelopment area, as defined in this section, where more than thirty-three percent of the total estimated redevelopment project costs are devoted to the construction, reconstruction, or expansion of retail establishments or of privately-owned infrastructure or facilities ancillary to sales at retail;

[(15)] **(20)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(16)] **(21)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(17)] **(22)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; [and]

[(18)] **(23)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs,

the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision [and], an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes

which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to **blighted areas located in distressed communities pursuant to section 135.530, RSMo**, blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. All personnel and other costs incurred by the department of economic development for the administration and operation of subsections 4 to 12 of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection 10 of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development.

99.866. 1. Except as provided in subsection 2 of this section, sections 99.866 to 99.872 shall apply to any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than

ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants.

2. Any redevelopment project consisting solely of public infrastructure improvements on public land requiring two million dollars or less in tax increment financing, wherein the bonds for such project will be paid off in seven years or less, shall be exempt from the provisions of sections 99.866 to 99.872. However, no "stringing" of projects shall be allowed. No exempt project pursuant to this section shall be combined with another exempt project pursuant to this section for a period of five years.

3. Any redevelopment project for which eligible project redevelopment costs are to be paid from that portion of the total economic activity taxes and payments in lieu of taxes imposed by the municipality only, and real or potential revenues from no other taxing jurisdictions are involved, are exempt from the provisions of sections 99.866 to 99.872.

99.867. 1. The municipality and any proposed redevelopment area shall meet the requirements of section 99.810 and this section. In addition, if the proposed redevelopment project is a retail redevelopment project, it must be in a redevelopment area where:

(1) The host municipality or, for unincorporated areas, the host school district has low fiscal capacity; or

(2) The census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area have high unemployment; or

(3) The municipality, census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area are characterized by moderate income.

2. Tax increment financing shall not be used for more than thirty percent of the total estimated redevelopment costs of a project unless the redevelopment is in a municipality, census block group or group of block groups with a median household income less than seventy percent of that of the metropolitan area, a distressed community as defined in section 135.530, RSMo, a federal enterprise zone or a federal empowerment zone. Tax increment financing shall not be used to develop sites in which twenty-five percent or more of the area is vacant and has not previously been developed or qualifies as "open space" pursuant to section 67.900, RSMo, or is presently being used for agricultural or horticultural purposes.

3. If the majority of the proposed redevelopment project is located in an area meeting the requirements of low fiscal capacity, high unemployment, and moderate income set forth in this section, and if such conditions are documented in an area which is contiguous to but outside of the qualifying area, and is smaller than a census block group, the contiguous area shall be added to the qualifying area.

99.870. Commencing with the first fiscal year in which any municipality receives any payments in lieu of taxes from a redevelopment project and continuing through the last fiscal year in which the municipality receives such payments, the municipality shall pay to any other taxing entities entitled to receive revenue from levies on real property in such municipality, an amount equal to twenty-five percent of the payments in lieu of taxes received by the municipality. This amount shall be divided among the other affected taxing entities on a basis that is proportional to the collections of revenue from real property in the development area to which each such taxing district is entitled during that tax year.

99.871. In addition to the requirements which may apply pursuant to section 99.810, no redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision, an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met, and a study stating that records were reviewed, inspections were made, comparisons were made, or tasks undertaken demonstrating that the property has not been developed through private enterprise over a period of time. Such a study should be signed by a responsible party in the local jurisdiction who is designated as being responsible for the study's representations. The study shall be of sufficient specificity to allow

representatives of the tax increment financing commission or the municipality, or both, to conduct investigations deemed necessary in order to confirm its findings;

(2) An economic feasibility analysis including a pro forma financial statement indicating a return on investment that may be expected without public assistance. The financial statement shall detail any assumptions made, a pro forma statement analysis demonstrating the amount of assistance required to bring the return into a range deemed attractive to private investors, which amount shall be equal to the estimated reimbursable project costs.

99.872. The municipality and the developer shall annually submit information to the department regarding an approved plan for as long as the plan is in effect. The department shall establish reporting requirements by rule promulgated pursuant to chapter 536, RSMo. The department shall submit a report to the governor and the general assembly by December thirty-first of each year. The report shall, at a minimum, identify the number and location of redevelopment areas, quantify public investment in each, and assess the public benefit derived from the redevelopment project.

99.873. Any district in any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants, providing emergency services pursuant to chapter 190 or 321, RSMo, shall be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment.

99.874. The provisions of this act shall apply to all redevelopment projects which are approved by a municipality after the effective date of this act."; and

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

On motion of Representative Green (73), **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the end of said section, the following:

"4. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred eighty thousand inhabitants but with fewer than two hundred eighty-five thousand inhabitants but fewer than two hundred eighty-five thousand inhabitants."; and

Further amend said page by inserting after all of said line the following:

“5. This section shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003. And shall allow the aforementioned tax increment financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and

Further amend title and enacting clause accordingly.

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

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

"Section 1. Upon any sale of real property for taxes owed, a not-for-profit federally recognized community housing development organization will have three days to match the sales price offered to the county and become the owner of record."; and

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

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

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

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting the following in the appropriate location:

“Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the Battle of Athens State Historic Site to the Robert F. French Trust. The property to be conveyed is more particularly described as follows:

All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being WEST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87 degrees 03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3 degrees 00' 33" East 1139.6 feet, thence North 4 degrees 38' 44" East 956.9 feet to a corner fence post, thence continue North 4 degrees 38' 44" East on a projection of the fence to the low water mark of the Des Moines River.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from the Robert F. French Trust. The property to be conveyed to the department is more particularly described as follows:

All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being EAST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87 degrees 03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3 degrees 00'33" East 1139.6 feet, thence North 4 degrees 38' 44" East 956.9 feet to a corner fence post, thence continue North 4 degrees 38' 44" East on a projection of the fence to the low water mark of the Des Moines River.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Cuivre River State Park to Steve and Ellen Piacentini, husband and wife. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar, from which a standard aluminum monument, described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set

5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Steve and Ellen Piacentini. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar, from which a standard aluminum monument, described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set 5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Rachel DeClue and Patricia Westoff. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part enclosed by the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence north 88 degrees 06 minutes 30 seconds west, a distance of 807.05 feet to a found 1 inch round rod (as called for in Deed Book 125 at page 61 of the land records of Washington County), lying within the right-of-way of Missouri Route 21; thence north 39 degrees 15 minutes 30 seconds west, a distance of 711.15 feet to a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of said land records); thence north 80 degrees 28 minutes 30 seconds east, a distance of 7.0 feet to the easterly right-of-way of said Route 21, marked by a set 5/8 inch rebar, being the TRUE POINT OF BEGINNING of the herein described courses; thence continuing north 80 degrees 28 minutes 30 seconds east, a distance of 413.00 feet to a set 5/8 inch rebar; thence south 14 degrees 20 minutes 00 seconds east, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to said easterly right-of-way, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet; thence northwesterly along said easterly right-of-way to the true point of beginning.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Rachel Declue and Patricia Westoff. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar, said rebar being the point of termination, from which a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of the land records of Washington County) bears south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, bears north 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Oscar and Margaret Rulo. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, being the TRUE POINT OF BEGINNING of the herein described courses; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to the point of termination at the easterly right-of-way of Missouri Route 21, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Oscar and Margaret Rulo. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey tiled as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar, said rebar being the point of termination, from which a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of the land records of Washington County) bears south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, bears north 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 5. 1. The director of the department of natural resources is hereby authorized and empowered to grant and convey certain land in Jefferson County described as follows:

Parcel 11: Part of a larger tract of 42.26 acres located and being all that part of the South one-half of the northeast quarter of Section 20, Township 43 North, Range 5 East, in Jefferson County, Missouri and described as follows: Beginning at an iron pipe in the South line of the Northeast Quarter of said Section 20, being South 88 degrees 25 minutes East, distance 507.41 feet from the center of said Section 20; thence leaving the said South line of said Northeast Quarter of said Section 20, North 30 minutes East 159.11 feet to an iron pipe; thence North 88 degrees 25 minutes East 588.47 feet to a point in the center-line of a branch from which an iron pipe bears South 88 degrees 25 minutes West, distance 146.66 feet; thence along the said center-line of said branch South 27 degrees 02 minutes West 181.29 feet to a point from which an iron pipe bears South 88 degrees 25 minutes West, distance 65.60 feet; thence leaving the said center-line of said branch and along the South line of said Northeast Quarter of said Section 20 South 88 degrees 25 minutes West 507.41 feet to the point of beginning, containing two (2) acres.

Also an easement 20 feet wide lying East of and South of the following described line: Beginning at a point located in the North line of the above described tract said point being South 88 degrees 25 minutes West 75 feet more or less from the Northeast corner; thence North 28 degrees 48 minutes East 760 feet, more or less to a point; thence South 49 degrees 45 minutes East to the West right-of-way line of Romain Creek County Road.

2. Tammy L. Edwards shall have the right of first refusal to purchase the property described in subsection 1 of this section based on the fair market value of the property as determined by an appraiser contracted with by the department of natural resources. In the event that Tammy L. Edwards is unable or unwilling to purchase the property for the price determined by the department of natural resources, the department of natural resources shall then sell the property at a public auction under such terms and conditions as the department shall set.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

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

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

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

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856 by inserting the following section in the appropriate location:

"Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the County of Cole to the General Services Administration or to the Missouri Development Finance Board. The property to be conveyed is more particularly described as follows:

All of outlots nos. 46, 47 & 49 of the City of Jefferson, Cole County, Missouri, except that part of the aforesaid outlot no. 47 that lies within the public right-of-ways (by use) of the streets currently known as Riverside Drive and Capital Avene Extension.

2. Consideration for the conveyance shall be the transfer of property of like value to the state of Missouri.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

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

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

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, Page 42, Section 135.259, Line 22, by inserting after said line all of the following:

“Section B. None of the funds appropriated pursuant to section A of this act shall be used for casinos or casino-related purposes.”; and

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

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

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

"Section 1. 1. As used in this section the following terms shall mean:

(1) "Biodiesel", fuel as defined in ASTM Standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels;

(2) "Qualified biodiesel producer", a facility that produces biodiesel, is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79, and at least fifty-one percent is owned by agricultural producers actively engaged in agricultural production for commercial purposes.

2. The "Missouri Qualified Biodiesel Producer Incentive Fund" is hereby created and subject to appropriations with funds, other than general revenue funds, shall be used to provide economic subsidies to Missouri qualified biodiesel producers pursuant to this section. The director of the department of agriculture shall administer the fund pursuant to this section.

3. A Missouri qualified biodiesel producer shall be eligible for a monthly grant from the fund, except that a Missouri qualified biodiesel producer shall only be eligible for the grant for a total of sixty months unless such producer during those sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated gallons of qualified biodiesel produced during the preceding month from Missouri agricultural products, for the succeeding calendar month as certified by the department of agriculture, and applying such figure to the per-gallon incentive credit established in this subsection. Each Missouri qualified biodiesel producer shall be eligible for a total grant in any fiscal year equal to thirty cents per gallon for the first fifteen million gallons of qualified biodiesel produced from Missouri agricultural products in the fiscal year. All such qualified biodiesel produced by a Missouri qualified biodiesel producer in excess of fifteen gallons shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section.

