

# JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 9, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Just, Holy, Loving God, Your grace may well be what this House truly needs today. May the grace of friendship with You visit jangled nerves, settle anxiety, rekindle decisiveness, that we may come closer to the finish of this session with a deep sense of accomplishment. May a spirit of inner serenity find a home in our hearts, and the fire of Your life move our minds and hands today. Build Your deep compassion into the core of the laws and acts this august body enacts this day. 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: Sherri Holstine, Crystal Evans, Anthony Clough, Jeremie Johnston, Ross Eric Knight, Jason Blunk, Sarah Blunk, Christine Blunk, Laura Blunk, Stephen Blunk, Carl Hasse, Rachel Kaminski, Tyler Milford, Laura Mix, Colby Rizzo, Caity Hawksley, Matt Hearty, Madison Mack, Patrick Flynn, Ashley Mueller, Andrew Chetta, John Edwards, Amanda Conway, Mark Alexander, Alissa Harrison and Zach Morris.

The Journal of the sixty-eighth day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot

1505 *Journal of the House*

Crawford	Dolan	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Elliott                      Klindt                      Stokan

VACANCIES: 001

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1567 - Representative McClelland  
House Resolution No. 1568 - Representative Selby  
House Resolution No. 1569  
and  
House Resolution No. 1570 - Representative Thompson  
House Resolution No. 1571 - Representative Wilson (42)  
House Resolution No. 1572  
and  
House Resolution No. 1573 - Representative Gibbons  
House Resolution No. 1574 - Representative Wilson (42)  
House Resolution No. 1575 - Representative Murray  
House Resolution No. 1576  
and  
House Resolution No. 1577 - Representative Scott  
House Resolution No. 1578 - Representative Boykins  
House Resolution No. 1579  
and  
House Resolution No. 1580 - Representative Patek  
House Resolution No. 1581 - Representative Klindt  
House Resolution No. 1582 - Representative Akin  
House Resolution No. 1583 - Representative Rizzo  
House Resolution No. 1584 - Representative Backer

Speaker Gaw assumed the Chair.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SCS HB 1396**, relating to governing bodies of public universities, was taken up by Representative Farnen.

On motion of Representative Farnen, **SCS HB 1396** was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 008

Chrismer	Gross	Hendrickson	Lograsso	Loudon
Luetkemeyer	Murphy	Pryor		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 011

Dougherty	Elliott	Fraser	Hagan-Harrell	Miller
Ridgeway	Sallee	Scott	Stokan	Williams 121
Wright				

VACANCIES: 001

On motion of Representative Farnen, **SCS HB 1396** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gambaro

1507 *Journal of the House*

Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Gross	Hendrickson	Howerton	Lograsso	Loudon
Luetkemeyer	Murphy	Pryor		

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Elliott	Fraser	Parker	Sallee
Smith	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Selby moved that motion lay on the table.

The latter motion prevailed.

### **BILLS IN CONFERENCE**

**CCR SCS HB 1848**, relating to examinations of physicians and surgeons, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR SCS HB 1848** was adopted by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Wagner

PRESENT: 000

ABSENT WITH LEAVE: 007

Blunt	Boykins	Elliott	Fraser	Ridgeway
Sallee	Stokan			

VACANCIES: 001

On motion of Representative Treadway, **CCS SCS HB 1848** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47

1509 *Journal of the House*

Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Wagner

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Boykins	Dougherty	Elliott	Fraser
Gibbons	Murphy	Myers	Pryor	Reid
Relford	Sallee	Stokan		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Britt, title to the bill was agreed to.

Representative Curls moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

Representative Smith assumed the Chair.

Representative Scheve resumed the Chair.

**CCR SS SCS HB 1808, as amended**, relating to St. Louis firemen's retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **CCR SS SCS HB 1808, as amended**, was adopted by the following vote:

AYES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Patek	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hohulin
Holand	Howerton	Kasten	Kelley 47	Kelly 27
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 002

Elliott                      Stokan

VACANCIES: 001

On motion of Representative O'Toole, **CCS SS SCS HB 1808** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hickey	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King

1511 *Journal of the House*

Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 010

Boatright	Dolan	Hanaway	Hendrickson	Hohulin
Loudon	Murphy	Pryor	Ridgeway	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Elliott	Fraser	Hilgemann	Kelly 27	Linton
Parker	Stokan			

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 015

Bartelsmeyer	Boatright	Dolan	Gaskill	Hanaway
Hegeman	Hohulin	Howerton	Lograsso	Marble
Pryor	Ridgeway	Robirds	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Elliott	Linton	Sallee	Seigfreid	Stokan
---------	--------	--------	-----------	--------

VACANCIES: 001

On motion of Representative George, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

### MOTION

Representative Crump moved that Rule 26 be suspended to allow House conferees to meet while the House is in session on May 9, 2000.

Which motion was adopted by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

1513 *Journal of the House*

NOES: 013

Cierpiot	Enz	Hanaway	Hendrickson	Hohulin
Lograsso	Loudon	Murphy	Nordwald	Phillips
Pouche 30	Purgason	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Elliott	Franklin	Gibbons	Klindt
Naeger	Stokan	Williams 121		

VACANCIES: 001

Speaker Gaw resumed the Chair.

**BILL CARRYING REQUEST MESSAGE**

**HS HCS SB 896, as amended**, relating to business organizations, was taken up by Representative May (108).

Representative May (108) moved that the House refuse to recede from its position on **HS HCS SB 896, as amended**, and request the Senate grant the House a conference.

Which motion was adopted.

**BILL IN CONFERENCE**

**CCR HCS SB 944, as amended**, relating to school safety, was taken up by Representative Smith.

Representative Smith moved that **CCR HCS SB 944, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 001

Green

NOES: 146

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Howerton	Kasten	Kelly 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider

Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Nordwald
O'Connor	Ostmann	Overschmidt	Parker	Patek
Phillips	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer	Champion	Chrismer	Elliott	Franklin
Holand	Hosmer	Lograsso	Naeger	O'Toole
Pouche 30	Robirds	Ross	Stokan	Treadway

VACANCIES: 001

Representative Smith moved that the House refuse to adopt **CCR HCS SB 944, as amended**, and request the Senate grant the House a further conference.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS SB 922, as amended, with House Amendment No. 4, pending**, relating to retirement benefits, was taken up by Representative Hagan-Harrell.

**House Amendment No. 4** was withdrawn.

Representative Hagan-Harrell offered **House Amendment No. 4**.

#### *House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 17, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 67, Section 160.420, Line 32, by inserting immediately after said line the following:

"169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member's final average salary:

- (1) Two and five-tenths percent of the member's final average salary for each year of membership service;
- (2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Between July 1, 1998, and July 1, [2000] **2003**, two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Between July 1, 1998, and July 1, [2000] **2003**, two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Between July 1, 1998, and July 1, [2000] **2003**, two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Between July 1, 1998, and July 1, [2000] **2003**, two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Between July 1, 1998, and July 1, [2000] **2003**, two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the estate of the last person to receive a monthly allowance;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve of the remainder of such sixty monthly payments shall be paid to the estate of the last person to receive a monthly allowance.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the estate of the individual, if there be no beneficiary. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the estate of the beneficiary unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or to the estate of the member, if there be no beneficiary; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the estate of the beneficiary.

6. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the

member's accumulated contributions with interest.

7. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

8. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

9. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

10. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

12. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; with the provision that the increases provided

for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, **or in the case of any member retiring on or after July 1, 2000, and not for any member retiring before July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement.** Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed [seventy-five] **eighty** percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

13. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 12 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

14. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

15. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

16. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code **except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.**

17. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

18. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly

annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service, have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 12 of this section.

19. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section for the purposes of the limit on the total amount of increases which may be received.

20. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the person shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

21. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

**22. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section for the purposes of the limit on the total amount of increases which may be received.";** and

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

On motion of Representative Hagan-Harrell, **House Amendment No. 4** was adopted.

Representative Hagan-Harrell offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 12, by inserting after the word "**subject**" the following: "**, with an emergency clause**"; and

Further amend said bill, Page 83, Section 513.430, Line 85, by inserting immediately after said line the following:

**"Section B. Because immediate action is necessary to provide equitable treatment and timely application of certain pension benefits and compensation, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect on July 1, 2000, or upon its passage and approval, whichever later occurs.";** and

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

On motion of Representative Hagan-Harrell, **House Amendment No. 5** was adopted.

Representative Hagan-Harrell offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 18, by deleting "**and 513.430**" and inserting in lieu thereof the following: "**513.430 and 1**"; and

Further amend said bill, Page 83, Section 513.430, Line 85, by inserting immediately after said line the following:

**"Section 1. Beginning in fiscal year 2002, no school district in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants offering more than one health care plan to any retiree eligible for Medicare shall enter into a contract for Medicare-coordinated coverage if the out-of-pocket expense for prescription drugs exceeds one hundred ten percent of the out-of-pocket expense for prescription drugs under the district's non-Medicare plan for retirees. This section shall not apply to plans provided pursuant to chapter 103, RSMo.";** and

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

On motion of Representative Hagan-Harrell, **House Amendment No. 6** was adopted.

Representative Smith resumed the Chair.

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 922, Page 66, Section 104.374, Line 19, by adding after all of said line the following:

"104.610. 1. Any person, who is receiving or hereafter may receive state retirement benefits from the Missouri state employees' retirement system other than a person with twelve or more years of service in statewide state elective office receiving benefits pursuant to the provisions of section 104.371, a legislators' retirement system, or the transportation department employees' and highway patrol retirement system, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the state retirement benefits the person would be receiving currently if the person had benefitted from changes in the law effecting increases in the rate in the formula for calculating benefits in his or her respective retirement system, for his or her type of employment or for those persons having accrued thirty-five or more years of creditable service, changes in the law pertaining to the age and service requirements for a normal annuity in his or her respective retirement system, made subsequent to the date of his or her retirement; except that in calculating such benefits the meaning of "average compensation" shall be that ascribed to it

by the law in effect on the date on which the benefits pursuant to this section are calculated.

2. In lieu of any other benefits pursuant to the provisions of this section, any member of the Missouri state employees' retirement system who has or may hereafter retire pursuant to the provisions of section 104.371, pertaining to those members who have held statewide state elective office for at least twelve years, may apply pursuant to this section to be employed as a special consultant and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received initially on his or her retirement, shall be equal to the state retirement benefits the person would be receiving if the person had benefitted from changes in the law affecting increases in compensation for statewide state elective offices, pursuant to house substitute for senate bill no. 528, second regular session of the eighty-second general assembly, any other provisions of the law to the contrary notwithstanding.

3. This compensation shall be consolidated with any other retirement benefits payable to the person, and shall be funded as provided in section 104.436.

4. This compensation shall be treated as any other state retirement benefits payable by the Missouri state employees' retirement system or the transportation department employees' and highway patrol retirement system are treated and shall not be subject to execution, garnishment, attachment, writ of sequestration, or any other process or claim whatsoever, and shall be unassignable, anything to the contrary notwithstanding.

5. The employment provided for by this section shall in no way affect any person's eligibility for retirement benefits pursuant to this chapter, or in any way have the effect of reducing retirement benefits, anything to the contrary notwithstanding.

6. In order to determine the total monthly state retirement compensation due each retiree who is eligible for the additional amount provided for in subsection 1 of this section, the following formula shall be used:

(1) The retiree's base monthly retirement compensation shall be determined by dividing the sum of the retiree's annual normal annuity as of the effective date of any increase in the rate in the formula for calculating benefits in his or her respective retirement system plus any annual increases granted such retiree as a result of his or her being a consultant, by twelve;

(2) The amount determined pursuant to subdivision (1) of this subsection shall be increased by an amount equal to the base monthly retirement compensation calculated pursuant to subdivision (1) of this subsection multiplied by the percentage increase in the rate in the formula;

(3) The sum obtained from completing the calculations contained in subdivisions (1) and (2) of this subsection shall be the retiree's new total monthly state retirement compensation. Any retiree who is eligible for the benefit provided in subsection 1 of this section whose benefit pursuant to subsection 1 of this section was not calculated in accordance with the procedure provided in this subsection shall have his or her total monthly retirement compensation for all months beginning on or after September 28, 1985, recalculated in accordance with this subsection.

7. The provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the remaining provisions of this section are valid unless the court finds that such valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

8. Any person who terminates employment or retires prior to July 1, 2000, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be eligible to elect to receive a retirement annuity pursuant to the year 2000 plan as provided in this chapter.

