

# JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

---

SEVENTIETH DAY, TUESDAY, MAY 13, 2003

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we declare this truth from Your Word, "You have been my stronghold and a refuge in the day of my distress. Trust in Him at all times, O people; pour out your heart before Him; God is a refuge for us." We take this moment to give thanks to You for never giving up on us as we sought to complete our part of Your plan for this state.

We acknowledge that there is more, so much more concerning that plan. We haven't completed it yet. Continue to speak through us and bring change to things that could not be changed any other way.

The plans of the heart belong to man, but we expectantly await Your answer. This we do know, we may plan all kinds of things, but only Your will is going to be done.

Now may the words of our mouths and the meditations of our hearts be acceptable in Your sight this day and forever.

To You be the glory, both now and forever, in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justice Butterfield, Tiffany Clark, Alex Puckett, Joel Stunz, Katey Thompson, Rose Anderson, Robert Schaaf, Renee Schaaf and Lance Uthe.

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

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2802 - Representatives Harris (110) and Schlottach  
House Resolution No. 2803 - Representative Cooper (120)  
House Resolution No. 2804 - Representative McKenna  
House Resolution No. 2805 - Representative King  
House Resolution No. 2806  
and  
House Resolution No. 2807 - Representative Salva  
House Resolution No. 2808 - Representatives Yaeger and Lembke  
House Resolution No. 2809  
and  
House Resolution No. 2810 - Representative Riback Wilson (25)

- House Resolution No. 2811 - Representative Wildberger
- House Resolution No. 2812 - Representative Carnahan
- House Resolution No. 2813 - Representative Abel, et al
- House Resolution No. 2814 - Representative Lipke
- House Resolution No. 2815 - Representative Jolly
- House Resolution No. 2816 - Representative Rector
- House Resolution No. 2817 - Representatives Rector and Baker
- House Resolution No. 2818 - Representative Rector
- House Resolution No. 2819 - Representatives Rector and Davis (122)
- House Resolution No. 2820  
and
- House Resolution No. 2821 - Representatives Rector and Johnson (47)
- House Resolution No. 2822 - Representative Rector
- House Resolution No. 2823 - Representative Shoemyer (9)
- House Resolution No. 2824  
and
- House Resolution No. 2825 - Representative Guest
- House Resolution No. 2826  
and
- House Resolution No. 2827 - Representative Donnelly
- House Resolution No. 2828 - Representative Johnson (61)
- House Resolution No. 2829 - Representative Crawford
- House Resolution No. 2830 - Representative Moore
- House Resolution No. 2831  
through
- House Resolution No. 2833 - Representative Whorton
- House Resolution No. 2834  
through
- House Resolution No. 2857 - Representative Hobbs
- House Resolution No. 2858 - Representative LeVota
- House Resolution No. 2859 - Representative Roark
- House Resolution No. 2860 - Representative Pratt
- House Resolution No. 2861 - Representatives Villa and Johnson (90)

## **COMMITTEE REPORT**

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

Madam Speaker: Your Committee on Budget, to which was referred **HCS SB 668** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## MOTION

Representative Crowell moved that Rule 23 be suspended to allow the Tax Policy Committee to meet while the House is in session pursuant to already posted notices on committee hearings.

Which motion was adopted by the following vote:

AYES: 089

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

NOES: 070

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

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 003

Adams	Lawson	Miller
-------	--------	--------

Representative Purgason assumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SS SB 242**, relating to appeal bonds, was taken up by Representative Byrd.

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

House Amendment No. 1 was withdrawn.

On motion of Representative Byrd, **HCS SS SB 242** was adopted.

On motion of Representative Byrd, **HCS SS SB 242** was read the third time and passed by the following vote:

AYES: 159

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

NOES: 001

Selby

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 002

Adams Miller

Representative Purgason declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 108

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Bland	Bough	Bringer
Brown	Bruns	Burnett	Byrd	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Guest
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meiners	Moore
Morris	Muckler	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wallace	Walton	Wasson
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright	Yates	Young		

NOES: 027

Barnitz	Campbell	Corcoran	Darrough	Daus
Graham	Green	Harris 110	Henke	Hoskins
Hubbard	Johnson 61	Johnson 90	Kratky	Kuessner
LeVota	Merideth	Page	Sager	Selby
Thompson	Vogt	Walker	Walsh	Wilson 25
Yaeger	Zweifel			

PRESENT: 024

Abel	Bishop	Black	Boykins	Brooks
Curls	Dougherty	Fraser	George	Harris 23
Kelly 36	Liese	Marsh	Munzlinger	Ransdall
Schoemehl	Shoemyer	Spreng	Wagner	Ward
Wildberger	Willoughby	Wilson 42	Madam Speaker	

1807 *Journal of the House*

ABSENT WITH LEAVE: 004

Adams Goodman Lawson Miller

**HCS SCS SB 385**, relating to workers' compensation, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS SCS SB 385** was adopted.

On motion of Representative Luetkemeyer, **HCS SCS SB 385** was read the third time and passed by the following vote:

AYES: 150

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

NOES: 010

Boykins	El-Amin	Green	Haywood	Henke
Jones	Kuessner	Selby	Walton	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Adams Kelly 144 Miller

Representative Purgason declared the bill passed.

Speaker Pro Tem Jetton assumed the Chair.

### BILLS IN CONFERENCE

**CCR SS SS SCS HCS HB 600, as amended**, relating to the collection of taxes, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that **CCR SS SS SCS HCS HB 600, as amended**, be adopted.

Representative Riback Wilson (25) made a substitute motion that the House refuse to adopt **CCR SS SS SCS HCS HB 600, as amended**, request the Senate to grant further conference and the conferees be bound to accepting Senate Amendment No. 13.

Representative Byrd raised a point of order that the substitute motion is not a true substitute motion.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) again moved that the House refuse to adopt **CCR SS SS SCS HCS HB 600, as amended**, request the Senate to grant further conference and the conferees be bound to accepting Senate Amendment No. 13.

Which motion was defeated by the following vote:

AYES: 069

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

NOES: 091

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg

## 1809 *Journal of the House*

Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wagner	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 003

Adams	Lawson	Miller
-------	--------	--------

Representative Abel made a substitute motion that the House refuse to adopt **CCR SS SS SCS HCS HB 600, as amended**, request the Senate to grant further conference and the conferees be allowed to exceed the differences.

Which motion was defeated by the following vote:

AYES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	LeVota	Liese
Lowe	McKenna	Meiners	Merideth	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

NOES: 086

Angst	Avery	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Goodman	Guest	Hobbs	Holand	Hunter
Ice	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Moore
Morris	Munzlinger	Myers	Nieves	Parker



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

PRESENT: 000

ABSENT WITH LEAVE: 005

Adams	Baker	Fares	Lawson	Miller
-------	-------	-------	--------	--------

Representative Mayer assumed the Chair.

Representative Behnen assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

Representative Cooper (120) again moved that **CCR SS SS SCS HCS HB 600, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 085

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

NOES: 067

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Kelly 36	Kratky

1811 *Journal of the House*

Kuessner	LeVota	Liese	Lowe	McKenna
Meiners	Muckler	Page	Ransdall	Roark
Sager	Salva	Schoemehl	Seigfreid	Selby
Skaggs	Spreng	Thompson	Villa	Vogt
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 003

Reinhart	Shoemyer	Wood
----------	----------	------

ABSENT WITH LEAVE: 008

Adams	Goodman	Jones	Lawson	Miller
Munzlinger	Wagner	Willoughby		

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **CCR SS SS SCS HCS HB 600, as amended.**

On motion of Representative Cooper (120) **CCS SS SS SCS HCS HB 600** was read the third time and passed by the following vote:

AYES: 099

Angst	Avery	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Bringer	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Kelly 144	Kelly 36	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Merideth
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Selby	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wagner
Wallace	Whorton	Wildberger	Wilson 119	Wilson 130
Wright	Yates	Young	Madam Speaker	

NOES: 051

Bishop	Bland	Boykins	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jones	Kuessner	LeVota
Lowe	Meiners	Muckler	Page	Roark
Sager	Salva	Schoemehl	Skaggs	Spreng
Thompson	Villa	Vogt	Walker	Walsh

Walton	Wilson 25	Wilson 42	Witte	Yaeger
Zweifel				

PRESENT: 009

Abel	Kratky	Liese	Ransdall	Reinhart
Shoemyer	Ward	Wasson	Wood	

ABSENT WITH LEAVE: 004

Adams	Lawson	Miller	Willoughby
-------	--------	--------	------------

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Engler	Ervin	Fares	George
Goodman	Guest	Hampton	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Jolly	Kelly 144	Kelly 36
King	Kingery	Lager	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Wood
Wright	Yates	Young	Madam Speaker	

NOES: 033

Bishop	Bland	Burnett	Carnahan	Dougherty
El-Amin	Fraser	Graham	Green	Harris 110
Harris 23	Haywood	Henke	Hoskins	Johnson 61
Johnson 90	Jones	Kratky	Kuessner	LeVota
Merideth	Roark	Sager	Salva	Schoemehl
Skaggs	Spreng	Thompson	Vogt	Willoughby
Witte	Yaeger	Zweifel		

PRESENT: 003

Darrough	Shoemyer	Walker
----------	----------	--------

ABSENT WITH LEAVE: 003

Adams

Lawson

Miller

Speaker Hanaway resumed the Chair.

### MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 5**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HS HCS HBs 679 & 396, as amended**, and grants the House a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS HS HCS HBs 679 & 396, as amended**: Senators Shields, Foster, Champion, Dougherty and Kennedy.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **HCS SS SCS SB 36, as amended**, and that the conferees be allowed to exceed the differences.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 552**: Senators Yeckel, Loudon, Cauthorn, Mathewson and Coleman.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 555**: Senators Kinder, Steelman, Klindt, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 686, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

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

**SS HS HCS HBs 679 & 396:** Representatives Hanaway, Wright, Stevenson, Wilson (42) and Fraser

Speaker Pro Tem Jetton resumed the Chair.

## THIRD READING OF SENATE BILL

**HCS SB 668**, relating to agricultural tax credits, was taken up by Representative Myers.

Representative Myers offered **HS HCS SB 668**.

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

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 668, Page 57, Section 578.407, Lines 12 to 25 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"(7) Intentionally or knowingly release or introduce any";** and

Further amend said bill, Page 58, Section 578.409, Lines 9 and 10 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"(2) Shall be guilty of a class D felony if the loss, theft, or";** and

Further amend said bill, Page 58, Section 578.409, Line 19 of said page, by deleting the number **"(8)"** and inserting in lieu thereof the number **"(7)"**; and

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

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

### *House Substitute Amendment No. 1*

*for*

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 668, Page 56, Section 578.405, Lines 10-13, by deleting all of said lines and inserting in lieu thereof the following: **"are pastured, housed, or otherwise quartered;"**; and on Page 57, Section 578.407, Lines 12-24, by deleting all of said lines; and on Line 25, by deleting the **"(8)"** and inserting in lieu thereof **(7)**; and on Page 58, Section 578.409, Lines 9-10, by deleting the words **"for a violation of subdivision (7) of section 578.407 or"**; and on Page 58, Section 578.409, Line 19, by deleting the **"(8)"** and inserting in lieu thereof **"(7)"**; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 668, Page 68, Section 644.051, Lines 2 to 6 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"contrary, notices of violation shall not be issued for a release of a water contaminant from an animal confinement facility or the animal waste application system, excluding lagoons, that is totally confined on the owner's property, so long as it does not enter waters of the state and clean up begins within twenty-four hours and is remediated as soon as practicable.";** and

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

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

Representative Dempsey assumed the Chair.