4. In order for a Missouri qualified biodiesel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the first day of the month for which the

grant is sought. The application shall include:

- (1) The location of the Missouri qualified biodiesel producer;
- (2) The average number of citizens of Missouri employed by the Missouri qualified biodiesel producer in the preceding month, if applicable;
- (3) The number of bushel equivalents of Missouri agricultural commodities used by the Missouri qualified biodiesel producer in the production of biodiesel in the preceding month;
- (4) The number of gallons of qualified biodiesel the producer manufactures during the month for which the grant is applied;
- (5) A copy of the qualified biodiesel producer license required pursuant to subsection 5 of this section, name and address of surety company, and amount of bond to be posted pursuant to subsection 5 of this section; and
- (6) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified biodiesel producers.

5. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section.

6. 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, 2002, shall be invalid and void."; and

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

Representative Marble raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

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

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

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

"Section 1. The owner of a recreational facility consisting of at least 30 acres and a motorcycle track and located in a third class county with a township form of government and a population of at least eighteen thousand but less than twenty thousand inhabitants shall be eligible for a credit against such owner's income tax of eighty percent of the cost of improvements made to such facility after the effective date of this section, up to a maximum credit of ten thousand dollars."; and

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

Representative Hohulin moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

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

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

"67.1442. Upon the written request of any real property owner within a city having a population of at least one hundred forty-nine thousand, located in a county of the first classification without a charter form of government and with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, the governing body of the municipality may hold a public hearing for the removal of real property from such district or moved from one zone designation of the district to another zone designation of the district and such real property may be removed from such district or moved from one zone designation of a district to another zone designation of the same district, provided that:

- (1) The board consents to the removal of such property;**
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed from the district or moved from one zone designation of the district to another zone designation of the same district; and**
- (3) The public hearing is conducted in the same manner as required by section 67.1431 with notice of the hearing given in the same manner as required by section 67.1431 and such notice shall include:**
 - (a) The date, time and place of the public hearing;**
 - (b) The name of the district;**
 - (c) The boundaries by street location, or other readily identifiable means if no street location exists of the real property proposed to be removed from the district or moved from one zone of designation of the district to another zone of designation of the same district, and a map illustrating the boundaries of the existing district and the real property proposed to be removed; and**
 - (d) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.**

135.207. 1. (1) Any city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any city not within a county, which includes an existing state designated enterprise zone within the corporate limits of the city may each, upon approval of the local governing authority of the city and the director of the department of economic development, designate up to three satellite zones within its corporate limits. A prerequisite for the designation of a satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(2) Any Missouri community classified as a village whose borders lie adjacent to a city with a population in excess of three hundred fifty thousand inhabitants as described in subdivision (1) of this subsection, and which has within the corporate limits of the village a factory, mining operation, office, mill, plant or warehouse which has at least three thousand employees and has an investment in plant, machinery and equipment of at least two hundred million dollars may, upon securing approval of the director and the local governing authorities of the village and the adjacent city which contains an existing state designated enterprise zone, designate one satellite zone to be located within the corporate limits of the village, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(3) Any geographical area partially contained within any city not within a county and partially contained within any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, which area is comprised of a total population of at least four thousand inhabitants but not more than seventy-two thousand inhabitants, and which area consists of at least one fourth class city, and has within its boundaries a military reserve facility and a utility pumping station having a capacity of ten million cubic feet, may, upon securing approval of the director and the appropriate local governing authorities as provided for in section 135.210, be designated as a satellite zone, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(4) Any city with a population of at least one hundred fifty thousand inhabitants that is located in a county of the first classification without a charter form of government with a population of more than two hundred forty thousand which includes an existing state designated enterprise zone within the corporate limits of the city may, upon approval of the local governing authority of the city and the director of the department of economic development, designate one satellite zone within its corporate limits which shall be on land owned by the city which contains a wastewater treatment plant with a treatment capacity of five million six hundred thousand cubic feet per day and an electric power plant having a capacity of at least two hundred seventy-five

megawatts. A prerequisite for the designation of the satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

2. For satellite zones designated pursuant to the provisions of subdivisions (1) and (3) of subsection 1 of this section, the satellite zones, in conjunction with the existing state-designated enterprise zone shall meet the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress, or one in which a large number of jobs have been lost, a large number of employers have closed, or in which a large percentage of available production capacity is idle. For the purpose of this subdivision, "large number of jobs" means one percent or more of the area's population according to the most recent decennial census, and "large number of employers" means over five;

(2) At least fifty percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the existing state designated enterprise zone and its satellite zones must be at least four thousand but not more than seventy-two thousand at the time of designation;

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than sixty percent of the statewide percentage of residents employed on a full-time basis.

3. A qualified business located within a satellite zone shall be subject to the same eligibility criteria and can be eligible to receive the same benefits as a qualified facility in sections 135.200 to 135.255."; and

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

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

On motion of Representative Rizzo, **HS HCS SB 856, as amended**, was adopted.

On motion of Representative Rizzo, **HS HCS SB 856, as amended**, was read the third time and passed by the following vote:

AYES: 112

Baker	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Copenhaver	Crawford	Crowell	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	Gambaro	George	Gratz
Green 73	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Linton	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Roark	Scheve	Scott	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Townley	Treadway	Villa	Walker
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 003

Boatright	Daus	Hohulin
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PRESENT: 000

ABSENT WITH LEAVE: 047

Abel	Ballard	Bearden	Berkowitz	Boykins
Brooks	Campbell	Clayton	Cooper	Crump
Cunningham	Enz	Foley	Froelker	Gaskill
Graham	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hoppe	Johnson 61	Koller	Legan
Liese	Lograsso	Luetkenhaus	Monaco	Murphy
Naeger	Nordwald	Paone	Reid	Robirds
Ross	Schwab	Secrest	Shelton	Smith
Thompson	Troupe	Van Zandt	Vogel	Wagner
Walton	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

HCS SS SCS SBs 670 & 684, relating to protection of the elderly, was taken up by Representative Harlan.

Representative Harlan offered **HS HCS SS SCS SBs 670 & 684**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 8, Section 191.910, Line 7 of said page, by inserting after all of said line the following:

"197.305. As used in sections 197.300 to 197.366, the following terms mean:

(1) "Affected persons", the person proposing the development of a new institutional health service, the public to be served, and health care facilities within the service area in which the proposed new health care service is to be developed;

(2) "Agency", the certificate of need program of the Missouri department of health and senior services;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to 197.366;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

- (6) "Expenditure minimum" shall mean:
 - (a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198, RSMo, and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment, provided, however, that prior to January 1, [2003] **2008**, the expenditure minimum for beds in such a facility and long-term care beds in a hospital described in section 198.012, RSMo, shall be zero, subject to the provisions of subsection 7 of section 197.318;
 - (b) For beds or equipment in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and
 - (c) For health care facilities, new institutional health services or beds not described in paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures, excluding major medical equipment, and one million dollars in the case of medical equipment;
- (7) "Health care facilities", hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals, intermediate care facilities, skilled nursing facilities, residential care facilities I and II, kidney disease treatment centers, including freestanding hemodialysis units, diagnostic imaging centers, radiation therapy centers and ambulatory surgical facilities, but excluding the private offices of physicians, dentists and other practitioners of the healing arts, and Christian Science sanatoriums, also known as Christian Science Nursing facilities listed and certified by the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc., and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of Section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, 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 federal 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 fewer;
- (8) "Health service area", a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;
- (9) "Major medical equipment", medical equipment used for the provision of medical and other health services;
- (10) "New institutional health service":
 - (a) The development of a new health care facility costing in excess of the applicable expenditure minimum;
 - (b) The acquisition, including acquisition by lease, of any health care facility, or major medical equipment costing in excess of the expenditure minimum;
 - (c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;
 - (d) Predevelopment activities as defined in subdivision (13) hereof costing in excess of one hundred fifty thousand dollars;
 - (e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;
 - (f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;
 - (g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;
- (11) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;
- (12) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;
- (13) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need."; and

Further amend said bill, Page 10, Section 197.317, Line 23 of said page, by deleting the number "**2007**" and inserting in lieu thereof the number "**2008**"; and

Further amend said bill, Page 11, Section 197.317, Line 5 of said page, by deleting the phrase "[January 1, 2004] **July 1, 2007**" and inserting in lieu thereof the following: "January 2, [2004] **2009**"; and

Further amend said bill, Page 12, Section 197.318, Line 14 of said page, by deleting the number "**2007**" and inserting in lieu thereof the number "**2008**"; and

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

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

Representative Johnson (61) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Section 630.167, Page 87, Line 14, by inserting after said line all of the following:

“630.900. 1. The director of the department of mental health, in collaboration with the departments of social services, health and senior services, elementary and secondary education, higher education, and corrections, shall design, coordinate, and implement a state suicide prevention plan using an evidence-based public health approach focused on suicide prevention.

2. The director shall:

(1) Promote the use of employee assistance and workplace programs to support employees with depression and other psychiatric illnesses and substance abuse disorders, and refer them to services. In promoting such programs, the director shall collaborate with employer and professional associations, unions, and safety councils;

(2) Promote the use of student assistance and educational programs to support students with depression and other psychiatric illnesses and substance abuse disorders. In promoting such programs, the director shall collaborate with educators, administrators, students and parents with emphasis on identification of the risk factors associated with suicide;

(3) Provide training and technical assistance to local public health and other community-based professionals to provide for integrated implementation of best practices for preventing suicides;

(4) Coordinate with federal, state, and local agencies to collect, analyze, and annually issue a public report on Missouri-specific data on suicide and suicidal behaviors; and

(5) Conduct periodic evaluations of the impact and outcomes from implementation of the state's suicide prevention plan and each of the activities specified in this section. By July 1, 2004, and each July first of even-numbered years thereafter, the director shall report the results of such evaluations to the chairs of the senate aging, families, and mental health committee and the house children, families, and health committee.”; and

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

On motion of Representative Johnson (61), **House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 8, Section 191.910, Line 7, by inserting after said line the following:

“197.305. As used in sections 197.300 to [197.366] **197.367, the following terms mean:**

(1) "Affected persons", the person proposing the development of a new institutional health service, the public

to be served, and health care facilities within the service area in which the proposed new **institutional** health [care] service is to be developed;

(2) "Agency", the certificate of need program of the Missouri department of health **and senior services**;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to [197.366] **197.367**;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(6) "Expenditure minimum" shall mean:

(a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198, RSMo, and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment, provided, however, that prior to January 1, 2003, the expenditure minimum for beds in such a facility and long-term care beds in a hospital described in section 198.012, RSMo, shall be zero, subject to the provisions of subsection 7 of section 197.318;

(b) For beds or equipment in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and

(c) For health care facilities, new institutional health services or beds not described in paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures, excluding major medical equipment, and one million dollars in the case of medical equipment;

(7) "Health care facilities", [hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals] **long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR Section 412.23(e)**, intermediate care facilities, skilled nursing facilities, residential care facilities I and II, [kidney disease treatment centers, including freestanding hemodialysis units, diagnostic imaging centers, radiation therapy centers and ambulatory surgical facilities,] but excluding [the private offices of physicians, dentists and other practitioners of the healing arts, and] Christian Science sanatoriums, also known as Christian Science Nursing facilities listed and certified by the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc., and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of Section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, 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 federal 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 fewer;

(8) "Health service area", a geographic region appropriate for the effective planning and development of **new institutional** health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;

(9) "Major medical equipment", medical equipment used for the provision of medical and other health services;

(10) "New institutional health service":

(a) The development of a new health care facility costing in excess of the applicable expenditure minimum;

(b) The acquisition, including acquisition by lease, of any health care facility[, or major medical equipment costing in excess of the expenditure minimum];

(c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;

(d) Predevelopment activities as defined in subdivision (13) hereof costing in excess of one hundred fifty thousand dollars;

(e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;

(g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total

licensed bed capacity, whichever is less, over a two-year period;

(h) A reallocation of hospital beds to long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, by more than ten beds or ten percent of total licensed bed capacity of the hospital, whichever is less, over a two-year period;

(11) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new **institutional** health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;

(12) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(13) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need.