**9. Any person who is receiving or hereafter may receive retirement benefits pursuant to section 104.374, and would qualify for a benefit pursuant to Section 1 of this bill if such person were an active employee or beneficiary of an active employee, such person, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the retirement benefits the person would be receiving currently if the person had benefitted from changes in the law effecting increases pursuant to section 1 of this bill.”; and**

Further amend said bill, Page 83, Section 513.430, Line 85, by adding after all of said line the following:

**“Section 1. In addition to the amount determined pursuant to subsection 1 of section 104.374, RSMo, the normal annuity of a uniformed conservation agent shall be increased by thirty-three and one-third of the benefit.”; and**

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

On motion of Representative Crump, **House Amendment No. 7** was adopted by the following vote:

AYES: 089

Abel	Alter	Ballard	Barry 100	Bartelsmeyer
Bartle	Bennett	Berkowitz	Berkstresser	Blunt
Boatright	Bonner	Boucher 48	Britt	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Dolan	Farnen	Fitzwater	Foley	Ford
Froelker	Graham 24	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 124	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kennedy	King	Kissell	Klindt	Koller
Lawson	Leake	Levin	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	May 108	McKenna
McLuckie	Miller	Monaco	Myers	O'Connor
Overschmidt	Parker	Patek	Pouche 30	Pryor
Purgason	Ransdall	Reid	Relford	Riley
Rizzo	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Smith	Summers	Surface
Thompson	Townley	Troupe	Wagner	Wiggins
Williams 121	Williams 159	Wright	Mr. Speaker	

NOES: 061

Akin	Auer	Backer	Barnett	Black
Bray 84	Burton	Campbell	Chrismer	Cierpiot
Davis 63	Days	Enz	Evans	Foster
Franklin	Fraser	Gambaro	Gaskill	George
Gratz	Green	Gross	Gunn	Hartzler 123
Hegeman	Hendrickson	Hohulin	Kelley 47	Kelly 27
Kreider	Lakin	Legan	Lograsso	Loudon
Marble	Mays 50	McClelland	Merideth	Murphy
Murray	Naeger	Nordwald	O'Toole	Phillips
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schilling	Schwab	Skaggs
Tudor	Van Zandt	Vogel	Ward	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Brooks	Dougherty	Elliott	Gibbons
Graham 106	Kasten	McBride	Ostmann	Secrest
Stokan	Treadway			

VACANCIES: 001

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

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 922, Page 80, Section 169.569, Line 22, by adding after all of said line the following:

**“169.596. 1. Any school district with a shortage of certified teachers, as determined by the school district, may allow retired certificated teachers, but not retired administrators, from any Missouri public teacher retirement system to teach full time in a teaching assignment for up to two years without losing his or her retirement benefits provided said teacher had taught for at least thirty years prior to retirement. The total number of such retired certificated teachers shall not exceed, at any one time, the greater of ten percent of the total teacher staff for that school district or five persons. Any retired certificated teacher hired pursuant to this section shall be included in the State Directory of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7. The provisions of this section shall not become effective until the affected retirement systems have completed actuarial studies assuring that the provisions are cost-neutral and the systems remain actuarially sound. All necessary costs shall be paid by the hiring school district and shall not exceed the school district’s statutory cost limitations.**

**2. Any school district with a shortage of non-certified employees, as determined by the school district, may allow retired non-certificated employees, but not retired non-certificated administrators, from the Non-Teacher School Employee Retirement System to work full time in a non-certificated assignment for up to two years without losing his or her retirement benefits provided said employee had worked for a school district for at least thirty years prior to retirement. The total number of such retired non-certificated employees shall not exceed, at any one time, the greater of ten percent of the total non-certificated staff for that school district or five persons. The provisions of this section shall not become effective until the affected retirement system has completed actuarial studies assuring that the provisions are cost-neutral and the system remains actuarially sound. All necessary costs shall be paid by the hiring school district and shall not exceed the school district’s statutory cost limitations.”; and**

Further amend said bill, Page 83, Section 513.430, Line 85, by adding after all of said line the following:

**“Section B. Section 169.596 shall terminate on June 30, 2003.”; and**

Further amend said bill, In the Title, Line 12, by adding after the word **“subject”** the following:

**“, with a termination date for a certain section”;** and

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

Representative Hartzler (124) offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1  
to  
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 922, by adding the following new subsection 3 at the end of subsection 2:

**“3. Notwithstanding the provisions of subsections 1 and 2 of this section, any Missouri public school retirement system shall, upon notification from the school district, waive the hour limitation for employment of any certificated retiree serving as a substitute teacher in a school district that is experiencing a shortage of qualified substitute teachers; retired certificated teachers hired as substitutes shall not exceed six weeks at any one assignment.”.**

Representative Berkowitz offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1  
to  
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 922, by adding the following new subsection 3 at the end of subsection 2:

**“3. Notwithstanding the provisions of subsections 1 and 2 of this section, any Missouri public school retirement system shall, upon notification from the school district, waive the hour limitation for employment of any certificated retiree serving as a substitute teacher in a school district that is experiencing a shortage of qualified substitute teachers; [retired certificated teachers hired as substitutes shall not exceed six weeks at any one assignment.]”.**

Representative Bartelsmeyer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8** is in the third degree.

Representative Smith requested a parliamentary ruling.

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

On motion of Representative Berkowitz, **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8** was adopted.

Representative Crump moved the previous question on **House Amendment No. 8, as amended.**

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

1525 *Journal of the House*

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Elliott	Linton	Stokan
---------	--------	--------

VACANCIES: 001

On motion of Representative Backer, **House Amendment No. 8, as amended**, was adopted by the following vote:

AYES: 105

Akin	Auer	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Britt	Burton	Champion	Chrismer	Cierpiot
Crawford	Crump	Curls	Dolan	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Fraser	Froelker	Gaskill	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Holand	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	King	Klindt	Kreider
Lawson	Legan	Liese	Lograsso	Loudon
Luetkemeyer	Marble	McBride	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Shields	Smith
Summers	Surface	Thompson	Townley	Tudor
Vogel	Ward	Wiggins	Williams 159	Wright

NOES: 046

Abel	Alter	Barry 100	Boykins	Bray 84
Campbell	Clayton	Davis 122	Davis 63	Days
Foley	Franklin	Gambaro	George	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hohulin	Hollingsworth	Kennedy	Kissell	Lakin
Leake	Levin	Mays 50	McClelland	McKenna
McLuckie	O'Connor	O'Toole	Ostmann	Relford
Reynolds	Schilling	Selby	Shelton	Skaggs
Treadway	Troupe	Van Zandt	Wagner	Wilson 25
Mr. Speaker				

PRESENT: 003

Brooks Luetkenhaus Wilson 42

ABSENT WITH LEAVE: 008

Dougherty Elliott Koller Linton Long  
May 108 Stokan Williams 121

VACANCIES: 001

Representative Hagan-Harrell offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**169.410**," the following: "**287.812, 287.815**"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-two**"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting all of said line and inserting in lieu thereof the following:

**"169.324, 169.410, 287.812, 287.815, 476.690 and 513.430, RSMo Supp. 1999, are repealed and ninety-two new";** and

Further amend said bill, Page 2, Section A, Line 18, by inserting immediately after "**169.569**," the following:

**"287.812, 287.815";** and

Further amend said bill, Page 80, Section 169.569, Line 22, by inserting immediately after said line the following:

"287.812. As used in sections 287.812 to 287.855, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Administrative law judge", any person appointed pursuant to section 287.610 or section 621.015, RSMo, **or section 622.020, RSMo**, or any person who hereafter may have by law all of the powers now vested by law in administrative law judges appointed [under] **pursuant to** the provisions of the workers' compensation law, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state;**

(2) "Beneficiary", a surviving spouse married to the deceased administrative law judge or legal advisor of the division of workers' compensation continuously for a period of at least two years immediately preceding the administrative law judge's or legal advisor's death and also on the day of the last termination of such person's employment as an administrative law judge or legal advisor for the division of workers' compensation, or if there is no surviving spouse eligible to receive benefits, any minor child of the deceased administrative law judge or legal advisor, or any child of the deceased administrative law judge or legal advisor who, regardless of age, is unable to support himself **or herself** because of mental retardation, disease or disability, or any physical handicap or disability, who shall share in the benefits on an equal basis with all other beneficiaries;

(3) "Benefit", a series of equal monthly payments payable during the life of an administrative law judge or legal advisor of the division of workers' compensation retiring pursuant to the provisions of sections 287.812 to 287.855 or payable to a beneficiary as provided in sections 287.812 to 287.850;

(4) "Board", the board of trustees of the Missouri state employees' retirement system;

(5) "Division", the division of workers' compensation of the state of Missouri;

(6) "Legal advisor", any person appointed or employed pursuant to section 287.600, 287.615, or 287.616 to serve

in the capacity as a legal advisor or an associate administrative law judge and any person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, and any attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo;

(7) "Salary", the total annual compensation paid for personal services as an administrative law judge or legal advisor, or both, of the division of workers' compensation by the state or any of its political subdivisions.

287.815. 1. Effective August 28, 1999, any person, sixty-two years of age or older, who has served or who has creditable service in this state for an aggregate of at least twelve years, or any person, sixty years of age or older, who has served or who has creditable service in this state for an aggregate of at least fifteen years or any person, fifty-five years of age or older, who has served or who has creditable service in this state for an aggregate of twenty years, continuously or otherwise, as an administrative law judge or legal advisor, or both, of the division, and who, on or after August 13, 1984, ceases to hold office by reason of the expiration of his or her term, voluntary resignation, retirement pursuant to the provisions of sections 287.812 to 287.856, or removal by the governor for any nondisciplinary reason, shall receive benefits as provided in sections 287.812 to 287.856. The twelve years', fifteen years' or twenty years' requirement of this section may be fulfilled by service as an administrative law judge or legal advisor, or both, of the division at any time prior to or after August 13, 1984. If a person appointed pursuant to section 286.010, RSMo, or a chairman appointed pursuant to section 295.030, RSMo, does not have twelve years' or fifteen years' service, as required pursuant to this subsection, as an administrative law judge or legal advisor, or both, but the person has served in the general assembly, each biennial assembly or partial biennial assembly either served or purchased shall be deemed and credited as two full years of creditable service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided by his or her service as a member of the general assembly.

2. Any aggregate of twelve years or more of such service shall entitle the person to retirement benefits provided in sections 287.812 to 287.856 regardless of whether or not the person was so employed upon reaching the age of eligibility as described in subsection 1 of this section. However, the retirement benefits shall not be paid to the person until that person attains the age of eligibility as described in subsection 1 of this section.

3. If a person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, or pursuant to section 621.015, RSMo, **or pursuant to section 622.020, RSMo**, or an attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state**, does not have twelve years' service as an administrative law judge or legal advisor, or both, but the person has creditable service under the Missouri state employees' retirement system, such person may elect that such service be credited as service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided for other service. Persons appointed pursuant to section 621.015, RSMo, shall be required to have served a majority of a term in order to qualify for benefits pursuant to sections 287.812 to 287.856.