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

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 668, Page 33, Section 265.300, Line 15 of said page, by inserting after all of said line the following:

**"266.141. 1. This section shall be known and may be cited as the "Missouri Seed Availability and Competition Act".**

**2. Any farmer who plants patented seed and seeks to retain seed from the harvest of such planting for replanting on the farmer's property the following planting season shall register with the department of agriculture. Such farmer shall provide the department with the number of bushels of seed to be retained and pay a seven-dollar per bushel fee for the retention of such seed. Six dollars of the seven-dollar fee shall be collected by the department and paid on a quarterly basis to the person or persons holding the patent for the seed. One dollar of the seven-dollar fee may be used by the department for administrative costs associated with the registration of such seed. Any portion of the one-dollar fee not used by the department for administrative costs shall be deposited into a subaccount of the genetically engineered seed fund established in subsection 3 of this section and shall be subject to appropriation to the University of Missouri for agricultural research and development.**

**3. There is hereby created in the state treasury the "Genetically Engineered Seed Fund", which shall consist of fees collected pursuant to this section. The fund shall be administered by the department of agriculture and all moneys in the fund shall be distributed by the department of agriculture in accordance with this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**4. A farmer who plants such seed shall only be liable for any health, safety, and environmental impacts if such farmer intentionally or negligently fails to substantially follow the patent holder's and manufacturer's instructions and guidelines for planting such seed.";** and

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

Speaker Pro Tem Jetton resumed the Chair.

Speaker Hanaway resumed the Chair.

Representative Bringer moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Adams	Barnitz	Bean	Bishop	Bland
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Davis 122	Donnelly
Dougherty	Engler	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Henke
Hoskins	Johnson 61	Johnson 90	Jolly	Kelly 36
King	Kuessner	LeVota	Liese	Meiners
Merideth	Muckler	Ransdall	Sager	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Thompson	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Wright	Yaeger
Young	Zweifel			

NOES: 090

Angst	Avery	Baker	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Daus	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Fares	Guest
Haywood	Hilgemann	Hobbs	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Jones
Kelly 144	Kingery	Kratky	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 14
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Villa	Vogt	Wasson
Wilson 119	Wilson 130	Wood	Yates	Madam Speaker

PRESENT: 002

Seigfreid Wallace

ABSENT WITH LEAVE: 009

Abel	Goodman	Holand	Lawson	Lowe
Miller	Richard	Smith 118	St. Onge	

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

## 1817 *Journal of the House*

AYES: 088

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

NOES: 071

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

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Green                      Miller                      St. Onge

On motion of Representative Myers, **HS HCS SB 668, as amended**, was adopted.

On motion of Representative Myers, **HS HCS SB 668, as amended**, was read the third time and passed by the following vote:

AYES: 116

Abel	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bough	Boykins	Bringer	Brown	Bruns



Byrd	Campbell	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Hampton	Henke	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Merideth	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Shoemaker
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Villa	Wallace	Ward	Wasson	Wildberger
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 042

Adams	Bishop	Bland	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	Harris 110	Harris 23
Haywood	Hilgemann	Hoskins	Johnson 90	Jolly
Jones	Liese	Meiners	Muckler	Page
Sager	Schoemehl	Selby	Shoemyer	Skaggs
Thompson	Vogt	Walker	Walsh	Walton
Whorton	Willoughby	Wilson 25	Wilson 42	Yaeger
Young	Zweifel			

PRESENT: 002

St. Onge	Witte
----------	-------

ABSENT WITH LEAVE: 003

Miller	Self	Wagner
--------	------	--------

Speaker Hanaway declared the bill passed.

### MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 199, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 394, as amended**, and has taken up and passed **CCS HCS SB 394**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 69**, and has taken up and passed **CCS HCS SCS SB 69**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 173, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SCS SBs 299 & 40, as amended**, and has taken up and passed **CCS HS SCS SBs 299 & 40**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 552**, and has taken up and passed **SB 552**.

#### **BILLS CARRYING REQUEST MESSAGES**

**HS HCS SB 173, as amended**, relating to fire protection districts, was taken up by Representative Walton.

Representative Walton moved that the House refuse to recede from its position on **HS HCS SB 173, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HS HCS SCS SB 199, as amended**, relating to county government, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House refuse to recede from its position on **HS HCS SCS SB 199, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HS HCS SCS SB 686, as amended**, relating to the transfers of school funds, was taken up by Representative Cunningham (86).

Representative Cunningham (86) moved that the House refuse to recede from its position on **HS HCS SCS SB 686, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences.

Representative Johnson (90) made a substitute motion that the House refuse to recede from its position on **HS HCS SCS SB 686, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences by allowing school districts to place on the ballot bond issues for the purposes of rebuilding property damaged by severe weather.

Which motion was adopted by the following vote:

AYES: 148

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

NOES: 005

Bivins	Holand	King	Roark	Wright
--------	--------	------	-------	--------

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 009

Davis 19	Green	McKenna	Miller	Purgason
Rector	Schaaf	St. Onge	Sutherland	

## BILL IN CONFERENCE

**HCS SS SCS SB 36, as amended**, relating to environmental regulations, was taken up by Representative Myers.

Representative Myers moved that the House grant the Senate a further conference on **HCS SS SCS SB 36, as amended**, and the House conferees be allowed to exceed the differences.

Which motion was adopted.

### **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 SB 199:** Representatives Johnson (47), Mayer, Wasson, George and Villa

**HCS SS SCS SB 36:** Representatives Myers, Wood, Townley, Shoemyer (9) and Bringer

**HS HCS SCS SB 686:** Representatives Jetton, Cunningham (86), Wallace, Davis (122) and Corcoran

### **THIRD READING OF SENATE BILL**

**SS#2 SS SCS SB 2**, relating to employment security, was taken up by Representative Smith (118).

Representative Smith (118) offered **HS SS#2 SS SCS SB 2**.

Representative Smith (118) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 33, Section 288.121, Line 10, following the word “received,” by deleting the following:

“any increase in”; and

Further amend House Substitute for Senate Substitute No.2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 33, Section 288.121, Line 12, following the word “shall” by deleting the words “remain in effect” and inserting in lieu thereof:

“**not decrease**”; and

Further amend House Substitute for Senate Substitute No.2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 42, Section 288.330, Line 1, following the word “this” by deleting the word “section” and inserting in lieu thereof the word:

“**act**”; and

Further amend title and enacting clause accordingly.

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 14, Section 288.040, Line 13, by inserting after all of said line the following:

**"(3) A professionally administered and documented positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood, performed by a laboratory meeting the certification standards required by the United States Department of Transportation, the College of American Pathologists, the state of Missouri, or equivalent accrediting body, shall be deemed misconduct connected with work. Ineligibility pursuant to a positive chemical test shall apply only in claims against the employer who employed the claimant at the time of the positive test result. The employer suspending an employee pursuant to this provision shall have notified the employee of the employer's controlled substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment."; and**

Further amend said bill, Page 26, Section 288.050, Line 7, by inserting after all of said line the following:

**"(3) For the purposes of this chapter, a professionally administered and documented positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood, performed by a laboratory meeting the certification standards required by the United States Department of Transportation, the College of American Pathologists, the state of Missouri, or equivalent accrediting body, shall be deemed misconduct connected with work. Disqualification for benefits pursuant to a positive chemical test shall apply only in claims against the employer who employed the claimant at the time of the positive test result. The employer discharging an employee pursuant to this provision shall have notified the employee of the employer's controlled substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment."; and**

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

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Avery	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood

## 1823 *Journal of the House*

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

NOES: 071

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

PRESENT: 002

Shoemaker	Wilson 42
-----------	-----------

ABSENT WITH LEAVE: 003

Abel	Baker	Miller
------	-------	--------

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

AYES: 094

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

NOES: 064

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

PRESENT: 001

Kelly 36

ABSENT WITH LEAVE: 004

Abel	Baker	Miller	Wagner
------	-------	--------	--------

### Representative Hunter offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 12, Section 288.040, Lines 12-18, by deleting the entirety of said lines and inserting in lieu thereof the following:

**“(d) The director of the division of employment security has determined that the claimant is prevented from reporting due to emergency conditions that limit access by the general public to an office that serves the area where the claimant resides, but only during the time such circumstances exist. The director may make this decision absent an official state declaration of disaster, but shall notify the state emergency management director as well as the governor of this decision.”; and**

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

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

### Representative Byrd offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 26, Section 288.395, Line 9, by inserting after said line the following:

**“Section 1. If any provision of this act is found by a court of competent jurisdiction to be invalid or unconstitutional it is the stated intent of the legislature that the legislature would have approved the remaining portions of the act, and the remaining portions of the act shall remain in full force and effect.”; and**

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

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

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

*House Amendment No. 5*

AMEND House Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 48, Section 288.395, Line 13, by inserting after said line the following:

“288.500. 1. There is created under this section a voluntary "Shared Work Unemployment Compensation Program". In connection therewith, the division may adopt rules and establish procedures, not inconsistent with this section, which are necessary to administer this program.

2. As used in this section, the following terms mean:

(1) "Affected unit", a specified department, shift, or other unit of three or more employees which is designated by an employer to participate in a shared work plan;

(2) "Division", the division of employment security;

(3) "Fringe benefit", health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave, and any other analogous employee benefit that is provided by an employer;

(4) "Normal weekly hours of work", as to any individual, the lesser of forty hours or the average obtained by dividing the total number of hours worked per week in the preceding twelve-week period by the number twelve;

(5) "Participating employee", an employee who works a reduced number of hours under a shared work plan;

(6) "Participating employer", an employer who has a shared work plan in effect;

(7) "Shared work benefit", an unemployment compensation benefit that is payable to an individual in an affected unit because the individual works reduced hours under an approved shared work plan;

(8) "Shared work plan", a program for reducing unemployment under which employees who are members of an affected unit share the work remaining after a reduction in their normal weekly hours of work;

(9) "Shared work unemployment compensation program", a program designed to reduce unemployment and stabilize the work force by allowing certain employees to collect unemployment compensation benefits if the employees share the work remaining after a reduction in the total number of hours of work and a corresponding reduction in wages.

3. An employer who wishes to participate in the shared work unemployment compensation program established under this section shall submit a written shared work plan in a form acceptable to the division for approval. As a condition for approval by the division, a participating employer shall agree to furnish the division with reports relating to the operation of the shared work plan as requested by the division. The employer shall monitor and evaluate the operation of the established shared work plan as requested by the division and shall report the findings to the division.

4. The division may approve a shared work plan if:

(1) The employer has filed all reports required to be filed under this chapter for all past and current periods and has paid all contributions due for all past and current periods;

(2) The shared work plan applies to and identifies a specified affected unit;

(3) The employees in the affected unit are identified by name and Social Security number;

(4) The shared work plan reduces the normal weekly hours of work for an employee in the affected unit by not less than twenty percent and not more than forty percent;

(5) The shared work plan applies to at least ten percent of the employees in the affected unit;

(6) The shared work plan describes the manner in which the participating employer treats the fringe benefits of each employee in the affected unit; and

(7) The employer certifies that the implementation of a shared work plan and the resulting reduction in work hours is in lieu of temporary layoffs that would affect at least ten percent of the employees in the affected unit and that would result in an equivalent reduction in work hours.