197.310. 1. The "Missouri Health Facilities Review Committee" is hereby established. [The agency shall provide clerical and administrative support to the committee. The committee may employ additional staff as it deems necessary.] **The department of health and senior services shall hire and administratively supervise the clerical and administrative support to the committee.**

2. The committee shall be composed of:

(1) Two members of the senate appointed by the president pro tem, who shall be from different political parties; and

(2) Two members of the house of representatives appointed by the speaker, who shall be from different political parties; and

(3) Five members appointed by the governor with the advice and consent of the senate, not more than three of whom shall be from the same political party.

3. No business of this committee shall be performed without a majority of the full body.

4. The members shall be appointed as soon as possible after September 28, 1979. One of the senate members, one of the house members and three of the members appointed by the governor shall serve until January 1, 1981, and the remaining members shall serve until January 1, 1982. All subsequent members shall be appointed in the manner provided in subsection 2 of this section and shall serve terms of two years.

5. The committee shall elect a chairman at its first meeting which shall be called by the governor. The committee shall meet upon the call of the chairman or the governor.

6. The committee shall review and approve or disapprove all applications for a certificate of need made under sections 197.300 to [197.366] **197.367**. It shall issue reasonable rules and regulations governing the submission, review and disposition of applications.

7. Members of the committee shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

8. No member of the Missouri health facilities review committee may accept a political donation from any applicant who applies for a certificate of need or review certification for a period of one year after the granting of the certificate of need or review certification or six months prior to requesting a certificate of need or review certification. If a member accepts a donation six months prior to the request for a certificate of need or review certification, it must be returned within ten business days of the filing request made by the applicant.

9. Notwithstanding the provisions of subsection 4 of section 610.025, RSMo, the proceedings and records of the facilities review committee shall be subject to the provisions of chapter 610, RSMo.

197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to [197.366] **197.367**, the committee shall notify the attorney general, and he shall apply

for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to [197.366] **197.367**.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to **the department of health and senior services for expenditures related to the operation of** the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health **care** facility in its entirety.

15. A certificate of need may be granted to a **health care** facility for an expansion, an addition of services, a new institutional **health** service[, or for a new hospital facility] which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to **health care** facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge.

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the mentally retarded.

[18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility.]

197.317. 1. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) [and], (g) **and (h)** of subdivision (10) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed pursuant to this chapter or a nursing care facility licensed pursuant to chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds.

However, after January 1, 2003, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to January 1, 2004. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section.

2. The health facilities review committee shall utilize demographic data from the office of social and economic data analysis, or its successor organization, at the University of Missouri as their source of information in considering applications for new institutional long-term care facilities.

197.318. 1. The provisions of section 197.317 shall not apply to a residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility only where the department of social services has first determined that there presently exists a need for additional beds of that classification because the average occupancy of all licensed and available residential care facility I, residential care facility II, intermediate care facility and skilled nursing facility beds exceeds ninety percent for at least four consecutive calendar quarters, in a particular county, and within a fifteen-mile radius of the proposed facility, and the facility otherwise appears to qualify for a certificate of need. The department's certification that there is no need for additional beds shall serve as the final determination and decision of the committee. In determining ninety percent occupancy, residential care facility I and II shall be one separate classification and intermediate care and skilled nursing facilities are another separate classification.

197.326. 1. Any [person] **individual** who is paid either as part of his normal employment or as a lobbyist to support or oppose any project before the health facilities review committee shall register as a lobbyist pursuant to chapter 105, RSMo, and shall also register with the staff of the health facilities review committee for every project in which such person has an interest and indicate whether such person supports or opposes the named project. The registration shall also include the names and addresses of any person, firm, corporation or association that the person registering represents in relation to the named project. Any person violating the provisions of this subsection shall be subject to the penalties specified in section 105.478, RSMo.

2. A member of the general assembly who also serves as a member of the health facilities review committee is prohibited from soliciting or accepting campaign contributions from any applicant or person speaking for an applicant or any opponent to any application or persons speaking for any opponent while such application is pending before the health facilities review committee.

3. Any [person regulated by chapter 197 or 198, RSMo,] **individual who registers pursuant to subsection 1 of this section, any applicant, and any officer, attorney, agent and employee [thereof] of such individual or applicant,** shall not offer to any committee member or to any person employed as staff to the committee, any office, appointment or position, or any present, gift, entertainment or gratuity of any kind or any campaign contribution while such application is pending before the health facilities review committee. Any person guilty of knowingly violating the provisions of this section shall be punished as follows: For the first offense, such person is guilty of a class B misdemeanor; and for the second and subsequent offenses, such person is guilty of a class D felony.

197.375. As used in sections 197.375 to 197.397, the following terms mean:

(1) **"Acute care facilities", hospitals, diagnostic imaging centers, radiation therapy centers, ambulatory surgical facilities, short stay specialty units, or facilities designed to house first-time services whether they are in a specific fixed location or a mobile unit;**

(2) **"Affected person", the person proposing the development of a new institutional acute care service, the public to be served, and acute care facilities within the service area in which the proposed new institutional acute care services is to be developed;**

(3) **"Ambulatory surgical center", any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths, and which does not provide services or other accommodations for patients to stay more than twenty-three hours within the establishment, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332, RSMo;**

[(3)] (4) **"Anesthesia and sedation", the administration to an individual, for any purpose, by any route, moderate or deep sedation as well as general, spinal, or other major regional anesthesia. Anesthesia and sedation does not include local anesthesia;**

[(4)] (5) **"Committee", the Missouri health facilities review committee established in section 197.310;**

[(5)] (6) **"Commonly controlled", the acute care facility transferring the licensed beds and the acute care facility receiving the beds as part of the same control group of entities defined in Section 414(b) and (c) of the Internal Revenue Code, as in effect from time to time; however, a not-for-profit entity will be commonly**

controlled if the transferring acute care facility is the sole corporate member of the acute care facility receiving the transfer, or the acute care facility receiving the transfer is the sole corporate member of the acute care facility transferring the beds, or both the transferring and receiving acute care facilities having the same entity as their sole corporate member, and in all cases, the sole corporate member shall retain sufficient reserve powers to be able to significantly influence the actions and policies of the acute care facilities;

[(6)] (7) "Cost", an expenditure by or on behalf of an acute care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance, except [for] costs to lease property, buildings, or equipment necessary to establish a first-time service or a new institutional acute care service shall be included in the total project cost and any sales tax paid in the process of establishing such first-time service or new institutional acute care service shall be excluded from total project cost;

[(7)] (8) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional acute care service or a first-time service, or the incurring of a financial obligation in relation to the offering of such a service;

[(8)] (9) "Expedited projects", those projects in which:

(a) The person seeking review certification is operating an acute care facility and proposes to develop a new institutional acute care service or first-time service for such facility if the proposed new institutional acute care service or first-time service is a service already being offered in an acute care facility in a contiguous state that does not have certificate of need laws that regulate the service already being offered by the acute care facility in the contiguous state; and

(b) The acute care facility proposing the new institutional acute care service or first-time service is located in a metropolitan statistical area within one hundred miles of the contiguous state in which the acute care facility in which the proposed service already being offered is located;

[(9)] (10) "Filed" or "filing", delivery to the staff of the committee the document or documents an applicant believes constitutes an application and the appropriate application fee;

[(10)] (11) "First-time services", ambulatory surgical center whose equipment and property cost is more than 1.5 million dollars; and

the following regardless of cost, that are proposed in a specific location, including an ambulatory surgical center of a mobile unit:

(a) Magnetic resonance imaging (MRI), positron emission tomography (PET), and linear acceleration (radiation therapy);

(b) Open-heart surgery;

(c) Cardiac catheterization labs;

(d) Lithotripsy units;

(e) Gamma knife;

(f) Gastrointestinal laboratories and endoscopy laboratories, and any other facility, other than a hospital or ambulatory surgical center, where anesthesia and sedation occur;

(g) Compute[d]r tomography technology; or

(h) Other emerging medical equipment and related facilities that when their functionally related components are taken together, the cost exceeds three million dollars;

(11) "Maximum permissible distance":

(a) For an acute care facility located within a metropolitan statistical area, within one mile of the acute care facility's boundary wholly measured within the same county where the existing acute care facility is located;

(b) For an acute care facility located outside a metropolitan statistical area, within five miles of the acute care facility's boundary wholly measured within the same county where the existing acute care facility is located;

(12) "Metropolitan statistical area", as defined by the United States Office of Management and Budget according to standards published in the federal register on March 30, 1990, and as subsequently revised and applied to census bureau data;

(13) "New institutional acute care service":

(a) The development of a new acute care facility without regard to financing methodologies;

(b) The acquisition or development, without regard to financing methodologies, of any first-time service;

(c) Any change in a licensed bed capacity of an acute care service facility that increases the total number of beds by more than ten beds or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(d) A reallocation by an existing hospital of more than fifty licensed beds or more than fifty percent of total licensed bed capacity of the receiving hospital, whichever is less over the lifetime of the license, between two substantially similar hospitals that are related parties or commonly controlled. The total licensed bed capacity of the receiving hospital shall be calculated as of August 28, 2002, or for a hospital licensed after August 28, 2002, the initial date of licensure;

(e) Renovation of an acute care facility in a current location whose cost is over twenty million dollars;

(14) "Nonsubstantive projects", projects that are due to an act of God and do not involve the addition, replacement, modernization, or conversion of beds or the provision of a new institutional acute care service or first-time service, but whose costs would otherwise be reviewable;

(15) "Notification projects":

(a) Emerging medical equipment and related facilities that when their functionally related components are taken together the cost is less than three million dollars;

(b) A reallocation by an existing hospital of fifty or fewer licensed beds or fifty percent or less of total licensed bed capacity of the receiving hospital, whichever is less over the lifetime of the license, between two substantially similar hospitals that are related parties or are commonly controlled;

(c) Renovation of an acute care facility in a current location whose cost is less than twenty million dollars; except that, if the renovation is less than three million dollars, no notification is required;

(d) Nonsubstantive projects;

(e) Projects pursuant to subsection 1 or 2 of section [197.387] 197.384;

(f) Any project pursuant to section 197.390;

(16) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(17) "Related parties", those acute care facilities, regardless of incorporation, which are controlled by, under the control of, or commonly controlled with the acute care facility transferring the licensed beds and the acute care facility receiving the beds;

(18) "Review certification", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project described in sections 197.375 to 197.397 sufficiently satisfies the criteria prescribed for such projects by sections 197.375 to 197.397.