4. Any person who has been appointed and has served pursuant to section 621.015, RSMo, prior to August 28, 1999, who is receiving or thereafter is qualified to receive retirement benefits pursuant to section 104.374, RSMo, shall upon application be made, constituted, appointed and employed by the board of trustees of the Missouri state employees' retirement system as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the administrative hearing commission, the consultant shall give opinions or be available to give opinions in writing or orally in response to such requests. As compensation for such services and in lieu of receiving benefits pursuant to section 104.374, RSMo, each such special consultant shall be eligible for all benefits payable pursuant to sections 287.812 to 287.856, effective upon the later of August 28, 1999, or the date retirement benefits become payable. In no event shall retroactive benefits be paid."; and

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

Representative Hagan-Harrell moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 022

Auer	Barry 100	Boucher 48	Foster	Franklin
Hagan-Harrell	Hendrickson	Kasten	Kennedy	Kreider
Lograsso	Loudon	Mays 50	McLuckie	Monaco
Myers	Richardson	Schwab	Troupe	Vogel
Wiggins	Williams 121			

NOES: 135

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	King	Kissell	Klindt
Koller	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	McBride	McClelland
McKenna	Merideth	Miller	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Van Zandt	Wagner
Ward	Williams 159	Wilson 25	Wright	Mr. Speaker

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Dougherty	Elliott	Ostmann	Stokan
-----------	---------	---------	--------

VACANCIES: 001

Representative Kelly (27) offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 6, by inserting immediately after "**86.780**," the following: "**87.050**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting immediately after "**86.780**," the following: "**87.050**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 16, by inserting immediately after "**86.780**," the following: "**87.050**,"; and

Further amend said bill, Page 60, Section 86.780, Line 13, by inserting immediately after said line the following:

"87.050. 1. If any member shall be killed or die while in the performance of [this] **his or her** duty or as the result of any injury received in the line of duty, or of any disease contracted by reason of his **or her** occupation, or shall die from any cause whatever while a member of said fire department, or shall die while receiving a disability or service pension, and shall leave a [widow] **survivor** or child or children under the age of eighteen years surviving, said board of trustees shall order and direct the payment from the pension fund, monthly, to such [widow] **survivor**, a sum equal to not less than twenty percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member or seventy-five dollars, whichever is greater; and to or for the benefit of each child until it reaches the age of eighteen, a sum equal to not less than five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; and to or for each unmarried child, regardless of age, who is totally and permanently mentally or physically incapacitated from engaging in gainful employment sufficiently remunerative to support himself **or herself**, a sum equal to five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; provided that no benefits shall be paid to or for any child over eighteen years of age who is totally and permanently mentally or physically disabled or incapacitated if such child is a patient or ward in a publicly supported institution. [In the case of widows, payments shall be made only to those widows whose marriage to the member occurred prior to his retirement on disability or service pension, and shall be made only while said widow is unmarried and are to cease forever immediately upon remarriage.] In the case of children no payments shall be made to or for any child born or adopted after the effective date of the member's retirement on disability or service pension, or the date of his **or her** death, and payments shall not be made for more than three eligible children and, if there are more than three eligible children, payments shall be made for the three youngest eligible children. If the member who dies is a member of a volunteer department, the amount to be paid monthly to [his widow] **the survivor** and children aforesaid shall be fixed by the board of trustees.

2. Any [widow] **survivor** who is receiving survivors' pension benefits under the provisions of this section as it existed at any time prior to August 13, 1982, upon application to the board of trustees, shall be employed by the board as a special consultant on the problems of retirement, aging, and other pension system matters for the remainder of her life and upon request of the board shall give opinions in writing or orally, as may be requested, and for such services shall be compensated monthly in an amount equal to the difference between the amount of the monthly pension benefit the [widow] **survivor** is receiving for **himself or herself** and seventy-five dollars. This compensation shall be consolidated with the pension benefits the [widow] **survivor** is receiving and shall be paid out of the same fund as are such benefits. Employment as a special consultant shall in no way affect any [widow's] **survivor's** eligibility for survivors' pension benefits or in any way have the effect of reducing such benefits, other provisions of law to the contrary notwithstanding."; and

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

On motion of Representative Kelly (27), **House Amendment No. 10** was adopted.

Representative Kelly (27) offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 2, by inserting immediately after "**70.605**," the following: "**70.610**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately after "**70.605**," the following: "**70.610**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 10, by inserting immediately after "**70.605**," the following: "**70.610**,"; and

Further amend said bill, Page 2, Section 70.605, Line 11, by placing opening and closing brackets, "[" and "]", around the word "**seven**" on said line and inserting after the closing bracket the following: "**nine**"; and

Further amend said bill, Page 2, Section 70.605, Line 13, by placing opening and closing brackets, "[" and "]", around the word "**and**" on said line; and

Further amend said bill, Page 2, Section 70.605, Line 15, by inserting after the word "**subdivision**" the following:

**"; one member of the house of representatives, appointed by the speaker of the house of representatives; and one member of the senate, appointed by the president pro tempore of the senate";** and

Further amend said bill, Page 3, Section 70.605, Line 24, by deleting all of said line and inserting in lieu thereof the following:

**"(3) [That person] Those persons appointed by the governor, the speaker of the house of representatives and the president pro tempore of the senate under the provisions of subsection 2 of this";** and

Further amend said bill, Page 4, Section 70.605, Lines 66 and 67, by placing opening and closing brackets, "[" and "]", around the word "**Four**" as such word appears on each line, and by inserting after each closing bracket the following: "**Five**"; and

Further amend said bill, Page 4, Section 70.605, Lines 72, 76 and 80, by placing opening and closing brackets, "[" and "]", around the word "**four**" as such word appears on each line, and by inserting after each closing bracket the following: "**five**"; and

Further amend said bill, Page 6, Section 70.605, Line 135, by inserting immediately after said line the following:

**"70.610. 1.** Each political subdivision, by a majority vote of its governing body, may elect to become an employer and cover its employees under the system, as follows:

(1) The clerk or secretary of the political subdivision shall certify the election to be an employer to the board within ten days after the vote of the governing body. The effective date of the political subdivision's coverage is the first day of the calendar month next following receipt by the board of the election to be an employer, or the operative date of the system, whichever is the later.

(2) An employer must cover all its employees who are neither policemen nor firemen and may cover its policemen or firemen or both.

**2. Any home rule city with a population over seventy thousand, located in a county of the first classification without a charter form of government, may permit, during the period beginning on January 1, 2001, and ending on January 1, 2002, any of its employees who are firemen to participate in the local government employees' retirement system pursuant to sections 87.005 and 87.105, RSMo. Any written election by an employee opting to participate in the local government employees' retirement system shall be irrevocable, and shall entitle such employee to become a member of such system and be entitled to the system's benefit program, as determined by the board of trustees.";** and

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

On motion of Representative Kelly (27), **House Amendment No. 11** was adopted.

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

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Bill No. 922, Page 83, Section 513.430, Line 85, by inserting immediately after all of said line the following:

**“Section 1. 1. It is the public policy of this state in respect to public employee retirement system plans, as “plan” is defined in section 105.660, RSMo., to recognize marriage only between a man and a woman in defining “marriage” and “spouse” for benefit purposes.**

**2. Any purported marriage not between a man and a woman is invalid.**

**3. A marriage or any other union between persons of the same sex will not be recognized for the purposes of this section in this state even when valid where contracted.”; and**

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

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

AYES: 117

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Burton	Champion	Cierpiot
Clayton	Crawford	Crump	Davis 122	Dolan
Farnen	Fitzwater	Foley	Foster	Franklin
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Holand	Hollingsworth
Hosmer	Howerton	Kasten	Kelley 47	King
Kissell	Klindt	Kreider	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Ward	Wiggins	Williams 159
Wright	Mr. Speaker			

NOES: 018

Boykins	Bray 84	Brooks	Campbell	Curls
Davis 63	Days	Fraser	Hilgemann	Lakin
McLuckie	Riley	Scheve	Schilling	Skaggs
Van Zandt	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 027

Barry 100	Britt	Chrismer	Dougherty	Elliott
Enz	Evans	Ford	Graham 24	Hagan-Harrell
Harlan	Hohulin	Hoppe	Kelly 27	Kennedy
Koller	Leake	Loudon	Mays 50	McKenna
O'Connor	Richardson	Rizzo	Shelton	Stokan
Wagner	Williams 121			

VACANCIES: 001

Representative Reid requested verification of the roll call on the adoption of **House Amendment No. 12**.

Representative Crump moved the previous question on the adoption of **HCS SB 922, as amended**.

Which motion was defeated by the following vote:

AYES: 074

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Clayton	Crump	Curls	Davis 122
Days	Farnen	Fitzwater	Foley	Franklin
Fraser	Gambaro	George	Graham 24	Green
Gunn	Hagan-Harrell	Hampton	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Treadway	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 077

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Campbell	Champion	Cierpiot
Crawford	Davis 63	Dolan	Enz	Evans
Ford	Foster	Froelker	Gaskill	Graham 106
Gratz	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	Kelly 27	Klindt
Legan	Levin	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Troupe	Tudor	Van Zandt
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Chrismer	Dougherty	Elliott	Gibbons	Harlan
King	Linton	O'Connor	Sallee	Stokan
Thompson				

VACANCIES: 001

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

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Bill No. 922, Page 80, Section 169.569, Line 22, by inserting immediately after said line the following:

“476.450. 1. Any person having reached the age of sixty-five years and having in this state served an aggregate of twelve years, continuously or otherwise, as a judge or commissioner of the supreme court, or as a judge or commissioner of any of the courts of appeals, or as a circuit judge, or as a judge of a court of criminal correction, or as a judge of a court of common pleas, or either or both as judge or commissioner of any of said courts, and who shall have ceased to hold such office **prior to July 1, 1994**, by reason of the expiration of his term, or voluntary resignation or retirement by reason of having reached the age of seventy-five years, under section 25, article V, of the Constitution of Missouri, shall, if he so elects as hereinafter provided, be made, constituted and appointed a special commissioner or referee for and during the remainder of his life and shall, while he remains a resident of Missouri, be entitled to and shall receive as annual compensation, salary or retirement compensation during the remainder of his life a sum equal in amount to:

(1) **Until January 1, 2001**, one-half the salary or compensation provided for by law **for the office from which he has retired on the later of January 1, 1989, [for the] or the date they ceased to hold such office [from which he has retired]**;

(2) **On and after July 1, 2001, one-half the salary provided by law on July 1, 1994**, [except as follows:

(1) For the period from August 13, 1986, until January 1, 1988, the annual compensation, salary or retirement compensation shall equal forty percent of the salary or compensation provided by law on August 13, 1986, for the office from which he has retired;

(2) For the period January 1, 1988, through December 31, 1988, the annual compensation, salary or retirement compensation shall equal forty-five percent of the salary or compensation provided by law on January 1, 1988,] for the office from which he has retired.

2. A judge of the supreme court who ceased or ceases to hold office by reason of the expiration of his term, voluntary resignation, or retirement from the supreme court and who is sixty-five years of age or older and has served an aggregate of at least eight years or who is sixty years of age or older and has served an aggregate of at least twelve years, continuously or otherwise, as a judge of the supreme court may elect, before June 30, 1988, to be made, constituted and appointed a special commissioner or referee and shall receive as annual compensation, in lieu of the compensation provided by subsection 1 of this section, one-half of the salary or compensation provided by law at the time of such election under this subsection for the office from which he has retired.”; and

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

Speaker Gaw resumed the Chair.

Representative Luetkenhaus moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

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

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Bill No. 922, Page 69, Section 169.270, Lines 50-53, by deleting from said lines the following:

“In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment.”.

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

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

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Bill No. 922, Pages 11 and 12, Section 70.661, Lines 17 to 33, by deleting said lines and inserting in lieu thereof the following:

“(2) If the board finds that the member's death was the result of an accident that did not arise out of and in the course of his or her actual performance of duty as an employee, or that the member's death was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee, the requirement that the surviving spouse must have been married to the member for not less than two years immediately preceding the time of the member's death shall not apply.

3. If the board finds that the member's death was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee, then, other provisions of law to the contrary notwithstanding, for the purpose of computing the amount of the allowance payable under this section and for the purpose of determining eligibility under subsection 1 of this section, credited service shall include the period from the date of the member's death to the date he or she would have attained age sixty, or the date he or she would have acquired five years of credited service, if later.”.

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

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

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**160.420**," the following: "**169.075**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after "**160.420**," the following: "**169.075**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting immediately after "**160.420**," the following: "**169.075**,"; and

Further amend said bill, Page 67, Section 160.420, Line 32, by inserting immediately after said line the following:

"169.075. 1. Certain survivors specified in this section and meeting the requirements of this section may elect to forfeit any payments payable pursuant to subsection 3 or 5 of section 169.070 and to receive certain other benefits described in this section upon the death of a member prior to retirement, except retirement with disability benefits, whose period of creditable service in districts included in the retirement system is two years or more and who dies (a)

while teaching in a district included in the retirement system, or (b) as a result of an injury or sickness incurred while teaching in such a district and within one year of the commencement of such injury or sickness, or (c) while eligible for a disability retirement allowance hereunder.