5. If any of the employees who participate in a shared work plan under this section are covered by a collective bargaining agreement, the shared work plan shall be approved in writing by the collective bargaining agent.

6. No shared work plan which will subsidize seasonal employers during the off-season or subsidize employers, at least fifty percent of the employees of which have normal weekly hours of work equaling thirty-two hours or less, shall be approved by the division. **No shared work plan benefits will be initiated for pay periods when the reduced hours reflect holiday earnings already committed to be paid by the employer.**



7. The division shall approve or deny a shared work plan not later than the thirtieth day after the day on which the shared work plan is received by the division. The division shall approve or deny a plan in writing. If the division denies a plan, the division shall notify the employer of the reasons for the denial. Approval or denial of a plan by the division shall be final and such determination shall be subject to review in the manner otherwise provided by law. If approval of a plan is denied by the division, the employer may submit a new plan to the division for consideration no sooner than forty-five calendar days following the date on which the division disapproved the employer's previously submitted plan.

8. The division may revoke approval of a shared work plan and terminate the plan if it determines that the shared work plan is not being executed according to the terms and intent of the shared work unemployment compensation program, or if it is determined by the division that the approval of the shared work plan was based, in whole or in part, upon information contained in the plan which was either false or substantially misleading.

9. Each shared work plan approved by the division shall become effective on the first day of the week in which it is approved by the division or on a later date as specified in the shared work plan. Each shared work plan approved by the division shall expire on the last day of the twelfth full calendar month after the effective date of such shared work plan.

10. An employer may modify a shared work plan created under this section to meet changed conditions if the modification conforms to the basic provisions of the shared work plan as originally approved by the division. The employer shall report the changes made to the plan in writing to the division at least seven days before implementing such changes. The division shall reevaluate the shared work plan and may approve the modified shared work plan if it meets the requirements for approval under subsection 4 of this section. The approval of a modified shared work plan shall not, under any circumstances, affect the expiration date originally set for the shared work plan. If modifications cause the shared work plan to fail to meet the requirements for approval, the division shall deny approval of the modifications as provided in subsection 7 of this section.

11. Notwithstanding any other provisions of this chapter, an individual is unemployed for the purposes of this section in any week in which the individual, as an employee in an affected unit, works less than his normal weekly hours of work in accordance with an approved shared work plan in effect for that week.

12. An individual who is otherwise entitled to receive regular unemployment insurance benefits under this chapter shall be eligible to receive shared work benefits with respect to any week in which the division finds that:

(1) The individual is employed as a member of an affected unit subject to a shared work plan that was approved before the week in question and is in effect for that week;

(2) Notwithstanding the provisions of subdivision (2) of subsection 1 of section 288.040, the individual is able to work, available for work and works all available hours with the participating employer;

(3) The individual's normal weekly hours of work have been reduced by at least twenty percent but not more than forty percent, with a corresponding reduction in wages; and

(4) The individual has served a "waiting week" as defined in section 288.030.

13. A waiting week served under the provisions of subdivision (3) of subsection 1 of section 288.040 shall serve to meet the requirements of subdivision (4) of subsection 12 of this section and a waiting week served under the provisions of subdivision (4) of subsection 12 of this section shall serve to meet the requirements of section 288.040. If the waiting week becomes payable, it shall be paid according to the law governing the program under which it was served. Notwithstanding any other provisions of this chapter, an individual who files a new initial claim during the pendency of the twelve-month period in which a shared work plan is in effect shall serve a waiting week whether or not the individual has served a waiting week under this subsection.

14. The division shall not deny shared work benefits for any week to an otherwise eligible individual by reason of the application of any provision of this chapter that relates to availability for work, active search for work, or refusal to apply for or accept work with an employer other than the participating employer under the plan.

15. The division shall pay an individual who is eligible for shared work benefits under this section a weekly shared work benefit amount equal to the individual's regular weekly benefit amount for a period of total unemployment less any deductible amounts under this chapter except wages received from any employer, multiplied by the full percentage of reduction in the individual's hours as set forth in the employer's shared work plan. If the shared work benefit amount calculated under this subsection is not a multiple of one dollar, the division shall round the amount so calculated to the next lowest multiple of one dollar. An individual shall be ineligible for shared work benefits for any week in which the individual performs paid work for the participating employer in excess of the reduced hours established under the shared work plan.

16. An individual shall not be entitled to receive shared work benefits and regular unemployment compensation benefits in an aggregate amount which exceeds the maximum total amount of benefits payable to that individual in a

benefit year as provided under section 288.038. Notwithstanding any other provisions of this chapter, an individual shall not be eligible to receive shared work benefits for more than twenty-six calendar weeks during the twelve-month period of the shared work plan. No week shall be counted as a week of unemployment for the purposes of this subsection unless it occurs within the twelve-month period of the shared work plan.

17. Notwithstanding any other provision of this chapter, all benefits paid under a shared work plan, which are chargeable to the participating employer or any other base period employer of a participating employee shall be charged to the account of the participating employer under the plan.

18. An individual who has received all of the shared work benefits and regular unemployment compensation benefits available in a benefit year is an exhaustee under section 288.062 and is entitled to receive extended benefits under section 288.062 if the individual is otherwise eligible under that section.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

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

NOES: 072

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

PRESENT: 000

ABSENT WITH LEAVE: 004

Abel Baker Bivins Miller

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

On motion of Smith (118), **HS SS#2 SS SCS SB 2, as amended**, was adopted.

On motion of Smith (118), **HS SS#2 SS SCS SB 2, as amended**, was read the third time and passed by the following vote:

AYES: 088

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

NOES: 073

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

PRESENT: 000

ABSENT WITH LEAVE: 002

Baker Miller

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 089

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

NOES: 066

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

PRESENT: 005

Barnitz	Campbell	Hampton	Kuessner	Skaggs
---------	----------	---------	----------	--------

ABSENT WITH LEAVE: 003

Baker	Merideth	Miller
-------	----------	--------

Representative Smith (118) requested a verification of the roll call on the motion to adopt the emergency clause.

## SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 202** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Hobbs assumed the Chair.

## THIRD READING OF SENATE BILLS

**HCS SS SCS SB 346**, relating to financial services, was taken up by Representative Luetkemeyer.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 346, Page 38, Section 408.500, Line 58, by inserting immediately after said line the following:

**“408.507. Notwithstanding the provisions of section 408.505, prior to the effective date of this act, loans subject to sections 408.500 and 408.505, RSMo, and all renewals of such loans, shall be subject to a maximum annual percentage rate of return to the lender of two hundred eighty percent. After the effective date of this act, notwithstanding the provisions of subsection 6 of section 408.500 and section 408.505, loans subject to the provisions of said sections may not be renewed after their original term.”; and**

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

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

Which motion was defeated by the following vote:

AYES: 065

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

NOES: 088

Angst	Avery	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145

## 1831 *Journal of the House*

Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Guest	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	Stefanick	Stevenson
Sutherland	Taylor	Townley	Viebrock	Wasson
Willoughby	Wilson 119	Wilson 130	Wood	Wright
Yates	Young	Madam Speaker		

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 009

Baker	Byrd	Goodman	Lawson	Merideth
Miller	St. Onge	Threlkeld	Wagner	

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

### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Substitute for Senate Bill No. 346, Page 34, Line 18, by deleting the words “[twenty-five] **fifteen** dollars whichever is [less] **greater, not to exceed fifty dollars;**” and by inserting in lieu thereof the following:

“twenty-five dollars, whichever is less”; and

Further amend said bill, Page 36, Section 408.233, Line 32 of said page, by deleting the words “[twenty-five] **fifteen** dollars whichever is [less] **greater, not to exceed fifty dollars;**” and by inserting in lieu thereof the following:

“twenty-five dollars, whichever is less”.

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

Which motion was defeated by the following vote:

AYES: 065

Adams	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	LeVota	Liese
Lowe	McKenna	Meiners	Merideth	Muckler
Page	Ransdall	Sager	Salva	Schoemehl

Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

NOES: 090

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

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 007

Abel	Baker	George	Johnson 47	Lawson
Miller	Wagner			

On motion of Representative Luetkemeyer, **HCS SS SCS SB 346** was adopted.

On motion of Representative Luetkemeyer, **HCS SS SCS SB 346** was read the third time and passed by the following vote:

AYES: 143

Abel	Angst	Avery	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Hilgemann
Hobbs	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May

1833 *Journal of the House*

Mayer	McKenna	Meiners	Merideth	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 014

Adams	Burnett	Corcoran	Darrough	Haywood
Henke	Hoskins	Hubbard	Muckler	Sager
Selby	Thompson	Walker	Walsh	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Baker	El-Amin	Holand	Lawson	Miller
-------	---------	--------	--------	--------

**SS#2 SB 695, as amended**, relating to medical services and eligibility, was taken up by Representative Purgason.

Representative Purgason offered **HS SS#2 SB 695, as amended**.

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

*House Amendment No. 1*

AMEND House Substitute for Senate Substitute No. 2 for Senate Bill 695, Section 208.015, Page 3, Lines 7-13 by deleting all of said lines; and

Further amend said bill, Section 208.151, Page 13, Line 10, by inserting after the word “level” on said line the following:

**“Notwithstanding any other provision of law to the contrary, if in any given fiscal year moneys are not appropriated for coverage of medical assistance for persons whose income, calculated using less restrictive income methodologies, as authorized in 452 U.S.C. section 1396 (r)(2), exceeds eighty percent of the federal poverty level, those persons will not be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits in that fiscal year.”; and**

Further amend said bill, Section 208.151, Pages 13 and 14, Lines 20 through 25 on Page 13, and Lines 1 through 3 on Page 14, by deleting all of said lines and inserting in lieu thereof the following:

**“disability benefits shall not be limited by age.”; and**



Further amend said bill, Section 208.152, Page 20, Lines 7-14, by deleting all of said lines and inserting in lieu thereof the following:

**“(a) Effective July 1, 2003, any policy not already in existence imposing restrictions of payment for services authorized under subdivision 9 of subsection 1 of this section, including but not limited to prior authorization or preferred drug lists, shall only be implemented by rules and regulations pursuant to chapter 536, RSMo. Clinical edits and step therapy shall be considered a form of prior authorization for purposes of the rule making process.**

**(b) The department may conduct negotiations for supplemental rebates with individual manufacturers and such negotiations shall not have any predetermined discount levels.**

**(c) Notwithstanding any other provision of law, information disclosed by manufacturers or wholesalers pursuant to this chapter, or under an agreement with the division, is confidential and shall not be disclosed by the division or any other state agency or contractor therein in any form which discloses the identity of a specific manufacturer or wholesaler or the prices charged for drugs by such manufacturer or wholesaler, except to permit the state auditor to review the information provided in the division of medical services for rebate administration.”; and**

Further amend said bill, Section 208.152, Pages 29 and 30, Lines 17 through 25 on page 29, and Line 1 on Page 30, by deleting all of said lines and inserting in lieu thereof the following:

**“the state for goods or services described herein; except that, any payments made by recipients for nonemergency medically necessary transportation under this section shall be a credit against any payments owed by the state for such services. In the event a vendor of nonemergency medically necessary transportation does not receive co-payments pursuant to this section, then the vendor is not obligated to provide such services. If the vendor provides such services pursuant to orders of a court, or is mandated by the division of medical services or its successor, the vendor shall receive payments equal to the amounts of services rendered pursuant to the agreement with the division of medical services or its successor for such services.”; and**

Further amend said bill, Section 208.154, Pages 31 and 32, Lines 17 through 25 on page 31, and Lines 1 through 6 on Page 32, by deleting all of said lines and inserting in lieu thereof the following:

**“208.154 [If the funds at the disposal or which may be obtained by the division of family services] 1. Notwithstanding any other provision of law to the contrary, [for the] payment of public assistance [money payment] benefits pursuant to section 208.015, RSMo, or the payment of medical assistance benefits pursuant to section 208.62, RSMo, may only be provided if appropriations are made available for such benefits.**

**2. If the funds available to the department of social services and its divisions for the payment of benefits pursuant to sections 208.015 and 208.162, RSMo [or to or on behalf of any person for medical assistance benefits] shall at any time become insufficient to pay the full amount thereof, the amount of any such [type of] payment [to or on behalf of each of such persons] shall be reduced pro rata [in proportion to such deficiency in the total amount available or to become available for such purpose].**

**3. If in any given fiscal year moneys are not appropriated to fund the benefits in sections 208.015 or 208.162, RSMo, such benefits shall not be provided and persons otherwise eligible for benefits will no longer be deemed eligible for such benefits during that fiscal year.**

**4. Resources available shall be documented by the moneys appropriated by law for the purposes described in this section, less actions by the governor pursuant to article IV, sections 26 and 27 of the Missouri constitution, and section 33.290, RSMo.”; and**

Further amend said bill, Section 208.640, Page 40, Line 7, by inserting after all of said line the following:

**“4. Any co-payments for which participants are responsible pursuant to this section shall be a credit against any payments owed by the state for such services, except that if such copayment is not paid by the participant, the state shall pay the amount of the credit to the provider if a claim is made to the division of medical services as outlined in subdivision c of subsection 5 of this section.**

**5. If a mandatory co-payment is not paid, the provider may:**

**a. Forego the co-payment; or**

**b. Make arrangements for future payments with the recipient; or**

c. The provider shall make reasonable efforts to collect copays. After said efforts, the provider may file a claim with the division of medical services to report the non-payment and secure payment for the service from the division of medical services.

6. When the division of medical services receives a claim from a provider for non-payment of a mandatory co-payment, the division shall send a notice to the recipient. Such notice shall:

a. Request the recipient to reimburse the division of medical services for the mandatory co-payment made on the recipient's behalf;

b. Request information from the recipient to determine whether the mandatory co-payment was not made because of a change in the financial situation of the family; and

c. Advise the recipient of the possible loss of coverage under the program for up to six months if the recipient fails to provide three co-payments within a one-year period. The director of the department of social services shall apply to the United States Secretary of Health and Human Services for all waivers of requirements under federal law necessary to implement the provisions of this subdivision.”; and

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

Speaker Hanaway resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

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

NOES: 072

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

Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Baker	Davis 19	Miller
-------	----------	--------

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

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

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

The Chair ruled the point of order well taken.

On motion of Representative Purgason, **HS SS#2 SB 695, as amended**, was adopted.

Representative Skaggs moved that pursuant to Rule 25 (9)(b), **HS SS#2 SB 695, as amended**, be referred to the Committee on Budget for fiscal review.

Which motion was defeated by the following vote:

AYES: 069

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

NOES: 089

Abel	Angst	Avery	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Guest	Haywood

## 1837 *Journal of the House*

Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Bruns	Dempsey	Green	Miller
-------	-------	---------	-------	--------

On motion of Representative Purgason, **HS SS#2 SB 695, as amended**, was read the third time and passed by the following vote:

AYES: 088

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

NOES: 072

Abel	Adams	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meiners	Merideth	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger

Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Green	Miller
-------	-------	--------

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

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

NOES: 071

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

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Green	Meiners	Miller
-------	-------	---------	--------

### APPOINTMENT OF CONFERENCE COMMITTEE

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

**HS HCS SB 173:** Representatives Hunter, Brown, Parker, Walton and Boykins

### THIRD READING OF SENATE BILL

**HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420**, relating to retirement systems and benefits, was taken up by Representative Smith (118).

Representative Smith (118) offered **HS HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420**.

Representative Smith (118) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, Page 31, Section 104.040, Line 1, by inserting after the word “**his**”, the words, “**or her**”; and

Further amend said bill, Page 36, Section 104.110, Line 15, by inserting after “**residence;**”, the word, “**and**”; and

Further amend said bill, said page, said section, Line 17, by deleting the word, “**for**”; and

Further amend said bill, Page 54, Section 104.517, Line 18, by inserting after “**residence;**”, the word, “**and**”; and

Further amend said bill, Page 78, Section 104.1072, Line 11, by inserting after “**residence;**”, the word “**and**”; and

Further amend said bill, Page 85, Section 1, Line 4, by deleting the word, “**Medical**” and inserting in lieu thereof, the word, “**medical**”; and

Further amend said bill, Page 88, Section 2, Line 9, by deleting the word, “**affected**” and inserting in lieu thereof, the word “**effected**”; and

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

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

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

#### *House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute No.2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, Page 89, Section 2, Line 11, by deleting the words, “**personnel advisory board.**” and inserting in lieu thereof, the words, “**office of administration.**”; and

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

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

Representative Cooper (120) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, Pages 2-3, Section 56.807, Lines 5-17, by removing said section from the bill; and

Further amend said bill, Pages 83-84, Section 488.020, by deleting said section from the bill; and

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

On motion of Representative Cooper (120), **House Amendment No. 3** was adopted.

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

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 248, 100, 118, 233, 247, 341, & 420, Page 91, Section 2, Line 19 of said page, by inserting immediately after said line the following:

**“Section 3. Notwithstanding any other law or regulation to the contrary, any health carrier, as defined in section 376.1350, RSMo, may offer, as an option, one or more health benefit plans which contain deductibles, coinsurance, coinsurance differentials, or variable copayments.”; and**

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

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

Which motion was defeated by the following vote:

AYES: 031

Bruns	Byrd	Davis 19	Deeken	Dixon
Fares	Icet	Jackson	Jetton	King
Kingery	Lager	Luetkemeyer	May	Mayer
Moore	Morris	Myers	Parker	Phillips
Reinhart	Richard	Roark	Ruestman	Rupp
Schlottach	Taylor	Viebrock	Wallace	Wilson 119
Wood				

NOES: 125

Adams	Angst	Avery	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Burnett	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Dempsey
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin

## 1841 *Journal of the House*

Emery	Engler	Ervin	Fraser	George
Goodman	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
Kratky	Kuessner	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Marsh	McKenna
Meiners	Merideth	Muckler	Munzlinger	Nieves
Page	Pearce	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Sager	Salva
Sander	Schaaf	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Thompson	Threlkeld	Townley
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 130	Wilson 25	Wilson 42	Witte	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Baker	Bean	Graham	Green
Miller	Willoughby			

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

Representative Hobbs raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Smith (118), **HS HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420, as amended**, was adopted.

On motion of Representative Smith (118), **HS HCS SS#2 SCS SBs 248, 100, 118, 233, 247, 341 & 420, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Adams	Angst	Avery	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Guest	Hampton
Harris 110	Harris 23	Haywood	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King



Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Moore	Morris	Muckler	Munzlinger
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 005

Campbell	Henke	Merideth	Selby	Townley
----------	-------	----------	-------	---------

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Graham	Green	Miller	Myers
Willoughby				

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Abel	Adams	Angst	Avery	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid

## 1843 *Journal of the House*

Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 010

Burnett	Campbell	El-Amin	Henke	Lowe
Merideth	Myers	Selby	Townley	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Carnahan	Graham	Green	Miller
Wagner	Willoughby			

**HCS SB 243**, relating to state property preservation fund, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCS SB 243** was adopted.

On motion of Representative Deeken, **HCS SB 243** was read the third time and passed by the following vote:

AYES: 156

Abel	Adams	Angst	Avery	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Merideth	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14

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

NOES: 001

Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Graham	Green	Miller	Wagner
Willoughby				

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

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

NOES: 017

Adams	Brooks	Burnett	Carnahan	Corcoran
Harris 23	Henke	Hoskins	Johnson 61	Johnson 90
LeVota	Sager	Thompson	Walsh	Wildberger
Yaeger	Young			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 006

Baker	Graham	Green	Miller	Wagner
Willoughby				

### SENATE CONCURRENT RESOLUTIONS

**SCR 16**, relating to a joint interim committee, was taken up by Representative Cunningham (86).

Representative Johnson (47) assumed the Chair.

On motion of Representative Cunningham (86), **SCR 16** was adopted.

**SCR 12**, relating to prison facilities, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SCR 12** was adopted.

### HOUSE RESOLUTIONS

**HR 495**, relating to use of the Chamber, was taken up by Representative Harris (23).

On motion of Representative Harris (23), **HR 495** was adopted.

**HR 1086**, relating to use of the Chamber, was taken up by Representative Crowell.

On motion of Representative Crowell, **HR 1086** was adopted.

### BILLS IN CONFERENCE

**CCR SCS HCS HB 427**, relating to basic civil legal services fund, was taken up by Representative Byrd.

On motion of Representative Byrd, **CCR SCS HCS HB 427** was adopted by the following vote:

AYES: 156

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Adams	Baker	Graham	Green	Miller
Wagner	Willoughby			

On motion of Representative Byrd, **CCS SCS HCS HB 427** was read the third time and passed by the following vote:

AYES: 155

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

1847 *Journal of the House*

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Adams	Baker	Graham	Green	McKenna
Miller	Wagner	Willoughby		

Representative Johnson (47) declared the bill passed.

**CCR SCS HCS HB 613, as amended**, relating to court procedures, was taken up by Representative Byrd.

On motion of Representative Byrd, **CCR SCS HCS HB 613, as amended**, was adopted by the following vote:

AYES: 149

Angst	Avery	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser

George	Goodman	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meiners
Merideth	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Wasson	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 004

Page	Selby	Ward	Whorton
------	-------	------	---------

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Adams	Baker	Graham	Green
McKenna	Miller	Portwood	Wagner	Willoughby

Speaker Hanaway resumed the Chair.

On motion of Representative Byrd, **CCS SCS HCS HB 613**, was read the third time and passed by the following vote:

AYES: 151

Abel	Angst	Avery	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer

## 1849 *Journal of the House*

Meiners	Merideth	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Wildberger	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

Page	Selby	Ward	Whorton
------	-------	------	---------

PRESENT: 000

ABSENT WITH LEAVE: 008

Adams	Baker	Graham	Green	McKenna
Miller	Wagner	Willoughby		

Speaker Hanaway declared the bill passed.

### MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 32**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 138**, entitled:

An act to repeal sections 217.305 and 217.380, RSMo, and to enact in lieu thereof five new sections relating to the department of corrections.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 470**, entitled:

An act to repeal section 195.417, and to enact in lieu thereof two new sections relating to products used to produce methamphetamine, with penalty provisions.

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



*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, Page 1, Section 195.417, Line 6, by striking the word “**two**” and inserting in lieu thereof the word “**three**”; and

Further amend said section, said page, Line 13, by striking the word “**two**” and inserting in lieu thereof the word “**three**”.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, Page 3, Section 577.075, Line 16, by inserting after all of said line the following:

**“Section 1. In any case where there is a violation of Chapter 195, RSMo, a judge may, upon a finding of guilt, order a defendant to pay for costs for testing of the substances at a private laboratory.”.**

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 655**, entitled:

An act to repeal sections 162.680 and 162.962, RSMo, and to enact in lieu thereof two new sections relating to special education services.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND House Bill No. 655, Page 2, Section 162.962, Line 22, by inserting immediately after said line the following:

**“Section 1. Any student with a cochlear implant who attends the public schools of this state shall be entitled to an individualized education program upon the request of that student’s parent or legal guardian.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 412**, entitled:

An act to repeal sections 105.473, 105.485, 105.487, 105.492, 105.957, 105.961, 105.963, 105.973, 130.011, 130.016, 130.021, 130.026, 130.036, 130.046, 130.049, 130.050, and 130.057, RSMo, and to enact in lieu thereof twenty new sections relating to ethics, with penalty provisions.

With Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 6, Senate Amendment No. 6, as amended, Senate Amendment No. 1 to Senate Amendment No. 7, Senate Amendment No. 7, as amended, and Senate Amendment No. 8.

*Senate Amendment No. 2*

AMEND Senate Substitute for House Bill No. 412, Page 65, Section 130.036, Line 3, by inserting immediately after said line the following:

“130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates

or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection[;]. **The amount of expenditure apportioned to each candidate shall be reported to the candidate and to the Missouri ethics commission and to the appropriate election authority as described in section 130.026. Such report shall be made within ten days of making such expenditure. The report made to the Missouri ethics commission shall be made in an electronic format as prescribed by the commission and shall become a part of the candidate's disclosure report;**

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a continuing committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for House Bill No. 412, Page 15, Section 105.487, Line 14, by striking the opening and closing brackets; and further amend said line by striking the word "thirty-first"; and further amend said section and page, Line 15, by striking the opening and closing brackets; and further amend said line by striking the word "march".

*Senate Amendment No. 1*  
*to*  
*Senate Amendment No. 6*

AMEND Senate Substitute for House Bill No. 412, Page 6, Section 105.955, Lines 8-9, by striking all of said lines and insert in lieu thereof the following:

**“that derives any portion of its income from a political party, a candidate who is subject to the jurisdiction of the commission or a committee as defined in Section 130.011”.**

*Senate Amendment No. 6*

AMEND Senate Substitute for House Bill No. 412, Page 19, Section 105.497, Line 4 of said page, by inserting immediately after said line the following:

“105.955. 1. A bipartisan “Missouri Ethics Commission”, composed of six members, is hereby established. The commission shall be assigned to the office of administration with supervision by the office of administration only for budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision by the office of administration shall not extend to matters relating to policies, regulative functions or appeals from decisions of the commission, and the commissioner of administration, any employee of the office of administration, or the governor, either directly or indirectly, shall not participate or interfere with the activities of the commission in any manner not specifically provided by law and shall not in any manner interfere with the budget request of or withhold any moneys appropriated to the commission by the general assembly. All members of the commission shall be appointed by the governor with the advice and consent of the senate from lists submitted pursuant to this section. Each congressional district committee of the political parties having the two highest number of votes cast for their candidate for governor at the last gubernatorial election shall submit two names of eligible nominees for membership on the commission to the governor, and the governor shall select six members from such nominees to serve on the commission.

2. Within thirty days of submission of the person's name to the governor as provided in subsection 1 of this section, and in order to be an eligible nominee for appointment to the commission, a person shall file a financial interest statement in the manner provided by section 105.485 and shall provide the governor, the president pro tempore of the senate, and the commission with a list of all political contributions and the name of the candidate or committee, political party, or continuing committee, as defined in chapter 130, RSMo, to which those contributions were made within the four-year period prior to such appointment, made by the nominee, the nominee's spouse, or any business entity in which the nominee has a substantial interest. The information shall be maintained by the commission and available for public inspection during the period of time during which the appointee is a member of the commission. In order to be an eligible nominee for membership on the commission, a person shall be a citizen and a resident of the state and shall have been a registered voter in the state for a period of at least five years preceding the person's appointment.

3. The term of each member shall be for four years, except that of the members first appointed, the governor shall select three members from even-numbered congressional districts and three members from odd-numbered districts. Not more than three members of the commission shall be members of the same political party, nor shall more than one member be from any one United States congressional district. Not more than two members appointed from the even-numbered congressional districts shall be members of the same political party, and no more than two members from the odd-numbered congressional districts shall be members of the same political party. Of the members first appointed, the terms of the members appointed from the odd-numbered congressional districts shall expire on March 15, 1994, and the terms of the members appointed from the even-numbered congressional districts shall expire on March 15, 1996. Thereafter all successor members of the commission shall be appointed for four-year terms. Terms of successor members of the commission shall expire on March fifteenth of the fourth year of their term. No member of the commission shall serve on the commission after the expiration of the member's term. No person shall be appointed to more than one full four-year term on the commission.

4. Vacancies or expired terms on the commission shall be filled in the same manner as the original appointment was made, except as provided in this subsection. Within thirty days of the vacancy or ninety days before the expiration of the term, the names of two eligible nominees for membership on the commission shall be submitted to the governor by the congressional district committees of the political party or parties of the vacating member or members, from the even- or odd-numbered congressional districts, based on the residence of the vacating member or members, other than

from the congressional district committees from districts then represented on the commission and from the same congressional district party committee or committees which originally appointed the member or members whose positions are vacated. Appointments to fill vacancies or expired terms shall be made within forty-five days after the deadline for submission of names by the congressional district committees, and shall be subject to the same qualifications for appointment and eligibility as is provided in subsections 2 and 3 of this section. Appointments to fill vacancies for unexpired terms shall be for the remainder of the unexpired term of the member whom the appointee succeeds, and such appointees shall be eligible for appointment to one full four-year term. If the congressional district committee does not submit the required two nominees within the thirty days or if the congressional district committee does not submit the two nominees within an additional thirty days after receiving notice from the governor to submit the nominees, then the governor may appoint a person or persons who shall be subject to the same qualifications for appointment and eligibility as provided in subsections 2 and 3 of this section.

5. The governor, with the advice and consent of the senate, may remove any member only for substantial neglect of duty, inability to discharge the powers and duties of office, gross misconduct or conviction of a felony or a crime involving moral turpitude. Members of the commission also may be removed from office by concurrent resolution of the general assembly signed by the governor. If such resolution receives the vote of two-thirds or more of the membership of both houses of the general assembly, the signature of the governor shall not be necessary to effect removal. The office of any member of the commission who moves from the congressional district from which the member was appointed shall be deemed vacated upon such change of residence.

6. The commission shall elect biennially one of its members as the chairman. The chairman may not succeed himself or herself after two years. No member of the commission shall succeed as chairman any member of the same political party as himself or herself. At least four members are necessary to constitute a quorum, and at least four affirmative votes shall be required for any action or recommendation of the commission.

7. No member or employee of the commission, during the person's term of service, shall hold or be a candidate for any other public office.

8. In the event that a retired judge is appointed as a member of the commission, the judge shall not serve as a special investigator while serving as a member of the commission.

9. No member of the commission shall, during the member's term of service or within one year thereafter:

- (1) Be employed by the state or any political subdivision of the state;
- (2) Be employed as a lobbyist;
- (3) Serve on any other governmental board or commission;
- (4) Be an officer of any political party or political organization;
- (5) Permit the person's name to be used, or make contributions, in support of or in opposition to any candidate or proposition;

(6) Participate in any way in any election campaign; except that a member or employee of the commission shall retain the right to register and vote in any election, to express the person's opinion privately on political subjects or candidates, to participate in the activities of a civic, community, social, labor or professional organization and to be a member of a political party.

10. **No employee of the commission shall, during the employee's period of employment:**

- (1) Have a financial interest in any corporation, partnership, limited liability company, or other business entity in which a candidate subject to the jurisdiction of the commission has a financial interest; or**
- (2) Make a contribution to a candidate or committee as defined in section 130.011, RSMo.**

**11. No person shall be hired by the commission who has been employed by a political party, candidate, or committee as defined in section 130.011 at any time during the one-year period prior to the beginning date of employment with the commission.**

12. Each member of the commission shall receive, as full compensation for the member's services, the sum of one hundred dollars per day for each full day actually spent on work of the commission, and the member's actual and necessary expenses incurred in the performance of the member's official duties.

[11.] 13. The commission shall appoint an executive director who shall serve subject to the supervision of and at the pleasure of the commission, but in no event for more than six years. The executive director shall be responsible for the administrative operations of the commission and perform such other duties as may be delegated or assigned to the director by law or by rule of the commission. The executive director shall employ staff and retain such contract services as the director deems necessary, within the limits authorized by appropriations by the general assembly.

[12.] 14. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of section 105.489, and campaign finance

disclosure reports filed other than with election authorities or local election authorities as provided by section 130.026, RSMo, shall be filed with the commission.

[13.] **15.** Within sixty days of the initial meeting of the first commission appointed, the commission shall obtain from the clerk of the supreme court or the state courts administrator a list of retired appellate and circuit court judges who did not leave the judiciary as a result of being defeated in an election. The executive director shall determine those judges who indicate their desire to serve as special investigators and to investigate any and all complaints referred to them by the commission. The executive director shall maintain an updated list of those judges qualified and available for appointment to serve as special investigators. Such list shall be updated at least annually. The commission shall refer complaints to such special investigators on that list on a rotating schedule which ensures a random assignment of each special investigator. Each special investigator shall receive only one unrelated investigation at a time and shall not be assigned to a second or subsequent investigation until all other eligible investigators on the list have been assigned to an investigation. In the event that no special investigator is qualified or available to conduct a particular investigation, the commission may appoint a special investigator to conduct such particular investigation.

[14.] **16.** The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, RSMo, as provided in sections 105.955 to 105.963:

(1) Receive and review complaints regarding alleged violation of sections 105.450 to 105.496 and chapter 130, RSMo, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed by sections 105.955 to 105.963;

(2) Review and audit any reports and statements required by the campaign finance disclosure laws contained in chapter 130, RSMo, and financial interest disclosure laws or lobbyist registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness, accuracy and completeness of content as provided in sections 105.955 to 105.963;

(3) Develop appropriate systems to file and maintain an index of all such reports and statements to facilitate public access to such information, except as may be limited by confidentiality requirements otherwise provided by law, including cross-checking of information contained in such statements and reports. The commission may enter into contracts with the appropriate filing officers to effectuate such system. Such filing officers shall cooperate as necessary with the commission as reasonable and necessary to effectuate such purposes;

(4) Provide information and assistance to lobbyists, elected and appointed officials, and employees of the state and political subdivisions in carrying out the provisions of sections 105.450 to 105.496 and chapter 130, RSMo;

(5) Make recommendations to the governor and general assembly or any state agency on the need for further legislation with respect to the ethical conduct of public officials and employees and to advise state and local government in the development of local government codes of ethics and methods of disclosing conflicts of interest as the commission may deem appropriate to promote high ethical standards among all elected and appointed officials or employees of the state or any political subdivision thereof and lobbyists;

(6) Render advisory opinions as provided by this section;

(7) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and chapter 130, RSMo. All rules and regulations issued by the commission shall be prospective only in operation;

(8) Request and receive from the officials and entities identified in subdivision (6) of section 105.450 designations of decision-making public servants.

[15.] **17.** In connection with such powers provided by sections 105.955 to 105.963 and chapter 130, RSMo, the commission may:

(1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be served and enforced in the same manner provided by section 536.077, RSMo;

(2) Administer oaths and affirmations;

(3) Take evidence and require by subpoena duces tecum the production of books, papers, and other records relating to any matter being investigated or to the performance of the commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and enforced in the same manner provided by section 536.077, RSMo;

(4) Employ such personnel, including legal counsel, and contract for services including legal counsel, within the limits of its appropriation, as it deems necessary provided such legal counsel, either employed or contracted, represents the Missouri ethics commission before any state agency or before the courts at the request of the Missouri ethics commission. Nothing in this section shall limit the authority of the Missouri ethics commission as provided for in subsection 2 of section 105.961; and

(5) Obtain information from any department, division or agency of the state or any political subdivision reasonably calculated to lead to the discovery of evidence which will reasonably assist the commission in carrying out the duties prescribed in sections 105.955 to 105.963 and chapter 130, RSMo.

[16.] **18.** (1) Upon written request for an advisory opinion received by the commission, and if the commission determines that the person requesting the opinion would be directly affected by the application of law to the facts presented by the requesting person, the commission shall issue a written opinion advising the person who made the request, in response to the person's particular request, regarding any issue that the commission can receive a complaint on pursuant to section 105.957. The commission may decline to issue a written opinion by a vote of four members and shall provide to the requesting person the reason for the refusal in writing. The commission shall give an approximate time frame as to when the written opinion shall be issued. Such advisory opinions shall be issued no later than ninety days from the date of receipt by the commission. Such requests and advisory opinions, deleting the name and identity of the requesting person, shall be compiled and published by the commission on at least an annual basis. Advisory opinions issued by the commission shall be maintained and made available for public inspection and copying at the office of the commission during normal business hours. Any advisory opinion or portion of an advisory opinion rendered pursuant to this subsection shall be withdrawn by the commission if, after hearing thereon, the joint committee on administrative rules finds that such advisory opinion is beyond or contrary to the statutory authority of the commission or is inconsistent with the legislative intent of any law enacted by the general assembly, and after the general assembly, by concurrent resolution, votes to adopt the findings and conclusions of the joint committee on administrative rules. Any such concurrent resolution adopted by the general assembly shall be published at length by the commission in its publication of advisory opinions of the commission next following the adoption of such resolution, and a copy of such concurrent resolution shall be maintained by the commission, along with the withdrawn advisory opinion, in its public file of advisory opinions. The commission shall also send a copy of such resolution to the person who originally requested the withdrawn advisory opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any person requesting such opinion and no person shall be liable for relying on the opinion and it shall act as a defense of justification against prosecution. An advisory opinion of the commission shall not be withdrawn unless:

- (a) The authorizing statute is declared unconstitutional;
- (b) The opinion goes beyond the power authorized by statute; or
- (c) The authorizing statute is changed to invalidate the opinion.

(2) Upon request, the attorney general shall give the attorney general's opinion, without fee, to the commission, any elected official of the state or any political subdivision, any member of the general assembly, or any director of any department, division or agency of the state, upon any question of law regarding the effect or application of sections 105.450 to 105.496, or chapter 130, RSMo. Such opinion need be in writing only upon request of such official, member or director, and in any event shall be rendered within sixty days that such request is delivered to the attorney general.

[17.] **19.** The state auditor and the state auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070, RSMo, may audit the commission and in connection therewith may inspect materials relating to the functions of the commission. Such audit shall include a determination of whether appropriations were spent within the intent of the general assembly, but shall not extend to review of any file or document pertaining to any particular investigation, audit or review by the commission, an investigator or any staff or person employed by the commission or under the supervision of the commission or an investigator. The state auditor and any employee of the state auditor shall not disclose the identity of any person who is or was the subject of an investigation by the commission and whose identity is not public information as provided by law.

[18.] **20.** From time to time but no more frequently than annually the commission may request the officials and entities described in subdivision (6) of section 105.450 to identify for the commission in writing those persons associated with such office or entity which such office or entity has designated as a decision-making public servant. Each office or entity delineated in subdivision (6) of section 105.450 receiving such a request shall identify those so designated within thirty days of the commission's request.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1  
to  
Senate Amendment No. 7*

AMEND Senate Amendment No. 7 to Senate Substitute for House Bill No. 412, Page 9, Section 105.955, Line 20, by inserting after all of said line the following:

**“(4) Such subpoenas shall be sealed by the circuit clerk until such time as the matter is referred to the prosecuting attorney”;** and further renumber the remaining subdivision accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for House Bill No. 412, Page 19, Section 105.497, Line 4 of said page, by inserting after all of said line the following:

“105.955. 1. A bipartisan “Missouri Ethics Commission”, composed of six members, is hereby established. The commission shall be assigned to the office of administration with supervision by the office of administration only for budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision by the office of administration shall not extend to matters relating to policies, regulative functions or appeals from decisions of the commission, and the commissioner of administration, any employee of the office of administration, or the governor, either directly or indirectly, shall not participate or interfere with the activities of the commission in any manner not specifically provided by law and shall not in any manner interfere with the budget request of or withhold any moneys appropriated to the commission by the general assembly. All members of the commission shall be appointed by the governor with the advice and consent of the senate from lists submitted pursuant to this section. Each congressional district committee of the political parties having the two highest number of votes cast for their candidate for governor at the last gubernatorial election shall submit two names of eligible nominees for membership on the commission to the governor, and the governor shall select six members from such nominees to serve on the commission.

2. Within thirty days of submission of the person's name to the governor as provided in subsection 1 of this section, and in order to be an eligible nominee for appointment to the commission, a person shall file a financial interest statement in the manner provided by section 105.485 and shall provide the governor, the president pro tempore of the senate, and the commission with a list of all political contributions and the name of the candidate or committee, political party, or continuing committee, as defined in chapter 130, RSMo, to which those contributions were made within the four-year period prior to such appointment, made by the nominee, the nominee's spouse, or any business entity in which the nominee has a substantial interest. The information shall be maintained by the commission and available for public inspection during the period of time during which the appointee is a member of the commission. In order to be an eligible nominee for membership on the commission, a person shall be a citizen and a resident of the state and shall have been a registered voter in the state for a period of at least five years preceding the person's appointment.

3. The term of each member shall be for four years, except that of the members first appointed, the governor shall select three members from even-numbered congressional districts and three members from odd-numbered districts. Not more than three members of the commission shall be members of the same political party, nor shall more than one member be from any one United States congressional district. Not more than two members appointed from the even-numbered congressional districts shall be members of the same political party, and no more than two members from the odd-numbered congressional districts shall be members of the same political party. Of the members first appointed, the terms of the members appointed from the odd-numbered congressional districts shall expire on March 15, 1994, and the terms of the members appointed from the even-numbered congressional districts shall expire on March 15, 1996. Thereafter all successor members of the commission shall be appointed for four-year terms. Terms of successor members of the commission shall expire on March fifteenth of the fourth year of their term. No member of the commission shall serve on the commission after the expiration of the member's term. No person shall be appointed to more than one full four-year term on the commission.

4. Vacancies or expired terms on the commission shall be filled in the same manner as the original appointment was made, except as provided in this subsection. Within thirty days of the vacancy or ninety days before the expiration of the term, the names of two eligible nominees for membership on the commission shall be submitted to the governor by the congressional district committees of the political party or parties of the vacating member or members, from the even- or odd-numbered congressional districts, based on the residence of the vacating member or members, other than from the congressional district committees from districts then represented on the commission and from the same congressional district party committee or committees which originally appointed the member or members whose positions are vacated. Appointments to fill vacancies or expired terms shall be made within forty-five days after the deadline for submission of names by the congressional district committees, and shall be subject to the same qualifications for appointment and eligibility as is provided in subsections 2 and 3 of this section. Appointments to fill vacancies for unexpired terms shall be for the remainder of the unexpired term of the member whom the appointee succeeds, and such appointees shall be eligible for appointment to one full four-year term. If the congressional district committee does not



submit the required two nominees within the thirty days or if the congressional district committee does not submit the two nominees within an additional thirty days after receiving notice from the governor to submit the nominees, then the governor may appoint a person or persons who shall be subject to the same qualifications for appointment and eligibility as provided in subsections 2 and 3 of this section.

5. The governor, with the advice and consent of the senate, may remove any member only for substantial neglect of duty, inability to discharge the powers and duties of office, gross misconduct or conviction of a felony or a crime involving moral turpitude. Members of the commission also may be removed from office by concurrent resolution of the general assembly signed by the governor. If such resolution receives the vote of two-thirds or more of the membership of both houses of the general assembly, the signature of the governor shall not be necessary to effect removal. The office of any member of the commission who moves from the congressional district from which the member was appointed shall be deemed vacated upon such change of residence.

6. The commission shall elect biennially one of its members as the chairman. The chairman may not succeed himself or herself after two years. No member of the commission shall succeed as chairman any member of the same political party as himself or herself. At least four members are necessary to constitute a quorum, and at least four affirmative votes shall be required for any action or recommendation of the commission.

7. No member or employee of the commission, during the person's term of service, shall hold or be a candidate for any other public office.

8. In the event that a retired judge is appointed as a member of the commission, the judge shall not serve as a special investigator while serving as a member of the commission.

9. No member of the commission shall, during the member's term of service or within one year thereafter:

(1) Be employed by the state or any political subdivision of the state;

(2) Be employed as a lobbyist;

(3) Serve on any other governmental board or commission;

(4) Be an officer of any political party or political organization;

(5) Permit the person's name to be used, or make contributions, in support of or in opposition to any candidate or proposition;

(6) Participate in any way in any election campaign; except that a member or employee of the commission shall retain the right to register and vote in any election, to express the person's opinion privately on political subjects or candidates, to participate in the activities of a civic, community, social, labor or professional organization and to be a member of a political party.

10. Each member of the commission shall receive, as full compensation for the member's services, the sum of one hundred dollars per day for each full day actually spent on work of the commission, and the member's actual and necessary expenses incurred in the performance of the member's official duties.

11. The commission shall appoint an executive director who shall serve subject to the supervision of and at the pleasure of the commission, but in no event for more than six years. The executive director shall be responsible for the administrative operations of the commission and perform such other duties as may be delegated or assigned to the director by law or by rule of the commission. The executive director shall employ staff and retain such contract services as the director deems necessary, within the limits authorized by appropriations by the general assembly.

12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of section 105.489, and campaign finance disclosure reports filed other than with election authorities or local election authorities as provided by section 130.026, RSMo, shall be filed with the commission.

13. Within sixty days of the initial meeting of the first commission appointed, the commission shall obtain from the clerk of the supreme court or the state courts administrator a list of retired appellate and circuit court judges who did not leave the judiciary as a result of being defeated in an election. The executive director shall determine those judges who indicate their desire to serve as special investigators and to investigate any and all complaints referred to them by the commission. The executive director shall maintain an updated list of those judges qualified and available for appointment to serve as special investigators. Such list shall be updated at least annually. The commission shall refer complaints to such special investigators on that list on a rotating schedule which ensures a random assignment of each special investigator. Each special investigator shall receive only one unrelated investigation at a time and shall not be assigned to a second or subsequent investigation until all other eligible investigators on the list have been assigned to an investigation. In the event that no special investigator is qualified or available to conduct a particular investigation, the commission may appoint a special investigator to conduct such particular investigation.

14. The commission shall have the following duties and responsibilities relevant to the impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, RSMo, as provided in sections 105.955 to 105.963:

(1) Receive and review complaints regarding alleged violation of sections 105.450 to 105.496 and chapter 130, RSMo, conduct initial reviews and investigations regarding such complaints as provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed by sections 105.955 to 105.963;

(2) Review and audit any reports and statements required by the campaign finance disclosure laws contained in chapter 130, RSMo, and financial interest disclosure laws or lobbyist registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness, accuracy and completeness of content as provided in sections 105.955 to 105.963;

(3) Develop appropriate systems to file and maintain an index of all such reports and statements to facilitate public access to such information, except as may be limited by confidentiality requirements otherwise provided by law, including cross-checking of information contained in such statements and reports. The commission may enter into contracts with the appropriate filing officers to effectuate such system. Such filing officers shall cooperate as necessary with the commission as reasonable and necessary to effectuate such purposes;

(4) Provide information and assistance to lobbyists, elected and appointed officials, and employees of the state and political subdivisions in carrying out the provisions of sections 105.450 to 105.496 and chapter 130, RSMo;

(5) Make recommendations to the governor and general assembly or any state agency on the need for further legislation with respect to the ethical conduct of public officials and employees and to advise state and local government in the development of local government codes of ethics and methods of disclosing conflicts of interest as the commission may deem appropriate to promote high ethical standards among all elected and appointed officials or employees of the state or any political subdivision thereof and lobbyists;

(6) Render advisory opinions as provided by this section;

(7) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and chapter 130, RSMo. All rules and regulations issued by the commission shall be prospective only in operation;

(8) Request and receive from the officials and entities identified in subdivision (6) of section 105.450 designations of decision-making public servants.

15. In connection with such powers provided by sections 105.955 to 105.963 and chapter 130, RSMo, the commission may:

(1) **After the filing of a contested case, apply to a circuit court for the issuance of a subpoena to witnesses [and] to compel their attendance and testimony. Subpoenas shall be served and enforced in the same manner provided [by section 536.077, RSMo] in the Missouri Rules of Civil Procedure;**

(2) Administer oaths and affirmations;

(3) Take evidence and [require by], **after the filing of a contested case, apply to a circuit court for the issuance of a subpoena duces tecum the production of books, papers, and other records relating to any matter being investigated or to the performance of the commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and enforced in the same manner provided [by section 536.077, RSMo] in the Missouri Rules of Civil Procedure;**

(4) Employ such personnel, including legal counsel, and contract for services including legal counsel, within the limits of its appropriation, as it deems necessary provided such legal counsel, either employed or contracted, represents the Missouri ethics commission before any state agency or before the courts at the request of the Missouri ethics commission. Nothing in this section shall limit the authority of the Missouri ethics commission as provided for in subsection 2 of section 105.961; and

(5) Obtain information from any department, division or agency of the state or any political subdivision reasonably calculated to lead to the discovery of evidence which will reasonably assist the commission in carrying out the duties prescribed in sections 105.955 to 105.963 and chapter 130, RSMo.

16. (1) Upon written request for an advisory opinion received by the commission, and if the commission determines that the person requesting the opinion would be directly affected by the application of law to the facts presented by the requesting person, the commission shall issue a written opinion advising the person who made the request, in response to the person's particular request, regarding any issue that the commission can receive a complaint on pursuant to section 105.957. The commission may decline to issue a written opinion by a vote of four members and shall provide to the requesting person the reason for the refusal in writing. The commission shall give an approximate time frame as to when the written opinion shall be issued. Such advisory opinions shall be issued no later than ninety days from the date of receipt by the commission. Such requests and advisory opinions, deleting the name and identity of the requesting person, shall be compiled and published by the commission on at least an annual basis. Advisory opinions issued by the commission shall be maintained and made available for public inspection and copying at the office of the commission during normal business hours. Any advisory opinion or portion of an advisory opinion rendered pursuant to this subsection shall be withdrawn by the commission if, after hearing thereon, the joint committee on administrative

rules finds that such advisory opinion is beyond or contrary to the statutory authority of the commission or is inconsistent with the legislative intent of any law enacted by the general assembly, and after the general assembly, by concurrent resolution, votes to adopt the findings and conclusions of the joint committee on administrative rules. Any such concurrent resolution adopted by the general assembly shall be published at length by the commission in its publication of advisory opinions of the commission next following the adoption of such resolution, and a copy of such concurrent resolution shall be maintained by the commission, along with the withdrawn advisory opinion, in its public file of advisory opinions. The commission shall also send a copy of such resolution to the person who originally requested the withdrawn advisory opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any person requesting such opinion and no person shall be liable for relying on the opinion and it shall act as a defense of justification against prosecution. An advisory opinion of the commission shall not be withdrawn unless:

- (a) The authorizing statute is declared unconstitutional;
- (b) The opinion goes beyond the power authorized by statute; or
- (c) The authorizing statute is changed to invalidate the opinion.

(2) Upon request, the attorney general shall give the attorney general's opinion, without fee, to the commission, any elected official of the state or any political subdivision, any member of the general assembly, or any director of any department, division or agency of the state, upon any question of law regarding the effect or application of sections 105.450 to 105.496, or chapter 130, RSMo. Such opinion need be in writing only upon request of such official, member or director, and in any event shall be rendered within sixty days that such request is delivered to the attorney general.

17. The state auditor and the state auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070, RSMo, may audit the commission and in connection therewith may inspect materials relating to the functions of the commission. Such audit shall include a determination of whether appropriations were spent within the intent of the general assembly, but shall not extend to review of any file or document pertaining to any particular investigation, audit or review by the commission, an investigator or any staff or person employed by the commission or under the supervision of the commission or an investigator. The state auditor and any employee of the state auditor shall not disclose the identity of any person who is or was the subject of an investigation by the commission and whose identity is not public information as provided by law.

18. From time to time but no more frequently than annually the commission may request the officials and entities described in subdivision (6) of section 105.450 to identify for the commission in writing those persons associated with such office or entity which such office or entity has designated as a decision-making public servant. Each office or entity delineated in subdivision (6) of section 105.450 receiving such a request shall identify those so designated within thirty days of the commission's request.”; and

Further amend said bill, Page 23, Section 105.961, Line 4 of said page, by inserting after the word “sections.” the following:

**“Discovery for such hearing and any subsequent contested case hearing shall be limited to only information that is reasonably calculated to lead to admissible evidence regarding the subject matter of the complaint.”; and**

Further amend said bill and section, Page 27, Lines 6 to 21, by striking all of said lines and renumber the remaining subdivision accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for House Bill No. 412, Page 79, Section 130.047, Line 29, by inserting after all of said line the following:

**“9. In any case that challenges the commission’s assessment of a late filing fee for any filing that is required to be made electronically, the commission shall bear the burden of proving that its electronic filing system was operable at the time the filing was required to be made”.**

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee

from the House on **HCS SS SCS SB 36, as amended**: Senators Klindt, Steelman, Clemens, Caskey and Kennedy.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 199, as amended**: Senators Childers, Griesheimer, Nodler, Caskey and Quick.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 686, as amended**: Senators Russell, Foster, Childers, Caskey and Stoll.

And further, that the Senate conferees are allowed to exceed the differences by allowing school districts to place on the ballot bond issues for the purposes of rebuilding property damaged by severe weather.

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

**SS HB 412, as amended**, relating to ethics, was taken up by Representative Goodman.

Representative Goodman moved that the House refuse to adopt **SS HB 412, 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 HS HB 470, as amended**, relating to methamphetamine, was taken up by Representative Mayer.

Representative Mayer moved that the House refuse to adopt **SS SCS HS HB 470, 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.

**HB 655, with Senate Amendment No. 1**, relating to special education services, was taken up by Representative Wilson (130).

Representative Wilson (130) moved that the House refuse to concur in **Senate Amendment No. 1** to **HB 655** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SS HCS HB 73, as amended**, relating to the higher education savings program, was taken up by Representative Luetkemeyer.

**SS HCS HB 73, as amended**, was laid over.

**SCS HCS HBs 346 & 174**, relating to the public school retirement systems, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCS HCS HBs 346 & 174** was adopted by the following vote:

AYES: 152

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

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 010

Adams	Baker	Boykins	Graham	Green
Lawson	McKenna	Miller	Wagner	Willoughby

On motion of Representative Dempsey, **SCS HCS HBs 346 & 174** was truly agreed to and finally passed by the following vote:

## 1863 *Journal of the House*

AYES: 150

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

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Adams	Baker	Boykins	Graham	Green
Kratky	Lawson	Mayer	McKenna	Miller
Wagner	Willoughby			

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

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

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

NOES: 001

Johnson 61

PRESENT: 002

Campbell                      Whorton

ABSENT WITH LEAVE: 011

Adams	Baker	Graham	Green	Lawson
McKenna	Miller	Seigfreid	Wagner	Willoughby
Zweifel				

## COMMITTEE REPORT

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

Madam Speaker: Your Committee on Tax Policy, to which was referred **SCS SB 675**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**SCS SB 675** - Budget (Fiscal Note)

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 2755** - Rules

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 2** - Education

**SCR 17** - Children and Families

**SCR 20** - Corrections and State Institutions

**SCR 21** - Agriculture

### **CONFERENCE COMMITTEE REPORT #3 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 36**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 36, with House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 3 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 9, 10, House Substitute Amendment No. 1 for House Amendment No. 11, and House Amendment No. 12, 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 Substitute for Senate Committee Substitute for Senate Bill No. 36, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 36;
3. That the attached Conference Committee Substitute #3 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 36, be Third Read and Finally Passed.



FOR THE SENATE:

/s/ David Klindt  
/s/ Sarah Steelman  
/s/ Dan Clemens  
/s/ Harold L. Caskey  
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Peter Myers  
/s/ Dennis Wood  
/s/ Merrill Townley  
/s/ Wes Shoemyer  
/s/ Rachel Bringer

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 69**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 69 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. 69;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 69;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 69, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Anita Yeckel  
/s/ Gary Nodler  
/s/ Delbert Scott  
/s/ Harry Kennedy  
/s/ Charles Wheeler

FOR THE HOUSE:

/s/ Brian Baker  
/s/ Neal St. Onge  
/s/ Randall N. Angst  
/s/ Craig Bland  
/s/ Curt Dougherty

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 298**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 298, with House Amendment Nos. 1, 2, 3, 4, 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 Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 298, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 298;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 298, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer  
/s/ Doyle Childers  
/s/ Sarah Steelman  
/s/ James Mathewson  
/s/ Stephen Stoll

FOR THE HOUSE:

/s/ Robert Johnson  
/s/ Kevin Engler  
/s/ Thomas Villa  
/s/ Cathy Jolly

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 379**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 379, 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. 379;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 379;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 379, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Norma Champion  
/s/ Gary Nodler  
/s/ Doyle Childers  
/s/ James Mathewson  
/s/ Charles Wheeler

FOR THE HOUSE:

/s/ Mark Wright  
/s/ Larry Morris  
/s/ Bob Dixon  
/s/ Thomas George  
/s/ Ray Salva

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 552**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 552, 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 Bill No. 552;
2. That Senate Bill No. 552, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Anita Yeckel  
/s/ John Loudon  
/s/ John Cauthorn  
/s/ Jim Mathewson  
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Richard Byrd  
/s/ Todd Smith  
/s/ Marilyn Ruestman  
/s/ Esther Haywood  
/s/ Margaret Donnelly

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 555**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 555, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 555;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 555;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 555, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Peter Kinder  
/s/ Sarah Steelman  
/s/ David Klindt  
/s/ Wayne Goode  
/s/ Patrick Dougherty

FOR THE HOUSE:

/s/ Lanie G. Black III  
/s/ Richard Byrd  
/s/ Peter Myers  
/s/ Thomas George  
/s/ Gina Walsh

**COMMITTEE REPORTS**

**Committee on Conservation and Natural Resources**, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SS SCS SBs 361, 103, 156 & 329**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3 and House Committee Amendment No. 4.**

*House Committee Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 42, Section 393.017, Lines 1 to 22, by deleting all of said section; and

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

*House Committee Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Pages 29 to 30, Section 250.140, Lines 1 to 12, by deleting all of said section; and

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

*House Committee Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Pages 61 to 62, Section 644.145, Lines 1 to 20, by deleting all of said section; and

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

*House Committee Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 361, 103, 156 & 329, Page 2, Section 204.600, Line 3, by inserting immediately after the word “**RSMo**”, the words “**except sewer districts subject to Section 204.472, RSMo.**”.

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

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Judiciary**, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Small Business**, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **HR 887**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 887

WHEREAS, since many small businesses only have one choice for providing health care for their employees because they are unable to attract insurance carriers to provide them with less expensive and more flexible benefit

options, small businesses in the United States are desperate to find more health insurance choices to provide affordable health care for their employees; and

WHEREAS, even though many small businesses have cut back on the health insurance coverage they provide and increased the costs to their employees, they are still finding it almost impossible to provide health insurance to their employees, which leaves employees uncovered and, therefore, increases the ranks of the employed but uninsured; and

WHEREAS, with small business creating up to 75% of net new jobs in the United States and with 56% of the 41.2 million uninsured in the country already either working a full-time, full-year job or depending upon a person who does, it is imperative that these individuals receive insurance through their employers; and

WHEREAS, currently only 61% of small businesses are offering health benefits, which is down from the 67% just three years ago, while more than two-thirds of Americans rely on their employer for health insurance; and

WHEREAS, the problem is especially acute for small businesses with less than fifty employees, where only 47% of employers currently provide health insurance benefits for their employees and only 24% of small businesses that employ "low wage" workers offer health plans; and

WHEREAS, volume purchasing of insurance is the key to reducing costs and improving benefit options for small employers, and by purchasing coverage through association health plans, small businesses can pool together nationally and prevent the isolation that drives up costs and reduces options; and

WHEREAS, on March 6, 2003, Senator Olympia Snowe introduced, with Senator Kit Bond and Senator Jim Talent of Missouri as co-sponsors, the "Small Business Health Fairness Act of 2003", or S.545, in the United States Senate; and

WHEREAS, this legislation amends Title I of the Employee Retirement Income Security Act of 1974 to improve access and choices for entrepreneurs with small businesses with respect to medical care for their employees, and will give small businesses the same market-based advantages and leverage that large employers and unions currently enjoy to provide health insurance for their employees by allowing small businesses to pool together nationally; and

WHEREAS, by permitting small businesses to purchase health insurance coverage for their employees through association health plans, small businesses will have the same advantages that large employers and unions currently have:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby declare our support for and urge the 108th Congress of the United States to enact the "Small Business Health Fairness Act of 2003", S.545, introduced in the United States Senate by Senator Snowe and co-sponsored by both Senator Kit Bond and Senator Jim Talent of Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

**Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:**

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 598**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**SUPPLEMENTAL CALENDAR  
(May 13, 2003)**

**SENATE BILL FOR THIRD READING**

HCS SCS SB 675, E.C. (Budget 5-13-03) - Cooper (120)

**MESSAGES FROM THE SENATE**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SS SCS HCS HB 600, as amended**, and has taken up and passed **CCS SS SS SCS HCS HB 600**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 555**, and has taken up and passed **CCS HS HCS SS SCS SB 555**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 379**, and has taken up and passed **CCS HCS SCS SB 379**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 298, as amended**, and has taken up and passed **CCS HCS SS SCS SB 298**.

**COMMUNICATION**

May 13, 2003

Steve Davis  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

I am writing to inform you, per RSMo 105.461, that my wife Jennifer Page has a contractual relationship with an entity that has a contract with St. Anthony's Hospital in St. Louis County to run their Acute Rehabilitation unit.

St. Anthony's Hospital currently receives inadequate reimbursement for Medicaid patients and it's survival as a trauma center for St. Louis County is at risk. Loss of trauma service would be devastating for our county. I intend to advocate for adequate reimbursement for St. Anthony's Hospital so that they may continue to serve my community.

Please contact me if you have any questions regarding my intentions.

Sincerely,

/s/ Sam Page

## ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, May 14, 2003.

## CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Monday, May 12, 2003, Page 1788, by deleting Lines 30 and 31 and inserting in lieu thereof the following: "The House conferees on **HCS SCS SB 379** are allowed to exceed the differences by deleting certain sentences."

## AFFIDAVITS

I, State Representative Tom Dempsey, District 18, hereby state and affirm that my vote as recorded on Pages 1752 and 1753 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ Tom Dempsey  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

-----

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1753 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ Jane Cunningham  
State Representative



State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk  
\_\_\_\_\_

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1755 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ Steve Hunter  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Patricia W. Parris  
Notary Public

Attest: /s/ Stephen S. Davis  
Chief Clerk  
\_\_\_\_\_

I, State Representative John Quinn, District 7, hereby state and affirm that my vote as recorded on Page 1755 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ John Quinn  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk  
\_\_\_\_\_

1875 *Journal of the House*

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on Pages 1762 and 1763 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ Bryan Pratt  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

-----  
I, State Representative Vicki Schneider, District 17, hereby state and affirm that my vote as recorded on Page 1789 of the House Journal for Monday, May 12, 2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2003.

/s/ Vicki Schneider  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 13th day of May in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

-----  
**COMMITTEE MEETINGS**

**BUDGET**

Wednesday, May 14, 2003, 8:30 a.m. Hearing Room 3.  
Public hearing, fiscal review and possible Executive Session.  
Public Hearing to be held on: SB 184, SCR 11

**BUDGET**

Thursday, May 15, 2003, 8:30 a.m. Hearing Room 3.  
Public hearing, fiscal review, possible Executive Session on any legislation referred to committee.

**BUDGET**

Friday, May 16, 2003, 8:30 a.m. Hearing Room 3.

Public hearing, fiscal review, possible Executive Session on legislation referred to committee.

**CONFERENCE COMMITTEE NOTICE**

Wednesday, May 14, 2003, 8:00 a.m. Hearing Room 1.

Conference Committee on SS HS HCS HB 679 & 396.

**CONFERENCE COMMITTEE NOTICE**

Wednesday, May 14, 2003, 8:30 a.m. Pershing Gallery.

Conference Committee on HS HCS SCS SB 199 as amended.

**CONFERENCE COMMITTEE NOTICE**

Wednesday, May 14, 2003, 12:00 p.m. Senate Lounge.

Conference Committee on HS HCS SCS SB 686 as amended.

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Wednesday, May 14, 2003, 8:30 a.m. Hearing Room 6.

**HOUSE CALENDAR**

SEVENTY-FIRST DAY, WEDNESDAY, MAY 14, 2003

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HJR 26 - Roark

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 132, 173, 117 & 48 - Wright
- 2 HCS HB 215, 218, 115 & 83 - Myers
- 3 HCS HB 190 & 214 - Fares
- 4 HCS HB 51 - Mayer
- 5 HCS HB 387 - Pearce
- 6 HCS HB 109 & 34 - Fares
- 7 HB 263 - Cooper (120)
- 8 HCS HB 468 - Byrd
- 9 HCS HB 233 - Holand
- 10 HB 471 - Jackson
- 11 HCS HB 47 - Portwood
- 12 HCS HB 507 - Hubbard
- 13 HB 293, HCA 1 - Johnson (47)
- 14 HCS HB 345 - Cunningham (86)
- 15 HCS HB 385 - Cunningham (86)
- 16 HCS HB 447 - Townley

- 17 HB 618 - Yates
- 18 HCS HB 583 - Smith (118)

**HOUSE BILL FOR THIRD READING**

HS HCS HB 404, 324, 403, 344, 426 & 541 - Rector

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 SCS SCR 8, (4-14-03, Pages 1021-1022) - El-Amin
- 2 SCR 11, (4-29-03, Pages 1395-1396, Budget 5-12-03) - Parker

**SENATE CONCURRENT RESOLUTION**

SS SCR 7, (4-07-03, Pages 946-947) - Byrd

**SENATE BILL FOR THIRD READING - CONSENT**

SB 214, HCA 1 - Byrd

**SENATE BILLS FOR THIRD READING**

- 1 SB 496 - Luetkemeyer
- 2 SS SB 34 - Pratt
- 3 HCS SS SCS SB 30 - Schneider
- 4 SS SB 13 - Crawford
- 5 HCS SB 469 - Byrd
- 6 HCS SB 39 - Mayer
- 7 SCS SB 620, E.C. - Dempsey
- 8 SS SB 219, E.C. - Smith (14)
- 9 HCS SCS SB 11, E.C. - Cooper (120)
- 10 HCS SS#2 SCS SB 481 - Crawford
- 11 HCS SB 184, (Budget 5-08-03) - Mayer
- 12 HCS SB 12 - Byrd
- 13 SS SS SCS SB 280 - Byrd
- 14 HCS SCS SB 38 - Hobbs
- 15 SCS SB 307, E.C. - Portwood
- 16 HCS SCS SB 675, E.C. (Budget 5-13-03) - Cooper (120)
- 17 SCS SB 421 - Byrd
- 18 HCS SS SCS SB 5, E.C. - Mayer
- 19 SS SCS SB 361, 103, 156, & 329, HCAs 1, 2, 3 & 4 - Townley
- 20 SB 598 - Wilson (130)

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HCS HB 73, as amended - Luetkemeyer
- 2 SCS HS HCS HB 228, as amended - Pearce
- 3 SS HCS HB 138 - Crawford

**BILLS CARRYING REQUEST MESSAGES**

- 1 SS HB 412, as amended (request Senate recede/grant conference) - Goodman
- 2 SS SCS HS HB 470, as amended (request Senate recede/grant conference) - Mayer
- 3 HB 655, SA 1 (request Senate recede/grant conf.) - Wilson (130)

**BILLS IN CONFERENCE**

- 1 CCR HS SCS SB 299 & 40, as amended - Bearden
- 2 HCS SB 401 - Pratt
- 3 CCR#2 HCS SB 552 - Byrd
- 4 CCR HCS SB 394, as amended - Byrd
- 5 CCR HCS SCS SB 379 - Wright
- 6 CCR#3 HCS SS SCS SB 36, as amended - Myers
- 7 HS HCS SCS SB 246, as amended - Rector
- 8 CCR HCS SB 186 - Munzlinger
- 9 SS SCS HS HB 668, as amended - Crawford
- 10 CCR HCS SCS SB 69 - Baker
- 11 CCR HCS SS SCS SB 298, as amended - Johnson (47)
- 12 CCR HS HCS SS SCS SB 555, E.C. - Black
- 13 SS HS HCS HB 679 & 396, as amended - Hanaway
- 14 HS HCS SB 173, as amended - Walton
- 15 HS HCS SCS SB 199, as amended - Johnson (47)
- 16 HS HCS SCS SB 686, as amended - Cunningham (86)

**HOUSE RESOLUTION**

HR 887 - St. Onge