197.378. The health facilities review committee for projects described in sections 197.375 to 197.397 shall:

(1) Review and approve or disapprove all applications for a review certification made pursuant to sections 197.375 to 197.397. The committee shall issue reasonable rules governing the submission, review, and disposition of applications;

(2) Notify the applicant within fifteen days of the date of filing of an application as to the completeness of such application as defined by rule;

(3) Provide written notification to affected persons located within this state at the beginning of a review. The notification may be given through publication of the review schedule in all newspapers of general circulation in the area to be served;

(4) Hold public hearings on all applications when a request in writing is filed by any affected person within thirty days from the date of publication of the notification of review;

(5) Within one hundred days of the filing of any application, issue in writing its findings of fact, conclusions of law, and its approval or denial of the review certification; provided that the committee may grant an extension of not more than thirty days on its own initiative or upon the written request of any affected person. For any expedited project, the health facilities review committee shall, within forty-five days of the filing of any application for an expedited project, issue in writing its findings of fact, conclusions of law, and its approval or denial of the review certification; provided that the committee may grant an extension of not more than twenty days on its own initiative or upon the written request of any affected person;

(6) Send to the applicant a copy of the aforesaid findings, conclusions, and decisions. Copies shall be available to any person upon request;

(7) Consider the needs and circumstances of institutions providing training programs for health personnel;

(8) Consider the predominant ethnic, cultural, or religious compositions of the residents to be served by an acute care facility in considering whether to grant a review certification;

(9) Provide for the availability, based on demonstration of need, of both medical and osteopathic facilities and services to protect the freedom of patient choice; and

(10) Failure by the committee to issue a written decision on an application for review certification within the time required by this section shall constitute approval of and the final administrative action on the application and shall be subject to appeal pursuant to section 197.387 only on the question of approval by operation of law.

197.381. 1. Any person who proposes to develop or offer a new institutional acute care service or a first-time service shall submit a letter of intent to the committee at least thirty days prior to the filing of the application unless:

- (1) The new institutional acute care service:
 - (a) Will wholly replace, within a defined and reasonable time period, an existing acute care facility owned or operated by the person who would be required to submit a letter of intent;
 - (b) Is constructed on property within the maximum permissible distance from such existing acute care facility's boundary; and
 - (c) The license of the existing acute care facility will be terminated or transferred to the new acute care facility and the new acute care facility will be licensed upon approval by the department of health and senior services;
- (2) The first-time service for which the person would otherwise be required to submit a letter of intent is the acquisition, development, or construction of a piece of equipment that:
 - (a) Is a replacement piece of equipment or an additional piece of equipment substantially similar to a piece of equipment for which a certificate of need or a review certificate has already been issued and is currently owned or operated by such person; and
 - (b) Will be placed in the same licensed location or licensed facility as the previously certified piece of equipment.

2. An application fee shall accompany each application for a review certification. The time of filing commences with the receipt of the application and the fee. The fee shall be one thousand dollars or one-tenth of one percent of the total project, whichever is greater. All application fees shall be deposited in the state treasury. The general assembly will appropriate funds to the department of health and senior services for expenditures related to the operation of the health facilities review committee.

197.384. 1. For the purpose of submitting an application for review certification, any person who proposes to develop or offer a new institutional acute care service shall obtain a review certification from the committee prior to the time such services are offered unless the new institutional acute care service:

- (1) Will wholly replace, within a defined and reasonable time period, an existing acute care facility owned or operated by the person who would be required to submit a letter of intent;
- (2) Is constructed on property within the maximum permissible distance from such existing acute care facility's boundary; and
- (3) The license of the existing acute care facility will be terminated or transferred to the new acute care facility and the new acute care facility will be licensed upon approval by the department of health and senior services.

2. Any person who proposes to develop or offer a first-time service shall obtain a review certification from the committee prior to the time such services are offered unless the first-time service for which the person would otherwise be required to submit a letter of intent is the acquisition, development, or construction of a piece of equipment that:

- (1) Is a replacement piece of equipment or an additional piece of equipment substantially similar to a piece of equipment for which a certificate of need or a review certificate has already been issued and is currently owned or operated by such person; and
- (2) Will be placed in the same licensed location or licensed facility as the previously certified piece of equipment.

Any person who proposes to replace a facility described in subdivision (1), (2), or (3) of subsection 1 of this section shall, no later than sixty days immediately prior to the date of the initiation of the construction process to begin replacement, conduct a public hearing regarding the project. Notice of hearing shall be given by publication in major newspapers of general circulation in the area to be served for four consecutive weeks prior to the hearing date. The Missouri facilities review committee shall notify all licensed acute care facilities within the service area in which the proposed new institutional acute care service is to be developed not less than thirty days prior to the hearing date.

4. Any person who proposes to add new, not previously licensed, beds to an existing hospital shall obtain

a review certification, but shall not preclude the addition or transfer of beds without review certification as defined in paragraphs (c) and (d) of subdivision (13) of section 197.375.

5. Any person who proposes to renovate an acute care facility in a current location whose cost is over twenty million dollars shall obtain a review certification.

6. Only those new institution acute care services or first-time services that are found by the committee to meet the health needs of the community served shall be granted a review certification.

7. A review certification shall be issued only for the premises and persons named in the application and is not transferable except by the consent of the committee.

8. Project cost increases, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

9. Periodic reports to the committee shall be required of any applicant who has been granted a review certification until the project has been completed. The committee may order the forfeiture of the review certification upon failure of the applicant to file any such report.

10. A review certification shall be subject to forfeiture for failure to incur capital expenditures within twelve months after the date of the order. The applicant may request two extensions from the committee to avoid forfeiture. In any case, regardless of any extensions that may be granted, if after one year no capital expenditure has been made, the total statewide count of the services in question shall not reflect the units undeveloped.

11. No state agency charged by statute to license or certify acute care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed and is required to have a review certification, without first obtaining a review certification.

12. No state agency shall appropriate or grant funds to or make payment of any funds to any person or acute care facility that has not first obtained every review certification required pursuant to sections 197.375 to 197.397.

13. If any person proposes to develop any new institutional health care service without a review certification as required by sections 197.375 to 197.397, the committee shall notify the attorney general and the attorney general shall seek an injunction or apply for other appropriate legal action in any court of this state against such person.

14. In no event shall a review certification be denied because the applicant refuses to provide abortion services or information.

15. A review certification shall not be required for the transfer of ownership of an existing and operational acute care facility in its entirety or for the conversion by a hospital of mobile first-time service to a first-time service in a permanent fixed location if the hospital previously received a certificate of need or review certificate for the mobile first-time service.

16. A review certification may be granted for something less than that which was sought in the original application.

17. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a review certification shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficiency and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a review certification must be obtained for continued use in such facility.

18. The provisions of section 197.326 shall apply to projects described in sections 197.375 to 197.397. 197.387. Within thirty days of the decision of the committee, the applicant may file an appeal pursuant to chapter 621, RSMo. Any subsequent appeal venue shall be the circuit court in the county within which such new institutional acute care service or first-time service is proposed to be developed, or the Cole County circuit court, at the applicant's discretion.

197.390. Review certification is not required for:

(1) Acute care facilities operated by the state. Appropriation of funds to such facilities by the general assembly shall be in compliance and such facilities shall be deemed to have received an appropriate review certification without any fee or charge;

(2) Notification projects pursuant to subdivision (16) of section 197.375 or nonsubstantive projects pursuant to subdivision (15) of section 197.375; except that, any person who wishes to pursue a notification project shall notify the committee in writing advising the committee of the nature of the project, the statutory authorization for classification as a notification project, and submit a verified statement of facts in support of

such classification.

197.393. For the purposes of reimbursement pursuant to section 208.152, RSMo, project costs for new institutional acute care services in excess of ten percent of the initial project estimate unless approval was obtained pursuant to subsection 8 of section 197.384 shall not be eligible for reimbursement for the first three years that a facility receives payment for services provided pursuant to section 208.152, RSMo. The initial estimate shall be that amount for which the original review certificate was obtained. Reimbursement for these excess costs after the first three years shall not be made until a review certification has been granted for the excess project costs. The provisions of this section shall apply only to facilities which file an application for a review certification or make application for cost-overrun review of their original application or waiver.

197.397. The committee shall have the power to promulgate reasonable rules, regulations, criteria, and standards in conformity with this section and chapter 536, RSMo, to meet the objectives of sections 197.300 to 197.397 including the power to establish criteria and standards to review new types of equipment or service. 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 197.300 to 197.397 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. All rulemaking authority delegated prior to August 28, 2002, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 2002, if it fully complied with all applicable provisions of the law. 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, 2002, shall be invalid and void.

[197.311. No member of the Missouri health facilities review committee may accept a political donation from any applicant for a license.]

[197.366. The provisions of subdivision (8) of section 197.305 to the contrary notwithstanding, after December 31, 2001, the term "health care facilities" in sections 197.300 to 197.366 shall mean:

- (1) Facilities licensed under 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 chapter 197.]”;

Further amend said title accordingly.

Representative Harlan raised a point of order that **House Amendment No. 3** is not germane to the bill and amends previously amended material.

The Chair ruled the point of order not well taken.

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

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 105, Section 3, Line 20, by deleting all of said section; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Willoughby assumed the Chair.

Representative Abel resumed the Chair.

On motion of Representative Graham, **House Amendment No. 4** was adopted by the following vote:

AYES: 082

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Bonner	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Farnen	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Henderson	Hendrickson	Hohulin	Holt
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Paone	Phillips
Portwood	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright	Mr. Speaker			

NOES: 071

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boucher	Bowman	Bray 84	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Foley	Franklin	Fraser
Gambaro	George	Green 15	Hagan-Harrell	Harding
Harlan	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Purgason	Ransdall	Relford	Reynolds
Rizzo	Scheve	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Boykins	Britt	Brooks	Green 73
Hosmer	Hunter	Lawson	Long	

VACANCIES: 001

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

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, by inserting in the appropriate location the following:

"288.037. 1. The term "employer" shall include any Indian tribe for which service in employment as defined in section 288.034 is performed.