2. Upon an election pursuant to subsection 1 of this section, a surviving spouse sixty years of age, or upon attainment of age sixty, or a surviving spouse who has been totally and permanently disabled for not less than five years immediately preceding the death of a member if designated as the sole beneficiary, and if married to the member at least three years, and if living with such member at the time of the member's death, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death or recovery prior to age sixty from the disability which qualified the spouse for the benefit, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. A surviving spouse, who is eligible for benefits pursuant to this subsection and also pursuant to subsection 3 of this section may receive benefits only pursuant to subsection 3 of this section as long as the surviving spouse remains eligible pursuant to both subsections, but shall not be disqualified for the benefit provided in this subsection because the surviving spouse may have received payments pursuant to subsection 3 of this section. **Beginning August 28, 2000, a surviving spouse who otherwise meets the requirements of this subsection but who remarried prior to August 28, 1995, shall be entitled, upon an election pursuant to subsection 1 of this section, to any remaining benefits that would otherwise have been received had the surviving spouse not remarried before the change in law permitting remarried surviving spouses to continue receiving benefits. Such surviving spouses may, upon application, become special consultants whose benefit will be to receive the remaining benefits described above. In no event shall any retroactive benefits be paid.**

3. Upon an election pursuant to subsection 1 of this section, a surviving spouse, if designated as the sole beneficiary, who has in the surviving spouse's care a dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until the surviving spouse's death, or the first date when no such dependent unmarried child under age eighteen, or age twenty-four if the child is enrolled in school on a full-time basis, remains in the surviving spouse's care, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. In addition the surviving spouse shall be entitled to a monthly payment equal to one-half this amount, provided that the monthly payment shall not be less than three hundred dollars, for each such dependent unmarried child under eighteen years of age, or age twenty-four if the child is enrolled in school on a full-time basis, who remains in the surviving spouse's care. Further, in addition to the monthly payment to the surviving spouse as provided for in this subsection, each dependent unmarried child under the age of eighteen years of the deceased member not in the care of such surviving spouse shall be entitled to a monthly payment equal to one-half of the surviving spouse's monthly payment which shall be paid to the child's primary custodial parent or legal guardian; provided that the payment because of an unmarried dependent child shall be made until the child attains age twenty-four if the child is enrolled in school on a full-time basis; provided, however, that the total of all monthly payments to the surviving spouse, primary custodial parent or legal guardian, including payments for such dependent unmarried children, shall in no event exceed two thousand one hundred sixty dollars, the amount of the children's share to be allocated equally as to each dependent unmarried child eligible to receive payments pursuant to this subsection.

4. Upon an election pursuant to subsection 1 of this section if the designated beneficiary is a dependent unmarried child as defined in this section or automatically upon the death of a surviving spouse receiving benefits pursuant to subsection 3 of this section, each surviving dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, or such a child under age twenty-four if the child is enrolled in school on a full-time basis, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death, marriage, adoption, or attainment of age eighteen or age twenty-four if enrolled in school on a full-time basis, whichever first occurs; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars, and provided further that any child of the deceased member who is disabled before attainment of age eighteen because of a physical or mental impairment which renders the child unable to engage in any substantial gainful activity and which disability continues after the child has attained age eighteen shall be entitled to a like monthly payment, until death, marriage, adoption, or recovery from the disability, whichever first occurs; provided, however, that the total of all monthly payments to the

surviving dependent unmarried children shall in no event exceed two thousand one hundred sixty dollars.

5. Upon an election pursuant to subsection 1 of this section, a surviving dependent parent of the deceased member, over sixty-five years of age or upon attainment of age sixty-five if designated as the sole beneficiary, provided such dependent parent was receiving at least one-half of the parent's support from such member at the time of the member's death and provided the parent files proof of such support within two years of such death, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year as a teacher in a district included in the retirement system until death; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars. If the other parent also is a dependent, as defined in this section, the same amount shall be paid to each until death.

6. All else in this section to the contrary notwithstanding, a survivor may not be eligible to benefit pursuant to this section because of more than one terminated membership, and be it further provided that the board of trustees shall determine and decide all questions of doubt as to what constitutes dependency within the meaning of this section.

7. The provisions added to subsection 3 of this section in 1991[, other than the provisions increasing dollar limitations,] are intended to clarify the scope and meaning of this section as originally enacted and shall be applied in all cases in which such an election has occurred or will occur.

**8. After July 1, 2000, all benefits payable pursuant to subsections 1 to 7 of this section shall be payable to eligible current and future survivor beneficiaries in accordance with this section.**

9. The system shall pay a monthly retirement allowance for the month in which a retired member, beneficiary or survivor receiving a retirement allowance or survivor benefit dies."; and

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

On motion of Representative Patek, **House Amendment No. 16** was adopted.

On motion of Representative Hagan-Harrell, **HCS SB 922, as amended**, was adopted.

On motion of Representative Hagan-Harrell, **HCS SB 922, as amended**, was read the third time and passed by the following vote:

AYES: 126

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bennett	Berkowicz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	McClelland
McKenna	Merideth	Miller	Murray	Myers
Naeger	Nordwald	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schwab
Scott	Secret	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Troupe	Tudor	Vogel
Wagner	Ward	Williams 159	Wilson 25	Wright
Mr. Speaker				

1537 *Journal of the House*

NOES: 024

Brooks	Chrismer	Days	Dougherty	Foley
Fraser	George	Gratz	Green	Hickey
Hohulin	May 108	Mays 50	McBride	McLuckie
Murphy	O'Connor	O'Toole	Ostmann	Reynolds
Schilling	Treadway	Van Zandt	Williams 121	

PRESENT: 002

Bartle	Reid
--------	------

ABSENT WITH LEAVE: 010

Bartelsmeyer	Bray 84	Elliott	Graham 24	Harlan
Monaco	Robirds	Stokan	Wiggins	Wilson 42

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Brooks	Burton	Campbell
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Elliott
Evans	Farnen	Fitzwater	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hartzler 123	Hartzler 124	Hendrickson	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
Overschmidt	Parker	Patek	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Secret
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 026

Akin	Bartle	Bray 84	Chrismer	Days
Dougherty	Enz	Foley	Fraser	George
Green	Hanaway	Hegeman	Hickey	Hohulin
Howerton	McLuckie	Murphy	O'Connor	O'Toole
Ostmann	Phillips	Reynolds	Schilling	Van Zandt
Wright				

PRESENT: 003

Bartelsmeyer	Gratz	Riley
--------------	-------	-------

ABSENT WITH LEAVE: 006

Graham 24 Harlan Kasten Liese Lograsso  
Stokan

VACANCIES: 001

On motion of Representative Auer, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

**THIRD READING OF SENATE BILL - INFORMAL**

**HCS SCS SB 542**, relating to public administrators, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 542**.

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

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 542, Page 6, Section 473.742, Line 20 of said page, by inserting after all of said line the following:

**"5. Any public administrator in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants who elects to receive fees in lieu of a salary pursuant to this section may elect to join the Missouri local government employees' retirement system created pursuant to sections 70.600 to 70.755, RSMo.";** and

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

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

On motion of Representative Hoppe, **HS HCS SCS SB 542, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 542, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Froelker	Gambaro	Gaskill	George	Gibbons

Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Leake	Legan	Levin	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Murray	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Brooks                      Lawson

ABSENT WITH LEAVE: 016

Berkstresser	Boykins	Dougherty	Franklin	Fraser
Harlan	Hosmer	Lakin	Liese	Linton
Monaco	Murphy	O'Toole	Stokan	Tudor
Wagner				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1292**, entitled:

An act to repeal sections 375.017, 375.126, 375.1168, 375.1176, 375.1182 and 384.043, RSMo 1994, and sections 317.001, 375.1220, 376.1361 and 461.051, RSMo Supp. 1999, and to enact in lieu thereof thirteen new sections relating to insurance

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 1 to Senate Amendment No. 15, Senate Amendment No. 15, as amended

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 6, Section 375.1168, Line 6, by striking the words “or to” and inserting in lieu thereof the following: “**nor shall**”; and

Further amend said section, Line 7, by inserting immediately after the word “**receiving**” the following: “**substantial**”; and

Further amend said section, Line 8, by inserting immediately after the word “**assets**” the following:

“**be related within the second degree by blood or by marriage to the rehabilitation or special deputy rehabilitation**”; and

Further amend said section, Line 9, by inserting immediately after the word “**rehabilitation**” the following:

“**unless the court determines that such dual appointment will contribute to conserving the assets of the insurer**”; and

Further amend said bill, Page 7, Section 375.1168, Lines 34-36, by striking all of said lines and inserting in lieu thereof the following:

“**may prescribe, the court shall consider anticipated costs and benefits. The court may impose**”; and

Further amend said section, Lines 38-39, by striking all of said lines and inserting in lieu thereof the following:

“**the conservation of the insurer's assets.**”; and

Further amend said section, Line 43, by inserting immediately after the word “**rehabilitation**” the following:

“**unless an extended period for filing the plan is approved by the court**”; and

Further amend said bill, Page 8, Section 375.1168, Lines 62-65, by striking all of said lines and inserting in lieu thereof the following:

“**7. Any appeal by the rehabilitator to the court of appeals or the supreme court of a lower court opinion or order releasing the company in rehabilitation from that rehabilitation may be taken only if the rehabilitator and the attorney general both agree, after consultation, that an appeal is appropriate.**”; and

Further amend said bill, Page 9, Section 375.1176, Line 20, by striking the word “**and**” and inserting in lieu thereof the following: “**. The special deputy**”; and

Further amend said section, Line 21, by inserting immediately after the word “**insurer**” the following:

“**unless the court determines that such appointment will contribute to conserving the assets of the insurer**”; and

Further amend said bill, Page 11, Section 375.1182, Line 6, by striking the words “or to” and inserting in lieu thereof the following: “**nor shall**”; and

Further amend said section, Line 7, by inserting immediately after the word “**receiving**” the following: “**substantial**”; and

Further amend said section, Line 7, by inserting immediately after the word “**assets**” the following:

“**be related to within the second degree by blood or by marriage to the liquidator**”; and

Further amend said bill, Page 15, Section 375.1182, Lines 148-151, by striking all of said lines and inserting in lieu thereof the following:

**“7. Any appeal by the liquidator to the court of appeals or the supreme court of a lower court's refusal to approve a petition to liquidate the company may be taken only if the liquidator and the attorney general both agree, after consultation, that an appeal is appropriate.”.**

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 1, Section A, Line 5, by inserting after all of said line the following:

“190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements;

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; [and]

(2) Ordered by a physician or set forth in protocols approved by the medical director; **and**

**(3) In an emergency situation providing pre-hospital care, during emergency care in an emergency department of a health care facility, or inter-hospital and non-emergency transports notwithstanding other provisions of law.**

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. All patients transported in a supine position in a vehicle other than an ambulance shall receive an appropriate level of care. The department shall promulgate rules regarding the provisions of this section. This subsection shall only apply to vehicles transporting patients for a fee.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 6, Section 375.017, Line 47, by inserting immediately after all of said line the following:

**“5. Notwithstanding any other provision of law to the contrary, information regarding compensation of any private citizen except insurance receiverships contained within a statement required to be filed pursuant to section 376.350 or 379.105, RSMo, and records maintained pursuant to subdivision (2) of subsection 1 of section 374.085, RSMo, shall not be subject to disclosure to any person other than employees of the department.”.**

*Senate Substitute Amendment No. 1*

*for*

*Senate Amendment No. 9*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 20, Section 461.051, Line 20, by inserting after all of said line the following:

**“Section 1. For the purposes of chapter 288, RSMo, a positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, shall be deemed misconduct connected with work;”**; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 10*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 317.019, Line 10, by inserting after all of said line the following:

“320.094. 1. The state treasurer shall annually transfer an amount prescribed in subsection 2 of this section out of the state revenues derived from premium taxes levied on insurance companies pursuant to sections 148.310 to 148.461, RSMo, which are deposited by the director of revenue in the general revenue fund pursuant to section 148.330, RSMo, in a fund hereby created in the state treasury, to be known as the “Fire Education Fund”. Any interest earned from investment of moneys in the fund shall be credited to the fund. The state treasurer shall administer the fund, and the moneys in such fund shall be used solely as prescribed in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fire education fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

2. Beginning July 1, [1998, three] **2000, five tenths of one** percent of the amount of premium taxes collected in the immediately preceding fiscal year pursuant to sections 148.310 to 148.461, RSMo, which are deposited in the general revenue fund [that exceeds the amount of premium taxes which were deposited in the general revenue fund in the 1997 fiscal year] shall be transferred from the general revenue fund to the credit of the fire education fund. [At the end of each fiscal year, the commissioner of administration shall determine the amount transferred to the credit of the fire education fund in each fiscal year by computing the premium taxes deposited in the general revenue fund in the prior fiscal year and comparing such amount to the amount of premium taxes deposited in the general revenue fund in the 1997 fiscal year.] An amount equal to [three] **five tenths of one** percent [of the increase] computed pursuant to this section shall be transferred by the state treasurer to the credit of the fire education fund; however, such transfer in any fiscal year shall not exceed one million five hundred thousand dollars **provided however that each fiscal year the first three hundred thousand dollars transferred to the fire education fund shall be utilized for fire education. The next five hundred thousand dollars shall be deposited into the fire district equipment fund established as a subaccount of the fire district education fund in this section. Any additional funds within the limit of one million five hundred thousand dollars as provided in this section shall be deposited into the fire education fund for fire education purposes.**

3. There is hereby established a special trust fund, to be known as the “Missouri Fire Education Trust Fund”, which shall consist of all moneys transferred to the fund from the fire education fund pursuant to this subsection and

any earnings resulting from the investment of moneys in the fund. Each fiscal year, an amount equal to forty percent of the moneys transferred to the fire education fund shall be transferred by the state treasurer to the credit of the Missouri fire education trust fund. The fund shall be administered by a board of trustees, consisting of the state treasurer, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house, and two members appointed by the governor with the advice and consent of the senate. Any member appointed due to such person's membership in the senate or house of representatives shall serve only as long as such person holds the office referenced in this section. The state treasurer shall invest moneys in the fund in a manner as provided by law. Subject to appropriations, moneys in the fund shall be used solely for the purposes described in this section, but such appropriations shall be made only if the board recommends to the general assembly that such moneys are needed in that fiscal year to adequately fund the activities described in this section. Moneys shall accumulate in the trust fund until the earnings from investment of moneys in the fund can adequately support the activities described in this section, as determined by the board. At such time, the board may recommend that the general assembly adjust or eliminate the funding mechanism described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri fire education trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

4. The moneys in the fire education fund, after any distribution pursuant to subsection 3 of this section, shall be distributed to the University of Missouri Fire & Rescue Training Institute and the institute shall use the moneys received under this subsection to coordinate education needs in cooperation with community colleges, colleges, regional training facilities, and universities of this state and shall provide training and continuing education to firefighters in this state relating to fire department operations and the personal safety of firefighters while performing fire department activities. Programs and activities funded under this subsection must be approved by the Missouri fire education commission established in subsection 5 of this section. These funds shall primarily be used to provide field education throughout the state, with not more than two percent of funds under this subsection expended on administrative costs.

5. There is established the "Missouri Fire Education Commission", to be domiciled in the division of fire safety within the department of public safety. The commission shall be composed of five members appointed by the governor with the advice and consent of the senate, consisting of one firefighter serving as a volunteer of a volunteer fire protection association, one full-time firefighter employed by a recognized fire department or fire protection district, one firefighter training officer, one person serving as the chief of a volunteer fire protection association, and one chief fire officer from a recognized fire department or fire protection district. No more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of four years, two shall have a term of three years and one shall have a term of two years. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause. The members shall at their initial meeting select a chairman. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties. The commission shall meet at least quarterly at the call of the chairman and shall review and determine appropriate programs and activities for which funds may be expended under subsection 4 of this section.

**6. (1) There is hereby established, as a subaccount of the fire education fund as established in this section, the "Fire District Equipment Fund", which shall be maintained and accounted for separately, and which shall consist of all moneys transferred pursuant to subsection 2 of this section and from all lawful public and private sources. Moneys in the subaccount shall be used to provide funds to fire protection districts and volunteer fire protection associations serving an area having a population of less than ten thousand. Moneys in the subaccount may be used only for purposes as are authorized by the Missouri Fire Education Commission and the Missouri Division of Fire Safety.**

**(2) The fire education training commission shall annually prepare an intended use plan for the funds available in the subaccount.**

**(3) The division of fire safety with approval by the fire education training commission may make direct grants to aid in funding equipment of any fire protection district or volunteer fire protection association as defined in this chapter with a population of less than ten thousand. The grants may be made to organizations with a population of less than ten thousand to assist in financing the purchase of fire equipment. Such grants may be made to supplement funds from loan proceeds or other private or public sources.**

**(4) Such organizations shall first apply with the division of fire safety for a grant. The division of fire safety shall make the necessary rules and regulations for the consideration and processing of all grant requests,**

which shall generally conform to those used by federal grant and loan agencies, which rules shall be filed in the office of the secretary of state. The division of fire safety shall adopt rules necessary to implement the grant program established pursuant to this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo. Such rules shall contain, but shall not be limited to the following criteria:

- (a) The type of equipment requested by the fire protection district or volunteer fire protection association;
  - (b) The urgency and importance of such equipment to a district or association;
  - (c) The cost of the equipment requested by the fire district or volunteer fire protection association; and
  - (d) The financial resources of the fire district or volunteer fire protection association.
- (5) All grant determinations made by the division of fire safety shall be final.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 335.018, Line 7, by inserting on said line after the word “nursing” the following:

“or criteria for certified medical technologist established by the Board of Healing Arts.”; and

Further amend said section, Page 3, Line 8, by inserting after “2” the following: “(A)”; and

Further amend said section, Page 3, Line 13, by inserting immediately after said line the following:

**“2. (B) The Missouri Board of Healing Arts shall promulgate rules pursuant to chapter 536, RSMo, specifying which professional surgical technologist certificates will be recognized for registered surgical technologists.”.**

*Senate Amendment No. 12*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 335.018, Line 19, by inserting immediately after said line the following:

“354.606. 1. **This act shall be known as the “Patient Freedom Act of 2000”.**

2. A health carrier shall establish a mechanism by which the participating provider shall be notified on an ongoing basis of the specific covered health services for which the provider shall be responsible, including any limitations or conditions on services.

[2.] 3. Every contract between a health carrier and a participating provider shall set forth a hold harmless provision specifying protection for enrollees. This requirement shall be met by including a provision substantially similar to the following:

“Provider agrees that in no event, including but not limited to nonpayment by the health carrier or intermediary, insolvency of the health carrier or intermediary, or breach of this agreement, shall the provider bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against an enrollee or a person, other than the health carrier or intermediary, acting on behalf of the enrollee for services provided pursuant to this agreement. This agreement shall not prohibit the provider from collecting coinsurance, deductibles or co-payments, as specifically provided in the evidence of coverage, or fees for uncovered services delivered on a fee-for-service basis to enrollees. This agreement shall not prohibit a provider, except for a health care professional who is employed full time on the staff of a health carrier and has agreed to provide service exclusively to that health carrier's enrollees and no others, and an enrollee from agreeing to continue services solely at the expense of the enrollee, as long as the provider has clearly informed the enrollee that the health carrier may not cover or continue to cover a specific service or services. Except as provided herein, this agreement does not prohibit the provider from pursuing any available legal remedy; including, but not limited to, collecting from any insurance carrier providing coverage to a covered person.”

[3.] 4. Every contract between a health carrier and a participating provider shall set forth that in the event of a health carrier's or intermediary's insolvency or other cessation of operations, covered services to enrollees shall continue

through the period for which a premium has been paid to the health carrier on behalf of the enrollee or until the enrollee's discharge from an inpatient facility, whichever time is greater.

[4.] **5.** The contract provisions satisfying the requirements of subsections [2 and] 3 **and 4** of this section shall:

(1) Be construed in favor of the enrollee;  
 (2) Survive the termination of the contract regardless of the reason for termination, including the insolvency of the health carrier; and

(3) Supersede any oral or written contrary agreement between a provider and an enrollee or the representative of an enrollee if the contrary agreement is inconsistent with the hold harmless and continuation of covered services provisions required by subsections [2 and] 3 **and 4** of this section.

[5.] **6.** In no event shall a participating provider collect or attempt to collect from an enrollee any money owed to the provider by the health carrier nor shall a participating provider collect or attempt to collect from an enrollee any money in excess of the coinsurance, co-payments or deductibles. Failure of a health carrier to make timely payment of an amount owed to a provider in accordance with the provider's contract shall constitute an unfair claims settlement practice subject to sections 375.1000 to 375.1018, RSMo.

[6.] **7.** (1) A health carrier shall develop selection standards for participating primary care professionals and each participating health care professional specialty. Such standards shall be in writing and used in determining the selection of health care professionals by the health carrier, its intermediaries and any provider networks with which it contracts. Selection criteria shall not be established in a manner that will:

(a) Allow a health carrier to avoid a high-risk population by excluding a provider because such provider is located in a geographic area that contains a population presenting a risk of higher than average claims, losses or health services utilization; or

(b) Exclude a provider because such provider treats or specializes in treating a population presenting a risk of higher than average claims, losses or health services utilization; **or**

**(c) Deny a health care professional the opportunity to become a participating provider if such health care professional satisfies all of the selection standards established by the health carrier, and if the health care professional is willing to accept the plan's operating terms and conditions, its schedule of fees, covered expenses, utilization regulations and quality standards.**

(2) Paragraphs (a), [and] (b) **and (c)** of subdivision (1) of this subsection shall not be construed to prohibit a health carrier from declining to select a provider who fails to meet the other legitimate selection criteria of the health carrier developed in compliance with sections 354.600 to 354.636.

(3) The provisions of sections 354.600 to 354.636 shall not require a health carrier, its intermediaries or the provider networks with which it contracts, to employ specific providers or types of providers, or to contract with or retain more providers or types of providers than are necessary to maintain an adequate network.

[7.] **8.** A health carrier shall file its selection standards for participating providers with the director. A health carrier shall also file any subsequent changes to its selection standards with the director. The selection standards shall be made available to licensed health care providers.

[8.] **9.** A health carrier shall notify a participating provider of the provider's responsibilities with respect to the health carrier's applicable administrative policies and programs, including but not limited to payment terms, utilization review, quality assessment and improvement programs, credentialing, grievance procedures, data reporting requirements, confidentiality requirements and any applicable federal or state programs.

[9.] **10.** A health carrier shall not offer an inducement under the managed care plan to a provider to provide less than medically necessary services to an enrollee.

[10.] **11.** A health carrier shall not prohibit a participating provider from advocating in good faith on behalf of enrollees within the utilization review or grievance processes established by the health carrier or a person contracting with the health carrier.

[11.] **12.** A health carrier shall require a provider to make health records available to appropriate state and federal authorities involved in assessing the quality of care but shall not disclose individual identities, or investigating the grievances or complaints of enrollees, and to comply with the applicable state and federal laws related to the confidentiality of medical or health records.

[12.] **13.** The rights and responsibilities of a provider under a contract between a health carrier and a participating provider shall not be assigned or delegated by the provider without the prior written consent of the health carrier.

[13.] **14.** A health carrier shall be responsible for ensuring that a participating provider furnishes covered benefits to all enrollees without regard to the enrollee's enrollment in the plan as a private purchaser of the plan or as a participant in a publicly financed program of health care service.

[14.] **15.** A health carrier shall notify the participating providers of their obligations, if any, to collect applicable coinsurance, co-payments or deductibles from enrollees pursuant to the evidence of coverage, or of the providers' obligations, if any, to notify enrollees of their personal financial obligations for noncovered services.

[15.] **16.** A health carrier shall not penalize a provider because the provider, in good faith, reports to state or federal authorities any act or practice by the health carrier that may jeopardize patient health or welfare.

[16.] **17.** A health carrier shall establish a mechanism by which a participating provider may determine in a timely manner whether a person is covered by the carrier.

[17.] **18.** A health carrier shall not discriminate between health care professionals when selecting such professionals for enrollment in the network or when referring enrollees for health care services to be provided by such health care professional who is acting within the scope of his professional license.

[18.] **19.** A health carrier shall establish procedures for resolution of administrative, payment or other disputes between providers and the health carrier.

[19.] **20.** A contract between a health carrier and a provider shall not contain definitions or other provisions that conflict with the definitions or provisions contained in the managed care plan or sections 354.600 to 354.636.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 13*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 16, Section 375.1220, Line 38, by inserting after all of said line the following:

**“376.1150. 1. Any new mandated health insurance coverage for specific health services, specific diseases or for certain providers of health care services approved by the general assembly shall apply only to the Missouri consolidated health care plan established in chapter 103, RSMo, for a period of at least one year beginning with the first anniversary date of the Missouri consolidated health care plan subsequent to the approval of the mandate by the general assembly. On or before March first, after the one-year period for which the mandate has been applied, the board of trustees of the Missouri consolidated health care plan shall submit to the president pro tem of the senate and the speaker of the house of representatives a report indicating the impact such mandated coverage has had on the Missouri consolidated health care plan, including data on the utilization and costs of such mandated coverage. Such report shall also include a recommendation on whether such mandated coverage should continue for the Missouri consolidated health care plan or whether additional utilization and cost data is required.**

**2. The general assembly shall periodically review all health insurance coverages mandated by state law.”;**  
and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1*

*to*

*Senate Amendment No. 15*

AMEND Senate Amendment No. 15 to Senate Committee Substitute for House Bill No. 1292, Pages 2-3, Section 376.1408, Line 21, by deleting said section and inserting in lieu thereof the following:

**“376.1408. 1. The department of insurance shall establish a task force to study standardized information for the explanation of benefits given to health care providers in order to determine the necessity of developing a standardized form. The task force shall consist of the following members:**

- (1) Three health care providers;**
- (2) Three representatives from the insurance industry to include an individual carrier, a small group carrier, and a large group carrier;**
- (3) Three representatives from the business community to include at least one from a small business employing 3 to 25 persons and at least one from a large employer of 50 or more persons;**
- (4) One member from the general public;**

2. No member of the task force shall receive compensation for the performance of duties related task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties;
3. The department of insurance shall have the task force established by January 1, 2003.”.