2. The term "employment" shall include service performed in the employ of an Indian tribe, as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), provided such service is excluded from "employment" as defined in FUTA solely by reason of Section 3306(c)(7), FUTA, and is not otherwise excluded from "employment" under this chapter. For purposes of this section, the exclusions from employment in subsection 9 of section 288.034 shall be applicable to services performed in the employ of an Indian tribe.

3. Benefits based on service in employment defined in this section shall be payable in the same amount, on the same terms, and subject to the same conditions as benefits payable on the basis of other service subject to this chapter. The provisions of subsection 3 of section 288.040 pertaining to services performed at an educational institution while in the employ of an "educational service agency" shall apply to services performed in an educational institution or educational service agency wholly owned and operated by an Indian tribe or tribal unit.

4. (1) Indian tribes or tribal units, including subdivisions, subsidiaries, or business enterprises wholly owned by such Indian tribes, subject to this chapter shall pay contributions under the same terms and conditions as all other subject employers, unless they elect to pay into the state unemployment fund amounts equal to the amount of benefits attributable to service in the employ of the Indian tribe. An Indian tribe and all tribal units of such Indian tribe shall be jointly and severally liable for any and all contributions, payments in lieu of contributions, interest, penalties, and surcharges owed by the Indian tribe and all tribal units of such Indian tribe.

(2) Indian tribes electing to make payments in lieu of contributions must make such election in the same manner and under the same conditions as provided in subsection 3 of section 288.090 pertaining to state and local governments and nonprofit organizations subject to this chapter. Indian tribes will determine if reimbursement for benefits paid will be elected by the tribe as a whole, by individual tribal units, or by combinations of individual tribal units. Termination of an Indian tribe's coverage pursuant to subdivision (5) of this subsection shall terminate the election of such Indian tribe and any tribal units of such Indian tribe to make payments in lieu of contributions.

(3) Indian tribes or tribal units will be billed for the full amount of benefits attributable to service in the employ of the Indian tribe or tribal unit on the same schedule as other employing units that have elected to make payments in lieu of contributions.

(4) Any Indian tribe or tribal unit that elects to become liable for payments in lieu of contributions shall be required, prior to the effective date of its election, to post with the division a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the Indian tribe or tribal unit was liable in the last calendar year in which it accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties, and surcharges for which the Indian tribe or tribal unit may be, or becomes, jointly and severally liable pursuant to this chapter.

(5) Failure of the Indian tribe or tribal unit to maintain the required surety bond, including the posting of an additional surety bond or a replacement surety bond within ninety days of being directed by the division, will cause services performed for such Indian tribe to not be treated as "employment" for purposes of subsection 2 of this section.

(6) The director may determine that any Indian tribe that loses coverage under subdivision (5) of this subsection, may have services performed for such tribe again included as "employment" for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid. Upon reinstatement of coverage under this subdivision, an Indian tribe or any tribal unit may elect, in accordance with the provisions of this subsection, to make payments in lieu of contributions.

(7) If an Indian tribe fails to maintain the required surety bond by posting an additional surety bond or a replacement surety bond within ninety days of being directed by the division, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

(8) Notices of surety bond deficiency to Indian tribes or their tribal units shall include information that failure to post an additional surety bond or a replacement surety bond within the prescribed time frame:

(a) Will cause the Indian tribe to be liable for taxes under FUTA;

(b) Will cause the Indian tribe to be excepted from the definition of "employer," as provided in

subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from "employment".

5. (1) Failure of the Indian tribe or tribal unit to make required payments, including assessments of interest and penalty, within ninety days of receipt of the bill will cause services performed for such Indian tribe to not be treated as "employment" for purposes of subsection 2 of this section.

(2) The director may determine that any Indian tribe that loses coverage under subdivision (1) of this subsection, may have services performed for such tribe again included as "employment" for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid.

(3) If an Indian tribe fails to make payments required under this section, including assessments of interest and penalty, within ninety days of a final notice of delinquency, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

6. Notices of payment and reporting delinquency to Indian tribes or their tribal units shall include information that failure to make full payment within the prescribed time frame:

(1) Will cause the Indian tribe to be liable for taxes under FUTA;

(2) Will cause the Indian tribe to be excepted from the definition of "employer", as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from "employment".

7. Extended benefits paid that are attributable to service in the employ of an Indian tribe and not reimbursed by the federal government shall be financed in their entirety by such Indian tribe."; and

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

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

Representative Van Zandt offered **House Amendment No. 6**.

House Amendment No. 6 was withdrawn.

Representative Kelly (27) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"Section 4. 1. Any skilled nursing facility licensed pursuant to chapter 198, RSMo, that provides health care and related services which are paid to or reimbursed by the state of Missouri to such facility in a total amount in excess of one hundred thousand dollars in a calendar year shall not use any such state moneys for any purpose not treated as an allowable cost under Medicare

2. Any skilled nursing facility that makes expenditures that are not treated as allowable costs under Medicare shall maintain sufficient records to show that no state moneys are used for such expenditures. The facility shall, upon request, provide such records to the division of medical services within the department of social services. Such records shall be subject to audit by the state of Missouri.

3. Any facility subject to this section shall annually submit certification to the division of medical services that no state moneys will be expended for any purpose treated as an allowable cost under Medicare. Any facility that does not submit such annual certification shall be subject to a fine of not less than five hundred dollars and fifty dollars a day for each day such certification is not provided to the division.

4. Any skilled nursing facility that fails to maintain or provide the division with the records required in this section when requested by the division shall be subject to a fine of not less than one thousand dollars and one hundred dollars a day for each day such records are not maintained or provided to the division.

5. Any skilled nursing facility that expends state moneys in violation of this section is liable to the state

for double the amount of any state moneys expended in violation of this section. For purposes of accounting expenditures, if state moneys and other moneys are commingled, any expenditure made for any purpose treated as an allowable cost under Medicare shall be allocated between state moneys and other moneys on a pro rata basis.

6. Any person may file a complaint with the division of medical services if such person believes that a skilled nursing facility is expending state moneys in violation of this section. Upon the filing of such complaint, the director of the division shall, within five business days, direct the facility to produce sufficient records and documentation to show that no state moneys have been or are being expended in violation of this section.

7. Any person who knowingly authorizes the use of state moneys for any purpose prohibited by this section shall be liable to the state for double the amount of such expenditures.

8. Nothing in this section shall be construed as prohibiting any individual from filing a cause of action for a violation of this section.

Section 5. 1. A skilled nursing facility subject to the provisions of this section shall not discharge, demote, threaten, or otherwise discriminate against any individual or employee with respect to compensation, terms, conditions, or privileges of employment because such individual or employee, or any person acting at the request of the employee, provided or attempted to provide information regarding possible violations of section 2 of this act.

2. Any individual, employee, or former employee subject to this section who believes that he or she has been discharged or otherwise discriminated against in violation of this section may file a civil action within three years of the date of such discharge or discrimination.

3. If a court of competent jurisdiction finds by a preponderance of the evidence that a violation of this section has occurred, the court may grant such relief as it may consider appropriate, including but not limited to:

- (1) Reinstatement of the employee to the employee's former position;
- (2) Compensatory damages, costs, and reasonable attorney fees; and
- (3) Other relief to remedy the past discrimination.

4. The protections of this section shall not apply to any individual, employee, or former employee who:

- (1) Deliberately causes or participates in the alleged violation of law or rule; or
- (2) Knowingly or recklessly provides substantially false information to the division of medical services.";

and

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

On motion of Representative Kelly (27), **House Amendment No. 6** was adopted.

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

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining senior housing within its corporate limits."; and

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

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

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

House Amendment No. 8 was withdrawn.

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

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopy machine.

2. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

3. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

4. Effective February first of each year, the handling fee and per page fee listed in subsection 1 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for all urban consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted handling and per page fees on the department's Internet website by February first of each year.

[191.233. The limits provided in section 191.227 shall be increased or decreased on an annual basis effective January first of each year in accordance with the Health Care Financing Administration Market Basket Survey.]; and

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

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

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

Representative Ladd Baker raised a point of order that **House Amendment No. 9** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location:

“Section 1. No health care provider, including any corporation which delivers, or purports to deliver, any health care, shall be eligible to receive payments from any medical assistance program, as defined by Section 191.900(7), if an officer or director of such provider has been convicted, in state or federal court, of criminal fraud against a medical assistance program.

Section 2. Any official having the authority to prosecute health care fraud and abuse shall also have the authority to seek an injunction prohibiting health care payments in violation of section 1.”; and

Further amend the title and enacting clause accordingly.

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

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

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"Section 1. 1. For purposes of chapters 193, 333, and 436, RSMo, and where not otherwise defined, the term "next of kin" means the following persons in the priority listed if such person is eighteen years of age or older and is mentally competent:

- (1) Surviving spouse;
- (2) Any surviving child of the deceased. If a surviving child is less than eighteen years of age and has a legal or natural guardian, such child shall not be disqualified on the basis of the child's age and such child's legal or natural guardian, if any, shall be entitled to serve in the place of the child;
- (3) Any surviving parent of the deceased. If the deceased was a minor, the surviving parent for purposes of determining next of kin is the parent who had custody of the minor. If the deceased was a minor and the deceased's parents had joint custody, the surviving parent for purposes of determining next of kin is the parent whose home was the minor child's residence for purposes of mailing and education;
- (4) Any surviving brother or sister of the deceased. If the deceased had more than one brother or sister, then the surviving brother or sister for purposes of determining next of kin is the eldest brother or sister;
- (5) The next nearest surviving relative of the deceased by consanguinity or affinity;
- (6) Any person or friend who assumes financial responsibility for the disposition of the deceased's remains if no next of kin assumes such responsibility;
- (7) The county coroner or medical examiner; provided however that such assumption of responsibility shall not make the coroner, medical examiner, county, or this state financially responsible for the cost of disposition.

2. In any civil cause of action against a funeral director or funeral establishment for actions taken regarding the funeral arrangements for a deceased person in their care, the relative fault, if any, of such funeral director or establishment may be reduced if such actions were reasonable and taken in reliance upon a person's claim to be the deceased person's next of kin."; and

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

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

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

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 15, Section 197.318, Line 24 of said page, by adding the following after the word “category.”:

“Notwithstanding the preceding provision of law, any facility licensed pursuant to chapter 198, RSMo, and located in a city not within a county may, on or before December 31, 2003, relocate up to one hundred of such facility’s current licensed beds to a newly constructed facility to be licensed within the same licensure category and located in a county that is adjoining the city not within a county if both facilities are under the same licensure ownership or control.”; and

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

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

Representative Monaco assumed the Chair.

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

House Amendment No. 12 was withdrawn.

On motion of Representative Harlan, **HS HCS SS SCS SBs 670 & 684, as amended**, was adopted.

On motion of Representative Harlan, **HS HCS SS SCS SBs 670 & 684, as amended**, was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Myers	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson

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Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

Bartelsmeyer	Berkstresser	Hartzler	Hohulin	Marble
Miller	Murphy	Naeger	Roark	Robirds

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Boykins	Brooks	Burcham	Champion
Cierpiot	Crump	Foley	Franklin	Graham
Green 73	Harlan	Henderson	Liese	Lograsso
Long	O'Toole	Ransdall	Richardson	Scheve
Troupe				

VACANCIES: 001

Representative Gambaro assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

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

SS SCS HS HCS HB 1962: Representatives Monaco, Clayton, Smith, Richardson and Crowell

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 712, as amended**, and has taken up and passed **CCS HS HCS SCS SB 712**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 840** and has taken up and passed **HCS SS SCS SB 840**.

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 SCS SB 1202**, and has taken up and passed **CCS HCS SCS SB 1202**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1270 & HB 2032, as amended**: Senators Westfall, Foster, Sims, Caskey and Stoll.

BILL IN CONFERENCE

CCR SCS HB 2120, relating to the value of property, was taken up by Representative Ridgeway.

On motion of Representative Ridgeway, **CCR SCS HB 2120** was adopted by the following vote:

AYES: 143

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Boykins	Brooks	Champion
Crump	Foley	Franklin	Green 73	Harlan
Kelly 27	Liese	Lograsso	Long	O'Toole
Ransdall	Richardson	Scheve	Troupe	

VACANCIES: 001

On motion of Representative Ridgeway, **CCS SCS HB 2120** was read the third time and passed by the following vote:

AYES: 141

Abel	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	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Linton	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
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Boykins	Brooks	Byrd
Clayton	Daus	Foley	Franklin	Graham
Green 73	Harlan	Hosmer	Kelly 27	Lawson
Liese	Lograsso	Long	Richardson	Scheve
Troupe				

VACANCIES: 001

Representative Gambaro declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 680, as amended, relating to the Missouri Commission on Obesity, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS HCS SCS SB 680, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR#2 HCS SB 795, relating to boiler and pressure vessels safety fund, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR#2 HCS SB 795** was adopted by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scott	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright				

NOES: 003

Hohulin	St. Onge	Wagner
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PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Ballard	Boykins	Brooks	Foley
Franklin	Graham	Green 73	Harlan	Hosmer
Kelley 47	Kelly 27	Liese	Lograsso	Long
Moore	Richardson	Scheve	Schwab	Secrest
Shields	Wilson 42	Mr. Speaker		

VACANCIES: 001

On motion of Representative Treadway, **CCS HCS SB 795** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Wilson 25
Wilson 42	Wright			

NOES: 003

Hohulin	St. Onge	Mr. Speaker
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PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Boykins	Brooks	Burton
Byrd	Foley	Graham	Green 73	Harlan

Henderson	Johnson 90	Kelley 47	Kelly 27	Liese
Lograsso	Long	Mays 50	Moore	Richardson
Schwab	Willoughby			

VACANCIES: 001

Representative Gambaro declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HCS HB 1898, relating to a tax on retail pharmacies, was taken up by Representative Campbell.

Representative Campbell moved that the House refuse to adopt **SS SCS HCS HB 1898** 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

SB 1011, relating to waste tires, was taken up by Representative Monaco.

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

House Amendment No. 1

AMEND Senate Bill No. 1011 by inserting in the appropriate location the following section:

"Section 1. Notwithstanding any provisions of law to the contrary, any utility unit, as defined in Title IV of the federal Clean Air Act, 42 U.S.C. Section 7851a, that uses coal-fired cyclone boilers which also burn tire derived fuel shall limit emissions of oxides of nitrogen to a rate no greater than eighty percent of the emission limit for cyclone-fired boilers in Title IV of the federal Clean Air Act and implementing regulations in 40 CFR Part 76, as amended. The provisions of this section shall expire on April 30, 2004, or upon the effective date of a revision to 10 CSR 10-6.350, whichever later occurs. The director of the department of natural resources shall notify the revisor of statutes of the effective date of a revision to 10 CSR 10-6.350."; and

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

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

On motion of Representative Monaco, **SB 1011, as amended**, was read the third time and passed by the following vote:

AYES: 131

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Burcham	Burton	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver

Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer
Marble	Marsh	May 149	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Secrest	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Foley	Franklin	Graham
Green 73	Harlan	Hickey	Hunter	Johnson 61
Kelly 27	Liese	Lograsso	Long	Luetkenhaus
Mayer	Mays 50	McKenna	Richardson	Roark
Schwab	Scott	Shields	Townley	Van Zandt
Mr. Speaker				

VACANCIES: 001

Representative Gambaro declared the bill passed.

Representative Monaco assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 1508, relating to outdoor advertising, was taken up by Representative Koller.

On motion of Representative Koller, **SCS HB 1508** was adopted by the following vote:

AYES: 117

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump

Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mays 50	Merideth	Miller	Monaco	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 012

Behnen	Boatright	Henderson	Hohulin	Jetton
Kelly 144	Moore	Murphy	Phillips	Purgason
Roark	Shoemaker			

PRESENT: 000

ABSENT WITH LEAVE: 033

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Carnahan	Foley	Graham
Green 73	Harlan	Hartzler	Hegeman	Hickey
Hunter	Johnson 61	Johnson 90	Liese	Lograsso
Long	Marble	Mayer	McKenna	Reid
Richardson	Schwab	Scott	Townley	Troupe
Van Zandt	Williams	Mr. Speaker		

VACANCIES: 001

On motion of Representative Koller, **SCS HB 1508** was truly agreed to and finally passed by the following vote:

AYES: 115

Abel	Barnett	Barnitz	Bartle	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer

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Luetkenhaus	Marsh	May 149	Mays 50	Merideth
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 013

Bartelsmeyer	Behnen	Boatright	Henderson	Hohulin
Jetton	Kelly 144	Miller	Moore	Phillips
Purgason	Roark	Shoemaker		

PRESENT: 000

ABSENT WITH LEAVE: 034

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Carnahan	Cierpiot	Foley
Franklin	Graham	Green 73	Harlan	Hegeman
Hollingsworth	Hunter	Johnson 61	Kelly 27	Liese
Lograsso	Long	Marble	Mayer	McKenna
Monaco	Richardson	Scheve	Schwab	Scott
Townley	Van Zandt	Williams	Mr. Speaker	

VACANCIES: 001

Representative Monaco declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SBs 923, 828, 876, 694 & 736, relating to children and families, was taken up by Representative Barry.

Representative Barry offered **HS HCS SS SCS SBs 923, 828, 876, 694 & 736**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location the following:

"210.485. 1. Any owner or operator of a for-profit child-placing agency or residential care facility licensed pursuant to sections 210.481 to 210.536, **or any owner or operator of a residential care facility operated by a well-known religious order or church exempt from licensure pursuant to subdivision (4) of subsection 1 of section 210.516** may be held civilly liable for any injury to another person or damage to property which occurs outside such facility and is caused by a child who is absent without authorization or approval from the facility but who is in the care of such facility. Such civil liability shall be determined in the same manner and amounts as provided for parents in section 211.185, RSMo. Nothing in this section shall alter, impair or otherwise affect other claims, rights or remedies

available pursuant to law.

2. The state of Missouri and any political subdivision thereof shall not be subject to civil liability pursuant to subsection 1 of this section.

210.513. 1. Notwithstanding the licensure exemption for residential care facilities operated by well-known religious orders or churches pursuant to subdivision (4) of subsection 1 of section 210.516, such facilities shall be inspected annually for compliance with fire and safety codes by officials of the local fire district or state fire marshal, or the state fire marshal's designee, and for compliance with health and sanitation codes by officials of the local health department or the department of health and senior services.

2. Any residential care facility subject to this section may request a variance from any rule promulgated pursuant to this section. The request for a variance shall be made in writing to the department of social services and include the reasons for the requested variance.

3. The department shall implement the provisions of this section in consultation with the state fire marshal, local fire districts, the department of health and senior services, and the local health departments. The department shall promulgate rules to implement and administer this section, and shall provide technical assistance and support to residential care facilities operated by well-known religious orders or churches that are seeking to comply with the department's rules.

4. Nothing in this section shall be construed as authorizing the department or any other governmental entity to interfere with:

- (1) The program, curriculum, ministry, teaching, or instruction offered in such residential care facility;
- (2) The selection, certification, minimal formal educational degree requirements, supervision, or terms of employment of the personnel of such residential care facility;
- (3) The selection of the members of the governing body of such residential care facility; or
- (4) The selection of children enrolled in such residential care facility.

5. If after providing technical assistance and a reasonable period of time for compliance with the rules promulgated pursuant to this section the department determines the residential care facility remains noncompliant, the department shall provide written notice to the facility of the noncompliance and provide an additional twenty days to reach compliance. If after such twenty-day period the facility remains noncompliant, the department shall notify the prosecuting attorney of the county where the facility is located regarding the noncompliance.

210.514. 1. Any residential care facility operated by a well-known religious order or church pursuant to the exempt status recognized in subdivision (4) of subsection 1 of section 210.516 shall upon enrollment of any child provide the parent or guardian enrolling the child two copies of a notice of parental responsibility, one copy of which shall be retained in the files of the facility after the enrolling parent acknowledges, by signature, having read and accepted the information contained therein.

2. The notice of parental responsibility shall include the following:

(1) Notification that the facility is exempt as a religious organization from state licensing and therefore not inspected or supervised by the department other than as provided herein and that the facility has been inspected by those designated in section 210.513 and is complying with the fire, safety, health, and sanitation requirements of section 210.513;

(2) The names, addresses, and telephone numbers of agencies and authorities which inspect the facility for fire, safety, health, and sanitation and the date of the most recent inspection by each;

(3) The staff-to-child ratios for enrolled children as required by rule of the department, the actual staff-to-child ratio for the facility, and the total number of children to be enrolled by the facility;

(4) Notification that background checks have been conducted on each individual employee of the facility. The background check shall be conducted upon employment and every two years thereafter on each individual employee of the facility. Such background check shall include a screening for child abuse or neglect through the department, and a criminal record review through the Missouri highway patrol pursuant to section 43.540, RSMo;

(5) The disciplinary philosophy and policies of the facility; and

(6) The educational philosophy and policies of the facility.

3. A copy of the notice of parental responsibility, signed by the principal operating officer of the exempt facility and the individual primarily responsible for the religious organization conducting the facility and copies of the annual fire, safety, health, and sanitation inspections shall be filed with the department five days prior to the start of operation of the facility and annually thereafter.

210.515. 1. Any person who violates any provision of section 210.513 or 210.514, or if any other person makes materially false statements in the notice of parental responsibility required in section 210.514 shall be guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and shall be guilty of a class A misdemeanor for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a facility for violating any provision of section 210.513 or 210.514. The order shall remain in force until such a time as the court determines that the facility is in substantial compliance.

3. In cases of imminent bodily harm to children in the care of a facility, the department may file suit in the circuit court of the county in which the facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility, or closing the facility.

210.516. 1. It shall be unlawful for any person to establish, maintain, or operate a foster home, residential care facility, or child placing agency, or to advertise or hold himself **or herself** out as being able to perform any of the services as defined in sections 210.481 to 210.536, without having in full force and effect a license issued by the division; provided, however, that nothing in sections 210.481 to 210.536 shall apply to:

(1) Any [residential care facility operated by a person in which the care provided is in conjunction with an educational program for which a tuition is charged and completion of the program results in meeting requirements for a diploma recognized by the state department of elementary and secondary education;

(2) Any camp, hospital, sanitarium, or home which is conducted in good faith primarily to provide recreation, medical treatment, or nursing or convalescent care for children;

(3)] hospital licensed under chapter 197, RSMo;

(2) Any person who receives free of charge, and not as a business, for periods of time not exceeding ninety consecutive days, the child of personal friends of such person as an occasional and personal guest, and who receives custody of no other unrelated child;

[(4)] (3) Any child placing agency operated by the department of mental health or any foster home or residential care facility operated or licensed by the department of mental health under sections 630.705 to 630.760, RSMo, which provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005, RSMo;

[(5)] (4) Any foster home arrangement, **residential care facility, or child placement agency** established and operated by any well-known religious order or church [and any residential care facility or child placement agency operated by such organization] **that qualifies or would qualify for federal tax exempt status as a nonprofit religious organization under section 501(c) of the Internal Revenue Code;** or

[(6)] (5) Any institution or agency maintained or operated by the state, city or county.

2. [The division shall not require any foster home, residential care facility, or child placing agency which believes itself exempt from licensure as provided in subsection 1 of this section to submit any documentation in support of the claimed exemption; however said foster home, residential care facility, or child placing agency is not precluded from furnishing such documentation if it chooses to do so.] **Notwithstanding the provisions of subdivision (4) of subsection 1 of this section, no residential treatment facility shall be exempt from licensure if such facility receives any state or federal funds for providing child care.**

3. Any facility exempt from licensure pursuant to subsection 1 of this section shall forfeit its exempt status upon notification by the division of family services that the division has a total of three reports of child abuse or neglect involving the facility, its administrator, or its employees that have resulted in a substantiated report of probable cause to suspect child abuse or neglect."; and

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

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Bray 84	Brooks	Lawson	Marsh
Ostmann	Ridgeway	Van Zandt		

VACANCIES: 001

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Barry 100	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Fares	Farnen	Foley	Franklin	Fraser

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George	Graham	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Lowe	Mays 50	McKenna
Monaco	O'Toole	Paone	Relford	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Walker	Walton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 091

Barnett	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Davis
Dempsey	Dolan	Enz	Froelker	Gambaro
Gaskill	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hoppe	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	St. Onge	Surface
Townley	Vogel	Ward	Whorton	Willoughby
Wright				

PRESENT: 002

Shoemaker	Shoemyer
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ABSENT WITH LEAVE: 011

Abel	Baker	Ballard	Brooks	Lawson
Marsh	O'Connor	Ostmann	Rizzo	Scheve
Wagner				

VACANCIES: 001

Representative Kelley (47) requested a verification of the roll call on the motion to adopt **House Amendment No. 1.**

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 13, Section 210.001, Lines 8 and 9, by inserting an open bracket “[“ around “(5)” and a closed bracket “]” around “center,”; and

Further amend said bill, said section, said page, Line 8, by inserting in lieu thereof the following:

“(5) **The Greene County child assessment center;**”; and

Further amend said bill, said section, said page, Line 16, by striking the word “**and**”; and

Further amend said bill, said section, said page, Line 17, by striking “**center.**” and inserting in lieu thereof “**center; and**”; and

Further amend said bill, said section, said page, Line 18, by inserting on said line the following:

“(14) **The Lakes Area child assessment center.**”; and

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

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

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

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Smith assumed the Chair.

Representative Monaco resumed the Chair.

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

Representative Crowell raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

Representative Barry raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Barry requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

Representative Barry raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Barry requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 15, Section 210.145, Line 21, by inserting after “observation.” the following:

“If the parents of the child are not the alleged abusers, the parents of the child must be notified prior to the child being interviewed by the division. The division shall not meet with the child in any location where abuse of such child is alleged to have occurred.”; and

Further amend said section, Page 16, Line 11 of said page, by inserting an opening bracket immediately before the word “public”; and

Further amend Line 12 of said page by inserting a closing bracket immediately after the period; and

Further amend Line 11 after the word “the” by inserting the following:

“superintendent of each school district shall designate a specific person or persons to act as the public school district liaison.”; and

Further amend Line 15 of said page by inserting at the end of said line the following:

“Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R. Part 99.”.

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

Speaker Pro Tem Abel resumed the Chair.

Representative Ladd Baker offered **House Amendment No. 4**.

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

The Chair ruled the point of order well taken.

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

Representative Barry raised a point of order that **House Amendment No. 4** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 45, Section 294.030, Line 23, by changing the "9" to an "**11**"; and

Further amend said bill, Line 22, by changing the "7" to a "**9**".

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

The Chair ruled the point of order not well taken.

HCS SS SCS SBs 923, 828, 876, 694 & 736, with House Amendment No. 4 and HS, as amended, pending, was laid over.

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 **SS SCS HB 1898** 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 adopted the Conference Committee Report on **SCS HB 2120** and has taken up and passed **CCS SCS HB 2120**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 670 & 684, as amended**, and requests that the House recede from its position or, 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 **HA1 to SB 1011** and has taken up and passed **SB 1011, as amended**.

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 1026, as amended**, and has taken up and passed **CCS HS SCS SB 1026**.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SBs 670 & 684, as amended, relating to the protection of the elderly, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HS HCS SS SCS SBs 670 & 684, as amended**, and grant the Senate a conference.

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:

SS SCS HB 1898: Representatives Campbell, Foley, Harlan, Naeger and Hunter

COMMITTEE REPORTS

Committee on Agriculture, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HR 1864**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 1864

Whereas, the world's most famous name in fast food is McDonald's, a business which was started in 1954 by Ray Kroc in San Bernardino, California; and

Whereas, Ray Kroc, the original founder of McDonald's, believed that only the best quality of products should be used in his restaurants; and

Whereas, while McDonald's uses only 100% pure beef in its hamburgers, not all of the beef in McDonald's hamburgers is 100% American beef; and

Whereas, as the nation's largest buyer of beef and with more than 28,000 restaurants worldwide, the McDonald's Corporation should return to Ray Kroc's philosophy by exclusively utilize the United States beef industry and using only 100% American beef in all its restaurants; and

Whereas, the Agricultural Marketing Act of 1946 provided the United States Department of Agriculture the authority to establish standards for the grading and classification of United States agricultural products; and

Whereas, these standards have become recognized around the world as the mark of United States excellence and quality, making the quality of beef produced in the United States second to none; and

Whereas, the United States consumers and beef producers "need a break today" and expect McDonald's, the most popular fast food chain in the nation, to utilize the best quality of beef available on the market in its hamburgers; and

Whereas, since the "Golden Arches" of McDonald's have become as American as apple pie and baseball, consumers deserve nothing less than 100% American beef in their McDonald's hamburgers:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, urge the McDonald's Corporation to exclusively utilize the United States beef industry and use only 100% American beef in all its 28,000 restaurants around the world; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Jack M. Greenberg, Chairman and Chief Executive Officer of the McDonald's Corporation.

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SS#2 SB 1191**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SS#2 SCS SBs 1279, 1162 & 1164**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 73**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SBs 1112 & 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 1112 & 854 - Fiscal Review and Government Reform (Fiscal Note)

HCS SS#2 SB 1191 - Fiscal Review and Government Reform (Fiscal Note)

HCS SS#2 SCS SBs 1279, 1162 & 1164 - Fiscal Review and Government Reform (Fiscal Note)

SB 1095 - Criminal Law

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Lawson is no longer a member of the Fiscal Review and Government Reform Committee.

Representative Liese has been appointed a member of the Fiscal Review and Government Reform Committee.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 895**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 895, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 895, as amended;
2. That the Senate recede from its position on Senate Bill No. 895;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 895, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel
/s/ Sen. Doyle Childers
/s/ Sen. Bill Foster
/s/ Sen. John Schneider
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Chris Liese
/s/ Rep. Ralph Monaco
/s/ Rep. Dan Ward
/s/ Rep. Blaine Luetkemeyer
/s/ Rep. Mark Wright

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 712**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, with House Amendment Nos. 1, 2, House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment Nos. 4, 5, 8 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 712;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Marvin Singleton
/s/ Sarah Steelman
/s/ Chuck Gross
/s/ Harold Caskey
/s/ Ed Quick

FOR THE HOUSE:

/s/ Jim O'Toole
/s/ Craig Hosmer
/s/ Connie Johnson
/s/ Susan Phillips

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1202**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 1202;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. John Russell
/s/ Sen. John Cauthorn
/s/ Sen. Danny Staples
/s/ Sen. Wayne Goode

FOR THE HOUSE:

/s/ Rep. Don Koller
/s/ Rep. Katherine Hollingsworth
/s/ Rep. Mark Hampton
/s/ Rep. Richard Byrd
/s/ Rep. Delbert Scott

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 810**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810 with House Amendment Nos. 1, 2, 3, 4 and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment Nos. 1 and 4 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810;
2. That the Senate recede from its position on House Amendment Nos. 2, 3 and 5 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810;
3. That Conference Committee Amendment No. 1 be adopted; and
4. That House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, with House Amendment Nos. 2, 3 and 5, and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Pat Dougherty
/s/ Steve Stoll
/s/ Roseann Bentley
/s/ Betty Sims

FOR THE HOUSE:

/s/ Lana Ladd Baker
/s/ Tim Harlan
/s/ Chuck Graham
/s/ Charles Portwood
/s/ Roy Holand

Conference Committee Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, Page 1, Section A, Line 14, by inserting after all of said line the following:

"8.231. 1. For purposes of this section, the following terms shall mean:

(1) "Energy cost savings measure", a training program or facility alteration designed to reduce energy consumption or operating costs, and may include one or more of the following:

(a) Insulation of the building structure or systems within the building;
(b) Storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption;

(c) Automated or computerized energy control system;

(d) Heating, ventilating or air conditioning system modifications or replacements;

(e) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made;

(f) Indoor air quality improvements to increase air quality that conforms to the applicable state or local building code requirements;

(g) Energy recovery systems;

(h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;

(i) Any life safety measures that provide long-term operating cost reductions and are in compliance with state and local codes; [or]

(j) Building operation programs that reduce the operating costs; or

(k) Any life safety measures related to compliance with the Americans With Disabilities Act, 42 U.S.C. Section 12101, et seq., that provide long-term operating cost reductions and are in compliance with state and local codes;

(2) "Governmental unit", a state government agency, department, institution, college, university, technical school, legislative body or other establishment or official of the executive, judicial or legislative branches of this state authorized by law to enter into contracts, including all local political subdivisions such as counties, municipalities, public school districts or public service or special purpose districts;

(3) "Guaranteed energy cost savings contract", a contract for the implementation of one or more such measures. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and the energy cost savings are guaranteed to the extent necessary to make payments for the systems. Guaranteed energy cost savings contracts shall be considered public works contracts to the extent that they provide for capital improvements to existing facilities;

(4) "Operational savings", expenses eliminated and future replacement expenditures avoided as a result of new equipment installed or services performed;

(5) "Qualified provider", a person or business experienced in the design, implementation and installation of energy cost savings measures;

(6) "Request for proposals" or "RFP", a negotiated procurement.