*Senate Amendment No. 15*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 18, Section 376.1361, Line 1, by inserting immediately after said line the following:

**“376.1405. 1. Every health insurance carrier offering policies of insurance in this state shall use the explanation of Medicare benefits Part B (EMOB) form for the explanation of benefits given to the health care provider whenever a claim is paid or denied. As used in this section, the term “health insurance carrier” shall have the meaning given to “health carrier” in section 376.1350. Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care or other limited benefit health insurance policies.**

**2. All health insurance carriers shall use the explanation of Medicare benefits Part B (EMOB) form after January 1, 2002.**

**376.1406. 1. Every health care provider and health carrier that conducts business in this state by contract shall use a standardized form for referrals. The standardized referral form shall be used in lieu of any specific referral form developed by a health carrier for the referral process. As used in this section, the terms “health care provider” and “health carrier” shall have the meaning given to them in section 376.1350.**

**2. The referral form developed by the task force as established in section 376.1408 shall contain the following:**

- (1) The name of the insured;
- (2) Place of employment;
- (3) The name, address and phone number of the health carrier;
- (4) The identification number and group number of the insured;
- (5) The type of referral;
- (6) The name, address and phone number of the health care provider referring the insured;
- (7) The name, address, and phone number of the health care provider of whom the insured was referred

to;

- (8) The number of visits requested and authorized; and
- (9) The health carrier's authorization number.

**3. All health care providers and health carriers shall use the standardized referral form after January 1, 2002.**

**376.1408. 1. The department of insurance shall establish a task force to develop the standardized forms required by section 376.1406. The task force shall meet for soliciting information to develop the standardized forms. The task force shall consist of the following members:**

- (1) Three health care providers;
- (2) Three representatives from the insurance industry; and
- (3) Three members from the general public.

**2. No member of the task force shall receive compensation for the performance of duties related to the task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties.**

**3. The department of insurance shall have the task force established by January 1, 2001.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10**.

With Senate Committee Amendment No. 1

*Senate Committee Amendment No. 1*

AMEND House Concurrent Resolution No. 10, Senate Journal, February 22, 2000, Page 294, Column 2, Line 46 of said column, by striking “**policies**” and inserting in lieu thereof the following: “**policies**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 22**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 27**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 29**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26**.

Senate Concurrent Resolution No. 26

WHEREAS, the United States of America observes a "Mother's Day", a "Father's Day" and a "Grandparents Day"; and

WHEREAS, these special observances are also recognized each year in the great State of Missouri; and

WHEREAS, children, education, "Drug Free" programs and many other legislative programs designated for the benefit of children and teens are a priority for the members of this General Assembly and all Missourians; and

WHEREAS, many issues confronting young people today are a direct result of children not receiving enough affirmation, personal attention and quality time from adults and organizations; and

WHEREAS, September is a month now remembered by many for the lives and work and service on behalf of children of Mother Teresa and Princess Diana; and

WHEREAS, it is also the month many of our children return to school; a month in which organizations recognize children for growing older and passing into a higher instruction period of their lives; and

WHEREAS, it is fitting that we pause in our deliberations to designate a day in honor of our children:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, hereby join unanimously in honoring the children of Missouri, by designating each third Saturday in September as "Children's Day" in Missouri; and

BE IT FURTHER RESOLVED, that Children's Day celebrations may vary with families, schools, churches, synagogues and other organizations, but affirming children and youth and quality time spent with children and youth should be an important part of "Children's Day".

BE IT FURTHER RESOLVED, that in designating this day in honor of our youth, we also strongly encourage other states, our country and other countries to designate the third Saturday in September as "Children's Day"; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution to the Governor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 41**.

Senate Committee Substitute  
for  
Senate Concurrent Resolution No. 41

WHEREAS, for many years St. Louis has been known as the Gateway to the West; and

WHEREAS, in a city more than two hundred years old, there is a new spirit of revitalization that is focused on its historic core in Downtown; and

WHEREAS, this spirit of renewal is evident from the Gateway Arch with its Museum of Westbound Expansion through Laclede's Landing, to Union Station, Soulard and along Washington Avenue; and

WHEREAS, Downtown St. Louis is the largest employment center in the State of Missouri and the heart of the St. Louis Metropolitan Area; and

WHEREAS, Downtown St. Louis has gone through a period of decline with the loss of businesses, jobs and deteriorating buildings and public facilities, and is having to face the growth of many shopping centers in the surrounding areas; and

WHEREAS, over the years numerous plans have been offered to rejuvenate Downtown St. Louis:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, establish the Joint Interim Committee on the Revitalization of the City of St. Louis. The members shall consist of five state senators appointed by the President Pro Tem of the Senate and five state representatives appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee may solicit input from governmental and business leaders of the City of St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall review and evaluate reports, studies and other information with respect to the revitalization of Downtown St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall make an in-depth study and evaluation of the alternatives to finance the revitalization of Downtown St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and General Assembly by January 1, 2001; and

BE IT FURTHER RESOLVED that the expenses of legislative members and legislative staff shall be paid from the Joint Contingent Fund; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 42**.

Senate Concurrent Resolution No. 42

WHEREAS, the State of Missouri is fully committed to achieving and maintaining water quality for public use and recreation and the protection of aquatic ecosystems; and

WHEREAS, substantial progress has been made toward this objective through considerable financial investments made by municipal and industrial sectors of the economy and an effective federal, state and local partnership with the private sector; and

WHEREAS, the states' direct experience also demonstrates that achievement of water quality goals depends upon the use of sound science and quality data, an iterative approach to water quality management, a commitment to accommodating economic development, the careful investment of limited resources to maximize environmental benefits, and broad-based public support; and

WHEREAS, the states' direct experience also demonstrates that the remaining water quality challenges are complex, difficult, and site-specific, and require tailored solutions, better science, and monitoring data; and

WHEREAS, the State of Missouri has effective regulatory and cooperative programs underway that are achieving better and greater protection of water quality than can be achieved with the prescriptive federal approach; and

WHEREAS, Section 303(d) of the federal Clean Water Act pertaining to total maximum daily loads (TMDL) is but one of many tools states and local governments have to assure effective water quality management and is not always the most efficient and effective; and

WHEREAS, the forest products industry is one of the most important industries in Missouri providing over 36,000 jobs and contributes over 4 billion a year to Missouri's economy; and

WHEREAS, the private timberland owner, who owns 85 percent of the timberland in Missouri, has a good record of voluntary compliance with Missouri's Best Management Practices for timberland that are approved by the EPA and that comply with the Clean Water Act:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the General Assembly strongly urges the Environmental Protection Agency to withdraw from consideration its proposed rules regarding the regulation of silviculture as a point source of the Clean Water Act; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Missouri in Congress of the United States, and the Administrator of the EPA as an expression of our sentiments on this vital issue.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 43**.

Senate Concurrent Resolution No. 43

WHEREAS, care for the disabled constitutes a vital service within the State of Missouri; and

WHEREAS, the delivery of care and other services to the disabled is a complex issue and deserving of organized study and review; and

WHEREAS, recent United States Supreme Court cases have dealt with the issue of delivering the appropriate care to the disabled:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Care Options for the Disabled" to be composed of five members of the Senate, three of whom shall be members of the Senate Appropriations Committee and five members of the House of Representatives, three of whom shall be members of the House Appropriations Committee; and

BE IT FURTHER RESOLVED the committee shall make an in-depth study of the impact of Olmstead v. L.C. and E.W. on the disabled community and on the State of Missouri, including barriers to the implementation of changes required by the decision. The committee shall make such recommendations as it deems necessary and shall be authorized to function from August 1, 2000, to January 5, 2001; and

BE IT FURTHER RESOLVED that the President Pro Tem of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee by July 1, 2000, and such committee shall meet within ten days of its establishment and organize by selecting a chairman and vice-chairman, one of whom shall be a member of the Senate and the other a member of the House of Representatives; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and the General Assembly by December 1, 2000; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, clerical, technical and bill drafting services as the committee may require in the performance of its duties. The expenses of each staff shall be paid from the contingency fund of their respective departments; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the President Pro Tem of the Senate, and the Speaker of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 741, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 858, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 881, as amended**, and has taken up and passed **CCS HS HCS SB 881**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House conference on **HS HCS SB 896, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 896, as amended**: Senators Scott, Staples, Clay, Kenney and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SB 944, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 944, as amended**: Senators Caskey, Maxwell, Howard, Bentley and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 961, as amended**: Senators Stoll, Maxwell, Jacob, Yeckel and Mueller.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SB 961, as amended**, and has taken up and passed **CCS HS SB 961**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 1808, as amended**, and has taken up and passed **CCS SS SCS HB 1808**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1677, 1675 & 1676**, entitled:

An act to repeal sections 455.085, 455.220 and 455.230, RSMo 1994, and sections 375.1312, 455.010, 455.045, 455.050, 455.205, 455.540, 455.543, 455.545 and 565.063, RSMo Supp. 1999, and to enact in lieu thereof eighteen new sections relating to domestic violence, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 5, Section 455.010, Line 27, by striking the words **“pursuant to sections 454.1200 to 454.1209, RSMo”**.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 4, Section 375.1312, Line 52, by inserting after the word **“affidavit”** the following:

**“for the insurer”**; and

Further amend said section, Page 4, Line 60, by inserting at the end of said line the following:

**“An insurer making payment to an insured shall have all rights of subrogation to recover against the perpetrator of the loss.”**

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 14, Section 491.073, Lines 1-4, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 2, Section 43.505, Line 34, by inserting after all of said line the following:

“210.001. 1. The department of social services shall address the needs of homeless, dependent and neglected children in the supervision and custody of the division of family services and to their families-in-conflict by:

(1) Serving children and families as a unit in the least restrictive setting available and in close proximity to the family home, consistent with the best interests and special needs of the child;

(2) Insuring that appropriate social services are provided to the family unit both prior to the removal of the child from the home and after family reunification;

(3) Developing and implementing preventive and early intervention social services which have demonstrated the ability to delay or reduce the need for out-of-home placements and ameliorate problems before they become chronic.

2. The department of social services shall fund only regional child assessment centers known as:

(1) The St. Louis city child assessment center;

(2) The St. Louis County child assessment center;

(3) The Jackson County child assessment center;

- (4) The Buchanan County child assessment center;
- (5) The Greene County child assessment center;
- (6) The Boone County child assessment center;
- (7) The Joplin child assessment center; [and]
- (8) The St. Charles County child assessment center;
- (9) The Jefferson County child assessment center; and**
- (10) The Pettis County child assessment center.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 12, Section 455.230, Line 24, by inserting after all of said line the following:

**“455.300. 1. There is hereby established the "Missouri Domestic Violence Commission" within the department of public safety, to study solutions for domestic violence in Missouri. The commission shall be composed of the following members:**

- (1) One judge of a juvenile court, who shall be appointed by the chief justice of the supreme court;**
- (2) One judge of a family court, who shall be appointed by the chief justice of the supreme court;**
- (3) Nine members of the general public, five of whom shall represent domestic violence providers and one of whom shall represent a state-wide coalition against domestic violence. All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri domestic violence commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.**

**2. All meetings of the Missouri domestic violence commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030, RSMo. The Missouri domestic violence commission shall meet no less than once every two months, and shall hold its first meeting no later than sixty days after January 1, 2001. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.**

**3. The Missouri domestic violence commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.**

**4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.**

**5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.**

**6. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.**

**455.305. 1. Beginning in 2001, the department of social services and the Missouri domestic violence commission established pursuant to this chapter, shall establish and administer up to twenty domestic violence intervention/rehabilitation pilot projects. Such projects shall operate as satellite projects through existing domestic violence prevention facilities where no such facilities exist for the following purposes:**

- (1) To implement, expand, and establish cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence;**
- (2) To prevent domestic violence and provide immediate shelter for victims of domestic violence;**
- (3) To provide treatment and counseling to victims of domestic violence; and**
- (4) To work in cooperation with the community to develop education and prevention strategies regarding domestic violence.**

**2. Funding for the pilot programs shall be subject to appropriation.**

3. The department and the commission shall promulgate rules and regulations, pursuant to chapter 536, RSMo, to implement, administer, and monitor the pilot projects. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

4. Beginning in 2001, the department and the commission shall submit an annual report of its activities to the speaker of the house of representatives, the president pro tem of the senate, and the governor before December thirty-first of each year.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 2, Section 43.505, Lines 24-26, by striking all of said lines and inserting in lieu thereof the following:

“(6) Establish such rules and regulations as are necessary for implementing the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.”.

*Senate Amendment No. 9*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 6, Section 455.050, Line 9, by striking the word “or” as it appears the first time in the line and insert a comma “,” after the word “leased” and insert the words “or occupied” after the word “rented”; and amend line 10, by striking the word “or” after the word “leased” and insert the words “or occupied” after the word “rented”.

*Senate Amendment No. 10*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 14, Section 565.063, Lines 12-13, by deleting all the boldface language; and

Further amend said bill, Page 16, Section 565.072, Line 3, by inserting after the word “member” the following:

“or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor”; and

Further amend said bill, Page 16, Section 565.073, Line 2, by inserting after the word “member” the following:

“or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor”; and

Further amend said bill and page, Section 565.074, Line 2, by inserting after the word “**member**” the following:

“**or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 577, as amended**, and has taken up and passed **HCS SS SCS SB 577, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1848**, and has taken up and passed **CCS SCS HB 1848**.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1292, as amended**, relating to health insurance, was taken up by Representative Auer.

Representative Auer moved that the House refuse to adopt **SCS HB 1292, 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.

**HS HCS SB 858, as amended**, relating to sunshine law, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HS HCS SB 858, as amended**, and grant the Senate a conference.

Which motion was adopted.

### BILL IN CONFERENCE

**CCR HS HCS SB 881, as amended**, relating to mass transportation fund, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **CCR HS HCS SB 881, as amended**, was adopted by the following vote:

AYES: 095

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Clayton	Crump	Curis
Davis 122	Davis 63	Days	Dolan	Dougherty
Farnen	Fitzwater	Foley	Fraser	Gambaro
George	Graham 106	Graham 24	Gratz	Green

1557 *Journal of the House*

Griesheimer	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Ransdall	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Seigfreid
Selby	Skaggs	Smith	Thompson	Treadway
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 065

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Boykins	Champion	Chrismer	Cierpiot
Crawford	Elliott	Enz	Evans	Ford
Foster	Froelker	Gaskill	Gibbons	Gross
Gunn	Hanaway	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	Miller	Murphy	Myers
Naeger	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Ridgeway	Schwab
Scott	Secrest	Shelton	Shields	Summers
Surface	Townley	Troupe	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 002

Franklin                      Stokan

VACANCIES: 001

On motion of Representative Hoppe, **CCS HS HCS SB 881** was truly agreed to and finally passed by the following vote:

AYES: 112

Abel	Alter	Auer	Backer	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Froelker
Gambaro	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Hagan-Harrell	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Liese	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Ransdall	Reinhart	Relford
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Seigfreid
Selby	Shields	Skaggs	Smith	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 041

Akin	Ballard	Bartelsmeyer	Bennett	Blunt
Boatright	Boykins	Champion	Chrismer	Cierpiot
Crawford	Enz	Evans	Foster	Gaskill
Gibbons	Gross	Gunn	Hanaway	Hendrickson
Hohulin	Legan	Levin	Linton	Lograsso
Loudon	Murphy	Naeger	Patek	Phillips
Pouche 30	Pryor	Reid	Richardson	Ridgeway
Scott	Secrest	Shelton	Summers	Surface
Troupe				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnett	Elliott	Franklin	Harlan	McClelland
Purgason	Stokan	Van Zandt	Wright	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SB 741, as amended**, relating to water pollution control, was taken up by Representative Backer.

Representative Backer moved that the House refuse to recede from its position on **HCS SB 741, as amended**, and grant the Senate a conference.

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:

**HCS SB 741:** Representatives Backer, Wiggins, Relford, Legan and Long

**HS HCS SB 896:** Representatives May (108), Liese, Kreider, Luetkemeyer and Hartzler (123)

## RE-APPOINTMENT OF CONFERENCE COMMITTEE

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

**HCS SB 944:** Representatives Smith, Davis (122), Hollingsworth, McClelland and Patek

### SENATE BILL FOR THIRD READING

**HCS SB 724**, relating to tourism tax, was taken up by Representative Farnen.

Representative Farnen offered **HS HCS SB 724**.

Representative Graham (24) offered **House Amendment No. 1**.

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

The Chair ruled the point of order well taken.

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

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

The Chair ruled the point of order well taken.

On motion of Representative Farnen, **HS HCS SB 724** was adopted.

On motion of Representative Farnen, **HS HCS SB 724** was read the third time and passed by the following vote:

AYES: 138

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray

Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 014

Akin	Alter	Cierpiot	Enz	Evans
Hanaway	Hendrickson	Hohulin	Linton	Lograsso
Loudon	Murphy	Reid	Ridgeway	

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 009

Brooks	Franklin	Hosmer	Leake	Robirds
Stokan	Wiggins	Williams 121	Wright	

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Burton	Champion	Chrismer
Cierpiot	Crawford	Crump	Davis 122	Days
Dolan	Elliott	Enz	Evans	Farnen
Foley	Foster	Fraser	Froelker	Gambaro
Gaskill	Gibbons	Graham 106	Gratz	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Holand	Hoppe	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Skaggs	Summers	Surface	Thompson
Townley	Tudor	Vogel	Ward	Williams 159
Wright	Mr. Speaker			

NOES: 033

Abel	Auer	Barry 100	Bray 84	Brooks
Campbell	Clayton	Curls	Davis 63	Dougherty
Fitzwater	Ford	George	Graham 24	Green
Gunn	Hickey	Hohulin	Hollingsworth	Kelly 27

O'Connor	Reid	Relford	Scheve	Schilling
Selby	Smith	Treadway	Van Zandt	Wagner
Williams 121	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin	Hosmer	Lograsso	McLuckie	Stokan
Troupe	Wiggins			

VACANCIES: 001

On motion of Representative Parker, title to the bill was agreed to.

Representative Hampton moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

### HOUSE BILL WITH SENATE AMENDMENTS

**SCS HS HCS HBs 1677, 1675 & 1676, as amended**, relating to domestic violence, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **SCS HS HCS HBs 1677, 1675 & 1676, as amended**, was adopted by the following vote:

AYES: 106

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Berkstresser	Black	Boatright	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Fraser	Gambaro
Gibbons	Graham 106	Graham 24	Gratz	Green
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Kasten	Kelley 47	Kelly 27	Kennedy
Kissell	Klindt	Kreider	Lakin	Lawson
Legan	Liese	Linton	Lograsso	Long
Luetkenhaus	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Ross	Sallee	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 039

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Burton	Champion	Chrismer	Cierpiot
Enz	Foster	Gaskill	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	King

Levin	Loudon	Luetkemeyer	Murphy	Myers
Nordwald	Pryor	Purgason	Ridgeway	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Blunt	Bonner	Elliott	Ford	Franklin
Froelker	George	Griesheimer	Howerton	Koller
Leake	Marble	May 108	Robirds	Scheve
Stokan	Wiggins			

VACANCIES: 001

Representative Riback Wilson (25) requested verification of the roll call on the adoption of **SCS HS HCS HBs 1677, 1675 & 1676, as amended.**

On motion of Representative Riback Wilson (25), **SCS HS HCS HBs 1677, 1675 & 1676, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Foster	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 012

Elliott	Ford	Franklin	Froelker	Harlan
Koller	O'Connor	Parker	Skaggs	Stokan
Vogel	Wiggins			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

Representative Naeger requested verification of the roll call on the motion to truly agree and finally pass **SCS HS HCS HBs 1677, 1675 & 1676, as amended.**

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

**SB 1053**, relating to profiling, was taken up by Representative Days.

Representative Days offered **HS SB 1053**.

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

#### *House Amendment No. 1*

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 16, by inserting after the word "**citation**" the words "**and report**".

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

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

#### *House Amendment No. 2*

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 14 of said page, by inserting after all of said line the following:

**"11. The state shall provide all funds necessary to implement the provisions of this section.";** and

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

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

Which motion was defeated by the following vote:

AYES: 060

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Blunt	Boatright	Bonner
Burton	Chrismer	Crawford	Dolan	Enz
Evans	Foster	Froelker	Gibbons	Graham 106
Gratz	Griesheimer	Gross	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kelley 47	Kissell	Klindt	Legan	Levin
Linton	Lograsso	Loudon	Luetkenhaus	Marble
McBride	McClelland	Miller	Naeger	Ostmann
Phillips	Pouche 30	Pryor	Purgason	Reinhart
Richardson	Ridgeway	Robirds	Schwab	Secrest
Selby	Shields	Surface	Vogel	Williams 159

NOES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Cierpiot	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Fraser	Gambaro	George
Graham 24	Green	Gunn	Hagan-Harrell	Hanaway
Harlan	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Kasten	Kelly 27	Kennedy	King
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkemeyer	May 108	Mays 50	McKenna
McLuckie	Merideth	Murphy	Murray	Myers
O'Connor	Overschmidt	Parker	Patek	Ransdall
Reid	Relford	Reynolds	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Seigfreid
Shelton	Skaggs	Smith	Summers	Thompson
Treadway	Troupe	Tudor	Van Zandt	Wagner
Ward	Williams 121	Wilson 25	Wilson 42	Wright

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer	Champion	Clayton	Crump	Elliott
Franklin	Gaskill	Hosmer	Long	Monaco
Nordwald	O'Toole	Scott	Stokan	Townley

Wiggins

VACANCIES: 001

Representative Reid requested a division of the question on **HS SB 1053, as amended.**

Representative Hosmer offered **House Amendment No. 1 to Part I of HS SB 1053.**

**House Amendment No. 1 to Part I of HS SB 1053** was withdrawn.

Representative Dolan offered **House Amendment No. 1 to Part I of HS SB 1053.**

*House Amendment No. 1  
to  
Part I*

AMEND Part I of House Substitute for Senate Bill No. 1053, Page 1, Section 590.650, Lines 7 to 16 of said page, by deleting all of said lines; and

Further amend said bill, Page 2, Section 590.650, Lines 2 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 3, Section 590.650, Lines 2 to 17 of said page, by deleting all of said lines.

Representative Dolan moved that **House Amendment No. 1 to Part I of HS SB 1053** be adopted.

Which motion was defeated.

Representative Pouche offered **House Amendment No. 2 to Part I of HS SB 1053**.

*House Amendment No. 2  
to  
Part I*

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 13, by deleting the word “**and**”; and

Further amend said section, Line 14, by deleting the word “**stop.**” and inserting in lieu thereof the following:

**“stop; and  
(11) the race of the peace officer involved”.**

Representative Pouche moved that **House Amendment No. 2 to Part I of HS SB 1053** be adopted.

Which motion was defeated.

On motion of Representative Days, **Part I of HS SB 1053, as amended**, was adopted.

Representative Froelker offered **House Amendment No. 1 to Part II of HS SB 1053**.

*House Amendment No. 1  
to  
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 17, by inserting after all of said line the following:

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

On motion of Representative Froelker, **House Amendment No. 1 to Part II of HS SB 1053** was adopted.

Representative Riley offered **House Amendment No. 2 to Part II of HS SB 1053**.

*House Amendment No. 2  
to  
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 5, by deleting the word “**residing**” and inserting in lieu thereof the word “**traveling**”.

On motion of Representative Riley, **House Amendment No. 2 to Part II of HS SB 1053** was adopted.

Representative Gunn offered **House Amendment No. 3 to Part II of HS SB 1053**.

Representative Days raised a point of order that **House Amendment No. 3 to Part II of HS SB 1053** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

**House Amendment No. 3 to Part II of HS SB 1053** was withdrawn.

On motion of Representative Days, **Part II of HS SB 1053, as amended**, was adopted.

Representative Gunn offered **House Amendment No. 1 to Part III of HS SB 1053**.