2. No governmental unit shall enter into a guaranteed energy cost savings contract until competitive proposals therefor have been solicited by the means most likely to reach those contractors interested in offering the required services, including but not limited to direct mail solicitation, electronic mail and public announcement on bulletin boards, physical or electronic. The request for proposal shall include the following:

(1) The name and address of the governmental unit;

(2) The name, address, title and phone number of a contact person;

(3) The date, time and place where proposals shall be received;

(4) The evaluation criteria for assessing the proposals; and

(5) Any other stipulations and clarifications the governmental unit may require.

3. The governmental unit shall award a contract to the qualified provider that provides the lowest and best proposal which meets the needs of the unit if it finds that the amount it would spend on the energy cost savings measures recommended in the proposal would not exceed the amount of energy or operational savings, or both, within a ten-year

period from the date installation is complete, if the recommendations in the proposal are followed.

The governmental unit shall have the right to reject any and all bids.

4. The guaranteed energy cost savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed the costs of the energy cost savings measures, adjusted for inflation, within ten years. The qualified provider shall reimburse the governmental unit for any shortfall of guaranteed energy cost savings on an annual basis. The guaranteed energy cost savings contract may provide for payments over a period of time, not to exceed ten years, subject to appropriation of funds therefor.

5. The governmental unit shall include in its annual budget and appropriations measures for each fiscal year any amounts payable under guaranteed energy savings contracts during that fiscal year.

6. A governmental unit may use designated funds for any guaranteed energy cost savings contract including purchases using installment payment contracts or lease purchase agreements, so long as that use is consistent with the purpose of the appropriation.

7. Notwithstanding any provision of this section to the contrary, a not-for-profit corporation incorporated pursuant to chapter 355, RSMo, and operating primarily for educational purposes in cooperation with public or private schools shall be exempt from the provisions of this section."; and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1402**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1402, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7, and Senate Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1402, as amended;
2. That the House recede from its position on House Bill No. 1402;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1402 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Sarah Steelman
/s/ Sen. Bill Kenney
/s/ Sen. Roseann Bentley
/s/ Sen. Wayne Goode
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Carol Mays
/s/ Rep. William Gratz
/s/ Rep. Gary Burton
/s/ Rep. Rex Rector

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1026**

The Conference Committee appointed on House Substitute for Senate Committee Substitute for Senate Bill No. 1026 with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill No. 1026, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 1026;
3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill No. 1026 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Kenney
/s/ Betty Sims
/s/ Larry Rohrbach
/s/ Patrick Dougherty
/s/ Stephen Stoll

FOR THE HOUSE:

/s/ Joan Barry
/s/ Harold Selby
/s/ Joseph Treadway
/s/ Jerry King
/s/ Bob May

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1313**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1313 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1313;
2. That the House recede from its position on House Bill No. 1313;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1313 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Foster
/s/ Sen. Doyle Childers
/s/ Sen. Chuck Gross
/s/ Sen. Sidney Johnson
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Joseph Treadway
/s/ Rep. Thomas Hoppe
/s/ Rep. Tom Green
/s/ Rep. Gary Burton
/s/ Rep. Delbert Scott

The following member's presence was noted: Ballard.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m, Thursday, May 16, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Tuesday, May 14, 2002, page 2055, line 33, by deleting the words "head injury fund" and inserting in lieu thereof the words "Second Injury Fund".

Page 2062, line 17, by deleting said line.

Pages 2002 and 2003, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 2003 and 2004, roll call, by showing Representatives King, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 2004 and 2005, roll call, by showing Representatives Carnahan, Hunter, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 2007 and 2008, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Pages 2009 and 2010, roll call, by showing Representatives Carnahan and Purgason voting "no" rather than "absent with leave".

Pages 2009 and 2010, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Page 2015, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 2016, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 2022 and 2023, roll call, by showing Representatives Dolan and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2022 and 2023, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 2023 and 2024, roll call, by showing Representatives Dolan and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2023 and 2024, roll call, by showing Representative Purgason voting "no" rather than "absent with leave".

Pages 2025 and 2026, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Pages 2026 and 2027, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Pages 2027 and 2028, roll call, by showing Representatives Barnett and Wright voting "no" rather than "absent with leave".

Pages 2031 and 2032, roll call, by showing Representatives Enz, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Pages 2031 and 2032, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

Pages 2032 and 2033, roll call, by showing Representatives Bartelsmeyer, Bearden, Enz and Surface voting "aye" rather than "absent with leave".

Pages 2033 and 2034, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Page 2035, roll call, by showing Representatives Cooper, Enz, Kelly (144), Hunter and Willoughby voting "aye" rather than "absent with leave".

Pages 2037 and 2038, roll call, by showing Representatives Dolan, Enz and Hunter voting "aye" rather than "absent with leave".

Pages 2038 and 2039, roll call, by showing Representatives Enz and Kelly (144) voting "aye" rather than "absent with leave".

Page 2042, roll call, by showing Representatives Bartelsmeyer, Cooper, Dempsey, Dolan, Fraser, Hunter, Shields and Willoughby voting "aye" rather than "absent with leave".

Pages 2044 and 2045, roll call, by showing Representatives Bartelsmeyer and Wright voting "no" rather than "absent with leave".

Page 2046, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Page 2048, roll call, by showing Representative Berkstresser voting "aye" rather than "no".

Page 2048, roll call, by showing Representatives Black, Burcham, Dolan, Jones, Ward and Wright voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Thursday, May 16, 2002, 8:00 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SCR 53

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, May 16, 2002. Hearing Room 3 upon morning recess. AMENDED NOTICE.

Public Hearing to be held on: SB 665, SB 916, SB 989, SB 1191, SB 1279

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, May 16, 2002, 8:30 a.m. Hearing Room 6. Open meeting. AMENDED NOTICE.

Set prices for the 2002 Session Laws, other business.

HOUSE CALENDAR

SEVENTY-THIRD DAY, THURSDAY, MAY 16, 2002

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton

- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1916 - Franklin

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32 - Barry

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 49, (Rohrbach) (3-06-02, Page 490) - Clayton
- 3 HCS SCR 41, (Rohrbach) (5-14-02) - George
- 4 SCR 73, (Bland) (5-10-02, Pages 1896-1897) - Copenhaver

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SJR 24, (Johnson) (5-02-02, Page 1583) - Farnen

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 894, 975 & 927, E.C. (Kinder) - O'Toole
- 2 SB 1011, (Caskey) - Monaco
- 3 HCS SS SCS SB 931, (Klarich) - Monaco
- 4 HCS SB 1186, (Kenney) - Hoppe
- 5 HCS SS SCS SB 923, 828, 876, 694 & 736, HA 4, and HS, as amended,
pending, E.C. (Sims) - Barry
- 6 HCS SS SCS SB 1107, (Childers) - Hoppe
- 7 HCS SS SB 665, (Kenney) (Fiscal Review 5-14-02) - Hoppe
- 8 HCS SCS SB 1060, (Westfall) - Hoppe
- 9 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 10 SCS SB 642, (Russell) - Reid
- 11 HCS SCS SB 739, (Wiggins) - Monaco
- 12 HCS SB 989, as amended (Caskey) (Fiscal Review 5-14-02) - Hartzler
- 13 HCS SCS SB 1137, (Bentley) - Hosmer
- 14 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 15 SCS SB 878, (Sims) - Harding
- 16 HCS SCS SB 916, (Dougherty)(Fiscal Review 5-15-02) - Smith
- 17 SCS SB 1203, (Yeckel) - Hilgemann
- 18 SB 896, (Yeckel) - Johnson (90)
- 19 HCS SS#2 SCS SB 1279, 1162 & 1164, (Kinder)(Fiscal Review 5-15-02) - Foley
- 20 SCS SB 1112 & 854, E.C. (Caskey)(Fiscal Review 5-15-02) - O'Toole
- 21 HCS SS#2 SB 1191, E.C. (Jacob)(Fiscal Review 5-15-02) - Graham

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1701 - Luetkenhaus
- 2 SS#2 SCS HB 1348, as amended - Myers
- 3 SS SCS HB 1041, as amended, E.C. - Myers

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt
- 2 HCS SS SCS SB 837, 866, 972 & 990, as amended (request House
recede/grant conference) - Berkowitz
- 3 HS SS#2 SCS SB 984 & 985, (request House recede/grant conference) - Merideth

BILLS IN CONFERENCE

- 1 HS HCS SS SB 1248, as amended - Foley
- 2 CCR HCS SCS SB 1086 & 1126 - Hoppe
- 3 CCR SCS HB 1313 - Burton
- 4 CCR HS SB 1220, as amended - O'Toole
- 5 CCR HCS SCS SB 1202, E.C. - Koller
- 6 SS SCS HB 1712, as amended - Monaco
- 7 SS#2 SCS HB 1446, as amended - Luetkenhaus
- 8 CCR HS HCS SB 895, as amended - Liese
- 9 CCR HS HCS SCS SB 712, as amended - O'Toole
- 10 HS HCS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller
- 11 CCR HS HCS SCS SB 810, as amended (conferees be allowed to
exceed differences on spend down issue) - Ladd Baker
- 12 CCR SCS HB 1402, as amended, E.C. - Burton
- 13 HS SCS SB 915, 710 & 907, as amended - Koller
- 14 HS#2 HCS SS SCS SB 969, 673 & 855, as amended, E.C.
(conferees not be bound to HA 2) - Smith
- 15 HS HCS SCS SB 1061 & 1062, as amended - Harlan
- 16 CCR HS SCS SB 1026, as amended - Barry
- 17 SS SCS HS HCS HB 1962, as amended - Monaco
- 18 SS SCS HB 1270 & HB 2032, as amended, E.C. - Gratz
- 19 SS HB 1748, as amended, E.C. - Ransdall
- 20 HS HCS SCS SB 680, as amended - Barry
- 21 SS SCS HCS HB 1898, E.C. - Campbell
- 22 HS HCS SS SCS SB 670 & 684, as amended - Harlan

HOUSE RESOLUTION

- HR 1864, (5-15-02) - Shoemyer (9)