*House Amendment No. 1  
to  
Part III*

AMEND Part III of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 24 of said page, by inserting after all of said line the following:

**"590.653. 1. Each county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.**

**2. The board shall have the power to receive, investigate, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. The findings and recommendations of the board, and the basis therefor, shall be submitted to the chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such findings or recommendations.";** and

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

Representative Kissell offered **House Amendment No. 1 to House Amendment No. 1 to Part III of HS SB 1053**.

Representative Days raised a point of order that **House Amendment No. 1 to House Amendment No. 1 to Part III of HS SB 1053** is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Gunn, **House Amendment No. 1 to Part III of HS SB 1053** was adopted.

Representative Riley offered **House Amendment No. 2 to Part III of HS SB 1053**.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 2 to Part III of HS SB 1053**.

**House Substitute Amendment No. 1 for House Amendment No. 2 to Part III of HS SB 1053** was withdrawn.

**House Amendment No. 2 to Part III of HS SB 1053** was withdrawn.

Representative Kissell offered **House Amendment No. 2 to Part III of HS SB 1053**.

Representative Gambaro raised a point of order that **House Amendment No. 2 to Part III of HS SB 1053** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Days, **Part III of HS SB 1053, as amended**, was adopted.

On motion of Representative Days, **HS SB 1053, as amended**, was read the third time and passed by the following vote:

AYES: 143

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30

Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Alter	Dolan	Griesheimer
-------	-------	-------------

PRESENT: 000

ABSENT WITH LEAVE: 016

Clayton	Franklin	Hohulin	Kasten	King
Lawson	Linton	Long	Nordwald	Parker
Purgason	Richardson	Stokan	Surface	Townley
Wiggins				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **CCR HCS SS SB 813, as amended**, and requests the House grant the Senate further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 741, as amended**: Senators Maxwell, Quick, Goode, Flotron and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 858, as amended**: Senators Maxwell, Quick, Clay, Rohrbach and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1742, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1742**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1292, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Jacob, Clay, Carter, Mueller and Sims.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

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

**SCS HB 1292:** Representatives Auer, Gunn, Liese, Elliott and Surface

### **CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 813**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Bill No. 813, with House Amendment Nos. 1, 3, 4, 5, 6, 7, House Substitute Amendment No. 2 for House Amendment No. 8, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10 and House Amendment No. 10, as amended, House Amendment Nos. 11, 12 and 13, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 813, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 813;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 813 be adopted.

**FOR THE HOUSE:**

/s/ Don Kissell  
/s/ Phillip Britt  
/s/ Steve McLuckie  
/s/ Jon Dolan  
/s/ Rex Barnett

**FOR THE SENATE:**

/s/ Ted House  
/s/ William Clay  
/s/ Stephen Stoll  
/s/ Sarah Steelman  
/s/ David Klarich

**CONFERENCE COMMITTEE REPORT NO. 2**

**ON**

**HOUSE COMMITTEE SUBSTITUTE**

**FOR**

**SENATE BILL NO. 944**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 944, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 9, 11, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 944, as amended;
2. That the Senate recede from its position on Senate Bill No. 944; and
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 944 be adopted.

**FOR THE HOUSE:**

/s/ Phil Smith  
/s/ D. J. Davis  
/s/ Kate Hollingsworth  
/s/ Emmy McClelland  
/s/ Jewell Patek

**FOR THE SENATE:**

/s/ Harold Caskey  
/s/ Joe Maxwell  
/s/ Jerry Howard  
/s/ Roseann Bentley  
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1948**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1948, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1948;
2. That the House recede from its position on House Bill No. 1948;
3. That the attached Conference Committee Substitute be adopted.

**FOR THE HOUSE:**

/s/ Bill Gratz  
/s/ Don Koller  
/s/ Vicky Hartzler  
/s/ Bill Ransdall  
/s/ Gary Marble

**FOR THE SENATE:**

/s/ Danny Staples  
/s/ James Mathewson  
/s/ John Scott  
/s/ Doyle Childers  
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE BILL NO. 961**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for Senate Bill No. 961, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Bill No. 961, as amended;
2. That the Senate recede from its position on Senate Bill No. 961;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Bill Ransdall  
/s/ Bill Boucher  
/s/ Dan Ward  
/s/ Jon Dolan  
/s/ Carson Ross

FOR THE SENATE:

/s/ Steve Stoll  
/s/ Joe Maxwell  
/s/ Ken Jacob  
/s/ Walt Mueller  
/s/ Anita Yeckel

**CONFERENCE COMMITTEE REPORT NO. 3**

**ON**

**HOUSE COMMITTEE SUBSTITUTE**

**FOR**

**SENATE BILL NO. 944**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 944, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 9, 11, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 944, as amended;
2. That the Senate recede from its position on Senate Bill No. 944; and
3. That the attached Conference Committee Amendment No. 1 be adopted; and
4. That the attached Conference Committee Substitute No. 3 for House Committee Substitute for Senate Bill No. 944 be adopted, as amended by Conference Committee Amendment No. 1.

FOR THE HOUSE:

/s/ Phil Smith  
/s/ D. J. Davis  
/s/ Kate Hollingsworth  
/s/ Emmy McClelland

FOR THE SENATE:

/s/ Harold Caskey  
/s/ Joe Maxwell  
/s/ Jerry Howard  
/s/ Roseann Bentley  
/s/ Morris Westfall

*Conference Committee Amendment No. 1*

AMEND Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 944, Page 76, Section 571.030, Lines 21-22 of said page, by striking all of said lines and inserting in lieu thereof the following: "**school board.**"; and

Further amend said bill, Page 78, Section 571.030, Line 14 of said page, by striking the period "." on said line and inserting in lieu thereof the following:

", or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

**4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board."**; and

Further amend said bill, Page 78, Section 571.030, Line 15 of said page, by striking the numeral "4." and inserting in lieu thereof the numeral "5."; and

Further amend said bill, Page 78, Section 571.030, Line 25 of said page, by striking the numeral "5." and inserting in lieu thereof the numeral "6."; and

Further amend said bill, Page 79, Section 571.030, Line 17 of said page, by striking the numeral "6." and inserting in lieu thereof the numeral "7."

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HR 1250**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### House Resolution No. 1250

WHEREAS, the premium for health insurance for retirees of the Missouri State Employees' Retirement System was subsidized by the state at a rate of thirty-four percent from 1995-1999, and is currently subsidized by the state at a rate of forty-seven percent; and

WHEREAS, while this percentage is an improvement over previous years, retired state employees are rightly concerned that no requirements mandate a particular level of subsidy, therefore making their health care costs subject to yearly appropriations; and

WHEREAS, the older retirees, particularly those retirees with a lower average salary, bear a greater burden of their health insurance costs than active employees or younger retirees; and

WHEREAS, a more vigorous system of health care contributions for state employees would promote the goals of the Governor's Ad Hoc Task Force on Total Compensation; and

WHEREAS, the Governor's Task Force on Total Compensation and the Commission on Management and Productivity has not aggressively addressed the issue of health care programs which is necessitating the need to enact legislation in the absence of administrative action:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives, Ninetieth General Assembly, Second Regular Session, that a House Interim Committee on Health Care Contributions for State Employees be created to develop legislation to relieve retirees of their justified concerns over the cost of their health care as it relates to their overall benefit package as retired state employees; and

BE IT FURTHER RESOLVED that the committee be comprised of five members to be appointed by the Speaker of the House of Representatives, with three members from the Democratic Party and two members from the Republican Party; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings and investigations as it deems advisable, and that the staff of House Research and the Committee on Legislative Research provide any technical or clerical assistance requested by the committee and the members of the committee shall receive reimbursement for their actual and necessary expenses incurred in the performance of their official duties for the committee; and

BE IT FURTHER RESOLVED that the committee reports its recommendations and findings to the Speaker of the House of Representatives by December 15, 2000.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 763 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 9:30 a.m, Wednesday, May 10, 2000.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-eighth Day, Monday, May 8, 2000, pages 1412 and 1413, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 1412 and 1413, roll call, by showing Representative Summers voting "no" rather than "absent with leave".

Pages 1414 and 1415, roll call, by showing Representatives Boucher and Hosmer voting "aye" rather than "absent with leave".

Pages 1415 and 1416, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1417 and 1418, roll call, by showing Representatives Crawford, Hosmer and Patek voting "aye" rather than "absent with leave".

Pages 1418 and 1419, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1422, roll call, by showing Representative Tudor voting "aye" rather than "absent with leave".

Page 1424, roll call, by showing Representative Riback Wilson (25) voting "aye" rather than "no".

Page 1424, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Page 1425, roll call, by showing Representative Riback Wilson (25) voting "no" rather than "aye".

Page 1425, roll call, by showing Representatives Barry and Franklin voting "aye" rather than "absent with leave".

Pages 1432 and 1433, roll call, by showing Representatives Kennedy and Wright voting "aye" rather than "absent with leave".

Pages 1433 and 1434, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1435 and 1436, roll call, by showing Representatives Bennett, Franklin and Liese voting "no" rather than "absent with leave".

Page 1439, roll call, by showing Representatives Barry and Howerton voting "aye" rather than "absent with leave".

Page 1439, roll call, by showing Representative Hollingsworth voting "no" rather than "absent with leave".

Pages 1440 and 1441, roll call, by showing Representatives Barry and Hollingsworth voting "no" rather than "absent with leave".

Pages 1443 and 1444, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1447 and 1448, roll call, by showing Representatives Bennett, Kennedy, Lakin, Levin and Scott voting "aye" rather than "absent with leave".

Pages 1451 and 1452, roll call, by showing Representative Scott voting "aye" rather than "absent with leave".

Page 1458, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Pages 1459 and 1460, roll call, by showing Representative King voting "no" rather than "absent with leave".

Page 1484, roll call, by showing Representatives McKenna and Parker voting "no" rather than "absent with leave".

Page 1485, roll call, by showing Representatives Hickey, Kissell, Long, McKenna and Robirds voting "aye" rather than "absent with leave".

## COMMITTEE MEETINGS

### FISCAL REVIEW

Wednesday, May 10, 2000, 9:00 am. Hearing Room 4.

Executive Session. (Fiscal Note).

To be considered - SB 926

### MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 10, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 1541, SCR 44

## HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 10, 2000

### HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)

1577 *Journal of the House*

- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

**HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCR 31, (5-1-00, pg. 1158) - Hollingsworth

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCR 26
- 2 SCS SCR 41
- 3 SCR 42
- 4 SCR 43

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 39, (4-13-00, pg. 953) - Clayton
- 2 HCS SCR 37, (5-8-00, pg. 1493) - Williams (159)

**SENATE JOINT RESOLUTION FOR THIRD READING**

SJR 50 - Scheve

**SENATE BILLS FOR THIRD READING**

- 1 HCS SB 936, E.C. - Bray
- 2 HCS SS SCS SB 763 - Kissell
- 3 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 4 HCS SS SB 902 - Treadway
- 5 SCS SB 557 - Smith
- 6 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 7 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 8 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 9 SCS SB 540 - Wiggins
- 10 HCS SS SCS SB 925, E.C. - Williams (159)
- 11 HCS SB 996 - Hosmer

- 12 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 13 HCS SB 921 - Treadway
- 14 SB 892, (Fiscal Review, 5-4-00) - Crump
- 15 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 16 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 17 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 18 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 19 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 20 HCS SB 851 - Kreider
- 21 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 22 HCS SB 722 - Smith
- 23 SB 910 - Abel
- 24 HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
- 25 SCS SB 685 - Curls

**SENATE BILLS FOR THIRD READING - INFORMAL**

- 1 HCS SCS SB 894 - Hoppe
- 2 SCS SB 779 - Wiggins

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe
- 2 HCR 10, SCA 1 - Auer

**BILL CARRYING REQUEST MESSAGE**

HCS SS SB 813, as amended,  
(Senate refuse to adopt CCR/ House request Senate grant further confer.) - Kissell

**BILLS IN CONFERENCE**

- 1 SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 HS HCS SB 788, as amended - Barry
- 4 HS HCS SB 856, as amended - Harlan
- 5 CCR SCS HB 1948 - Gratz
- 6 CCR HS SB 961, as amended, E.C. - Ransdall
- 7 HS HCS SB 896, as amended - May (108)
- 8 CCR#3 HCS SB 944, as amended - Smith
- 9 HS HCS SB 858 - Smith
- 10 HCS SB 741, as amended - Backer
- 11 SCS HB 1292, as amended - Auer

**HOUSE RESOLUTIONS**

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz