

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-SEVENTH DAY, WEDNESDAY, MARCH 28, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Almighty God: Your power is displayed in all of Your creation. Help us, in this corner of Your world, in Missouri, to count our blessings. Grant to these men and women of the House, the patience needed to contend with the clamor of competing voices, and the ability to break with private goals often enough to ease some burden or right some wrong.

Keep their values strong and help them to use their power to care for those dependent upon the justice and mercy of our state; to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Beasley, Lindsey Beasley, Tim Clark, Tim Dulin, Chris Werkmeister, Nikki Bisel, John Schwartz, Hannah Schwartz, Jeffrey Schwartz, Kent Branson, Kyle Branson, Kristy Branson, Kole Branson, Kristin Henke, Amanda Harris and Frank Weimer.

The Journal of the forty-sixth day was approved as printed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Ward	Wiggins	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Harlan	Kelly 27	Kelly 36	Mayer
Van Zandt	Walton	Wilson 25		

VACANCIES: 003

Lauren Halfaker, VFW essay winner, addressed the House.

Representative Shields moved that Lauren Halfaker's essay appear in the Journal.

Which motion was adopted.

What Price Freedom?

She sits alone at her kitchen table, flipping through the weekly newspaper, just as she has for the past ten years. She scans the ads to see what is on sale this week at her grocery store. She notices that sugar is only 55 cents a pound, and green beans three cans for a dollar, so she adds these to her grocery list. She flips back to the front page and the headline catches her eye: "Seventeen killed in the explosion of USS Cole." The newsprint blurs as she feels the hot sting of tears.

The tea kettle whistles, but she is unaware, lost in the details of the article. Grandma feels familiar emotions from the past leap upon her. She remembers the agony of waiting after the 1967 explosion on the USS Forrestal. She relives the days spent sitting by the telephone and the nights spent watching the television reports after her son was listed as missing in action, praying that he would be found alive. The grief that she went through once his death was confirmed lingers still.

Her generation has first hand experience of the cost of war. Hitler, World War II, and the Korean War, are not just facts from a history book to her. She is truly one of Tom Brokaw's "Greatest Generation." She traveled to Norfolk, Virginia to marry my grandpa, who was training troupes for WW II. She has clear memories of Pearl Harbor and D-Day, and the horrors they learned after the war ended about Hitler's treatment of the Jews. Years later she watched her son go off to fight in Vietnam. She searched the news daily for information about the war, only to have her worst fears realized when he became a casualty.

With these life experiences, it is hard not to feel the effects of freedom's price. A life is lost in an instant, but the loss is felt for years. It took away not only her son, but also her future daughter-in-law and grandchildren. To others, a brother, friend, neighbor, and a good man was lost without warning. This scene has been replayed in many families across our country. Even though many other men did not lose their life in the war, they did lose their innocence, for their daily lives are still interrupted by the sights, sounds, smells, and feelings of war permanently etched upon their minds. These are the ones who financed the freedom I enjoy.

I am part of a generation that does not remember America ever being at war. The wars in Bosnia or the civil wars in Africa, are just events I see on television or discuss in current events class. I am grateful that no recent war has been fought on U.S. soil, but it means that I and others in my generation may not fully understand the price of freedom. We've read the facts and seen the Hollywood movies, but that is a far stretch from the reality of loss. To many teenagers, the price of freedom is nothing. It is taken for granted.

In his book Brave New World, Aldous Huxley shows us that the problem of living in a perfect world is that you can't appreciate something without feeling the reverse. He communicates the idea that you have to experience sadness to appreciate joy and pain to enjoy your health. I feel that same concept applies to freedom. In other words, if freedom is all that you've ever known, it won't have the same value to you as it would to someone who has had to struggle or fight to become free. My grandmother endured the heartache along with the victory, and because of this she values her freedom.

For many, freedom is taken for granted, because they have never experienced a threat to it. There has been no personal sacrifice required to protect their liberty. I also must look to my grandmother to learn from her life. She can tell me what price freedom is. Because she lives it every day. The dear price of freedom paid in the lives of honorable men and women who have faced atrocities and lost their lives or been permanently changed because of it. To these heroes, we owe a debt of understanding, compassion, kindness and respect. There is no way to reconcile the losses, but we can honor them in our hearts, minds, and actions. No memorial to any life lost can compensate for that loss, but it can serve as a reminder of what freedom's price is. So that some can learn about the price that others, like my grandma, will never forget.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 1021 - Representatives Ridgeway and Reinhart
- House Resolution No. 1022 - Representative Britt
- House Resolution No. 1023 - Representatives Scott and Boatright
- House Resolution No. 1024 - Representative Green (73), et al
- House Resolution No. 1025 - Representative Van Zandt
- House Resolution No. 1026 - Representative Luetkemeyer
- House Resolution No. 1027 - Representative Portwood
- House Resolution No. 1028 - Representative Hohulin

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 22 was read the second time.

SECOND READING OF SENATE BILLS

SB 353, SB 434, SCS SB 486, SB 521 and SB 605 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 70, HCS HB 106, HB 120, HCS HB 274, HB 471, HCS HBs 533 & 724 and HB 662**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 626, relating to marriage licenses, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 626** was read the third time and passed by the following vote:

AYES: 151

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Ballard	Gratz	Hartzler	Hohulin
Holand	Linton	Mayer	Scott	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 693, relating to administrative hearing commission, was taken up by Representative Smith.

On motion of Representative Smith, **HB 693** was read the third time and passed by the following vote:

AYES: 153

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

NOES: 002

Hoppe	Hosmer
-------	--------

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Gratz	Kelly 27	Mayer	Moore
-------	-------	----------	-------	-------

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 769, relating to higher education savings program, was taken up by Representative Harlan.

On motion of Representative Harlan, **HB 769** was read the third time and passed by the following vote:

AYES: 157

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Gratz Mayer Moore

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 537, relating to marriage, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **HB 537** was read the third time and passed by the following vote:

AYES: 150

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

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 009

Behnen	Ford	Gratz	Harlan	Hickey
Kelly 144	Linton	Mayer	Moore	

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 891, relating to disclosure of health information, was placed on the Informal Calendar.

HB 915, relating to sovereign immunity, was taken up by Representative Graham.

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

House Amendment No. 1

AMEND House Bill No. 915, Page 1, Section 537.617, Line 11, by adding at the end of said line the following:

“4. The provisions of this section shall, without limitation, apply to the Missouri State Capitol Building.”

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

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

House Amendment No. 2

AMEND House Bill No. 915, Page 1, Section A, Line 11, by adding the following after said line:

“5. The claimant herein shall be entitled to a jury trial in state court.”

Representative Smith assumed the Chair.

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

Which motion was defeated by the following vote:

AYES: 077

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Franklin
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	Moore	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Scheve	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 076

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham

Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Foley	Ford	Fraser	Long
Mayer	Treadway			

VACANCIES: 003

On motion of Representative Graham, **HB 915, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 11, relating to the city of St. Louis, was taken up by Representative Gambaro.

Representative Gambaro offered **HS HJR 11**.

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

House Amendment No. 1

AMEND House Substitute for House Joint Resolution No. 11, Page 2, Section 31, Line 9, by inserting after the word "state." the following:

"All city-wide officials in the city of St. Louis, including the school board members, recorder of deeds, public administrator, circuit clerk, collector of revenue, license collector, treasurer, comptroller, president of the board of aldermen, and sheriff, shall be appointed by the mayor of the city of St. Louis."; and

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

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

Which motion was defeated.

On motion of Representative Gambaro, **HS HJR 11** was adopted.

On motion of Representative Gambaro, **HS HJR 11** was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Catherine Gambaro, Maxwell Ostermeyer, Allison Krull, Claire Dapron, Margaret Gambaro, Mason Ostermeyer, Laura Krull and Brittany Cohoon.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1029 - Representative Ransdall
House Resolution No. 1030 - Representative Crawford
House Resolution No. 1031 - Representative Farnen
House Resolution No. 1032 - Representative Mayer
House Resolution No. 1033 - Representative Harding, et al

COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SB 256**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 314**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 501**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HBs 754, 29, 300 & 505**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 762**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS - CONSENT

HB 544, relating to physician medical records, was taken up by Representative Holand.

On motion of Representative Holand, **HB 544** was read the third time and passed by the following vote:

AYES: 148

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

NOES: 002

Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Byrd	Cierpiot	Ford	Haywood
Hickey	Kelly 27	Mayer	Reinhart	Townley

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 318, relating to public employee retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 318** was read the third time and passed by the following vote:

AYES: 151

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher	Bowman	Ford	Hartzler	Hickey
Kelly 27	Mayer	Reinhart	Townley	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 385, relating to school retirement systems, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 385** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen

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

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 006

Bowman	Ford	Hickey	Kelly 27	Mayer
Townley				

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILL

HB 612, with House Committee Amendment No. 1, relating to community first commission, was taken up by Representative Ladd Baker.

Representative Ladd Baker offered **HS HB 612**.

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

House Amendment No. 1

AMEND House Substitute for House Bill No. 612, Page 5, Section 208.813, Line 2, by deleting “**Community First Commission**” and inserting in lieu thereof “**Olmstead Commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 7, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 12, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 22, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 23, by deleting “**twenty-one**” and inserting in lieu thereof “**twenty-two**”; and

Further amend said substitute, Page 6, Section 208.813, Line 21, by inserting after the word “**senate.**” the following: “**(10) One member of the judiciary.**”; and

Further amend said substitute, Page 7, Section 208.813, Line 15, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”.

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

Which motion was defeated.

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

House Amendment No. 2

AMEND House Substitute for House Bill No. 612, Page 7, Section 208.816, Line 17, by deleting said section; and

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

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

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

House Amendment No. 3

AMEND House Substitute for House Bill No. 612, Page 6, Section 208.813, Line 4, by deleting the “;” and adding in lieu thereof the following:

“**and also including those related to developmental disabilities;**”; and

Further amend said section and page, Line 17, by deleting the word “**both**” and inserting in lieu thereof the words “**each of the two major**”; and

Further amend said section and page, Line 20, by deleting the word “**both**” and inserting in lieu thereof the words “**each of the two major**”.

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

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

House Amendment No. 4 was withdrawn.

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

House Amendment No. 4 was withdrawn.

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

House Amendment No. 4

AMEND House Substitute for House Bill No. 612, Page 4, Section 208.146, Line 19, by inserting after the word “**section**” the following:

“208.151. 1. For the purpose of paying medical assistance on behalf of needy persons and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. section 301 et seq.) as amended, the following needy persons shall be eligible to receive medical assistance to the extent and in the manner hereinafter provided:

- (1) All recipients of state supplemental payments for the aged, blind and disabled;
- (2) All recipients of aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040;
- (3) All recipients of blind pension benefits;
- (4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the division of family services, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;
- (5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;
- (6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;
- (7) All persons eligible to receive nursing care benefits;
- (8) All recipients of family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;
- (9) All persons who were recipients of old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;
- (10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;
- (11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The division of family services shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the division of family services shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide Medicaid coverage [under] **pursuant to** this subdivision, the department of social services may revise the state Medicaid plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The following children with family income which does not exceed two hundred percent of the federal poverty guideline for the applicable family size:

(a) Infants who have not attained one year of age with family income greater than one hundred eighty-five percent of the federal poverty guideline for the applicable family size;

(b) Children who have attained one year of age but have not attained six years of age with family income greater than one hundred thirty-three percent of the federal poverty guideline for the applicable family size; and

(c) Children who have attained six years of age but have not attained nineteen years of age with family income greater than one hundred percent of the federal poverty guideline for the applicable family size. Coverage [under] **pursuant to** this subdivision shall be subject to the receipt of notification by the director of the department of social services and the revisor of statutes of approval from the secretary of the U.S. Department of Health and Human Services of applications for waivers of federal requirements necessary to promulgate regulations to implement this subdivision. The director of the department of social services shall apply for such waivers. The regulations may provide for a basic primary and preventive health care services package, not to include all medical services covered by section 208.152, and may also establish co-payment, coinsurance, deductible, or premium requirements for medical assistance [under] **pursuant to** this subdivision. Eligibility for medical assistance [under] **pursuant to** this subdivision shall be available only to those infants and children who do not have or have not been eligible for employer-subsidized health care insurance coverage for the six months prior to application for medical assistance. Children are eligible for employer-subsidized coverage through either parent, including the noncustodial parent. The division of family services may establish a resource eligibility standard in assessing eligibility for persons [under] **pursuant to** this subdivision. The division of medical services shall define the amount and scope of benefits which are available to individuals [under] **pursuant to** this subdivision in accordance with the requirement of federal law and regulations. Coverage [under] **pursuant to** this subdivision shall be subject to appropriation to provide services approved [under] **pursuant to** the provisions of this subdivision;

(16) The division of family services shall not establish a resource eligibility standard in assessing eligibility for persons [under] **pursuant to** subdivision (12), (13) or (14) of this subsection. The division of medical services shall define the amount and scope of benefits which are available to individuals eligible [under] **pursuant to** each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder except that the scope of benefits shall include case management services;

(17) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. section 1396r-1, as amended;

(18) A child born to a woman eligible for and receiving medical assistance [under] **pursuant to** this section on the date of the child's birth shall be deemed to have applied for medical assistance and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the division of family services shall assign a medical assistance eligibility identification number to the child

so that claims may be submitted and paid under such child's identification number;

(19) Pregnant women and children eligible for medical assistance pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for medical assistance benefits be required to apply for aid to families with dependent children. The division of family services shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for medical assistance. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for medical assistance benefits [under] **pursuant to** subdivision (12), (13) or (14) shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the division of family services for assessing eligibility [under] **pursuant to** this chapter shall be as simple as practicable;

(20) Subject to appropriations necessary to recruit and train such staff, the division of family services shall provide one or more full-time, permanent case workers to process applications for medical assistance at the site of a health care provider, if the health care provider requests the placement of such case workers and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment, of such case workers. The division may provide a health care provider with a part-time or temporary case worker at the site of a health care provider if the health care provider requests the placement of such a case worker and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such a case worker. The division may seek to employ such case workers who are otherwise qualified for such positions and who are current or former welfare recipients. The division may consider training such current or former welfare recipients as case workers for this program;

(21) Pregnant women who are eligible for, have applied for and have received medical assistance [under] **pursuant to** subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum medical assistance provided [under] **pursuant to** section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(22) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized [under] **pursuant to** the provisions of chapter 192, RSMo, or chapter 205, RSMo, or a city health department operated under a city charter or a combined city-county health department or other department of health designees. To the greatest extent possible the department of social services and the department of health shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of mental retardation program and the prenatal care program administered by the department of health. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective Medicaid-eligible high-risk mothers and enroll them in the state's Medicaid program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the Medicaid program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any Medicaid prepaid, case-managed programs;

(23) By January 1, 1988, the department of social services and the department of health shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207, RSMo;

(24) All recipients who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(25) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits, under the eligibility standards in effect December 31, 1973, [or those supplemental security income recipients who would be determined eligible for general relief benefits under the eligibility standards in effect December 31, 1973, except income; or less restrictive standards as established by rule of the division of family services.] **except that less restrictive income methodologies, as authorized under 42 U.S.C. 1396a (r) (2), shall be used to raise the income limit to one hundred percent of the federal poverty level.** If federal law or regulation authorizes the division of family services to, by rule, exclude the income or resources of a parent or parents of a person under the age of eighteen and such exclusion of income or resources can be limited to such parent or parents,

then notwithstanding the provisions of section 208.010:

(a) The division may by rule exclude such income or resources in determining such person's eligibility for permanent and total disability benefits; and

(b) Eligibility standards for permanent and total disability benefits shall not be limited by age;

(26) Within thirty days of the effective date of an initial appropriation authorizing medical assistance on behalf of "medically needy" individuals for whom federal reimbursement is available under 42 U.S.C. 1396a (a)(10)(c), the department of social services shall submit an amendment to the Medicaid state plan to provide medical assistance on behalf of, at a minimum, an individual described in subclause (I) or (II) of clause 42 U.S.C. 1396a (a)(10)(C)(ii).

2. Rules and regulations to implement this section shall be promulgated in accordance with section 431.064, RSMo, and chapter 536, RSMo. No rule or portion of a rule promulgated [under] **pursuant to** the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536**, RSMo.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for medical assistance for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for medical assistance for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive medical assistance without fee for an additional six months. The division of medical services may provide by rule the scope of medical assistance coverage to be granted to such families.

4. For purposes of section 1902(1), (10) of Title XIX of the federal Social Security Act, as amended, any individual who, for the month of August, 1972, was eligible for or was receiving aid or assistance pursuant to the provisions of Titles I, X, XIV, or Part A of Title IV of such act and who, for such month, was entitled to monthly insurance benefits under Title II of such act, shall be deemed to be eligible for such aid or assistance for such month thereafter prior to October, 1974, if such individual would have been eligible for such aid or assistance for such month had the increase in monthly insurance benefits under Title II of such act resulting from enactment of Public Law 92-336 amendments to the federal Social Security Act (42 U.S.C. 301 et seq.), as amended, not been applicable to such individual.

5. When any individual has been determined to be eligible for medical assistance, such medical assistance will be made available to him **or her** for care and services furnished in or after the third month before the month in which he **or she** made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.”; and

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

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

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

House Amendment No. 5

AMEND House Substitute for House Bill No. 612, Page 4, Section 208.146, Line 7, by inserting after the number “6.”, the following:

“If the department elects to pay employer-sponsored insurance pursuant to subsection 4 of this section then”.

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

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

House Amendment No. 6

AMEND House Substitute for House Bill No. 612, Page 5, Section 208.813, Line 23, by deleting “**twenty-one**” and inserting in lieu thereof “**twenty-four**”; and

Further amend said substitute, Page 6, Section 208.813, Line 21, by inserting after the word “**senate**” the following:

- “(10) **The President of ARC of Missouri;**
- (11) The Director of the Division of Extended Employment; and**
- (12) One member of the judiciary.”; and**

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

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

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

House Amendment No. 7

AMEND House Substitute for House Bill No. 612, Page 2, Section 208.146, Line 6, by inserting after the phrase “**spousal assets**” the following: “**up to \$100,000**”; and

Further amend said substitute, Page 1, Section 208.146, Line 22, by inserting after the word “**spouse**” the following: “**up to \$100,000**”.

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

On motion of Representative Ladd Baker, **HS HB 612, as amended**, was adopted.

On motion of Representative Ladd Baker, **HS HB 612, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SB 256, with House Committee Amendment No. 1, relating to political subdivisions, was taken up by Representative O'Toole.

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

Representative O'Toole offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 256, Page 2, Section 644.572, Lines 1 to 5, by striking all of said lines; and

Further amend said bill and page, Section 644.574, Lines 1 to 5, by striking all of said lines; and

Further amend said bill and page, Section 644.576, Lines 1 to 5, by striking all of said lines and inserting in lieu thereof the following:

"Section 1. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.

Section 2. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

Section 3. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter."; and

Further amend the title and enacting clause accordingly.

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

On motion of Representative O'Toole, **SB 256, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 011

Baker	Bowman	Boykins	Dolan	Ford
Hegeman	Holand	Kelly 27	Mayer	Ridgeway
Treadway				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

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

NOES: 008

Hanaway	Hendrickson	Hohulin	Hunter	Kelly 144
Murphy	Rector	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Boatright	Bowman	Boykins	Dolan
Ford	Hegeman	Holand	Kelly 27	Lograsso
Mayer	Ridgeway	Treadway		

VACANCIES: 003

PERFECTION OF HOUSE BILLS

HCS HB 824, relating to prescription drugs for seniors, was taken up by Representative Abel.

Representative Abel offered **HS HCS HB 824**.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 824, Page 7, Section 135.095, Line 5, by inserting after the word “**expensive**” the following: “**The department may implement higher co-payments.**”; and

Further amend said bill, page and section, Line 14, by deleting the following:

“**and take measures necessary to obtain the best available quarterly voluntary manufacturer rebate. The dispensing rate and ingredient reimbursement rate shall be equal to the medicaid reimbursement rate.**”

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

Representative Cooper requested a division of the question on **HS HCS HB 824, as amended**.

On motion of Representative Abel, **Part I of HS HCS HB 824** was adopted by the following vote:

AYES: 092

Abel	Baker	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Long

Lowe	Luetkemeyer	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Richardson	Rizzo	Robirds	Shelton
Shields	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 060

Ballard	Barnett	Barnitz	Bartelmeyer	Bartle
Bearden	Behnen	Berkstresser	Boatright	Burcham
Byrd	Champion	Cierpiot	Clayton	Cooper
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Green 15	Hanaway	Hendrickson	Hohulin
Holand	Hoppe	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Levin	Linton	Lograsso
Marble	May 149	Miller	Moore	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shoemyer	St. Onge	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Dolan	Ford	Harlan	Mayer
Ridgeway	Wagner	Williams		

VACANCIES: 003

Representative Naeger offered House Amendment No. 1 to Part II of HS HCS HB 824.

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 1, In the Title, Line 6 of said page, by inserting after the word "section" the following: "**and an emergency clause for a certain section**"; and

Further amend said Bill, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

"208.800. 1. The department of social services shall apply to the federal Department of Health and Human Services for a Medicaid waiver amendment to the section 1115 demonstration waiver or any additional Medicaid waivers necessary and desirable to establish a pharmacy discount program that provides discounted prescription drugs to eligible persons.

2. Upon receipt of the necessary waivers pursuant to subsection 1 of this section, the department of social services shall establish a pharmacy assistance program. Any Medicare eligible person whose household income is three hundred percent of the federal poverty level or less and who has no Medicare supplemental insurance policy that covers prescription drugs shall be eligible to participate in the program. Eligible persons shall enroll in the program through the department or a community pharmacy Medicaid provider. Community pharmacy Medicaid providers may charge a two-dollar sign-up fee for each application to cover administrative costs. Participants in the program shall renew their enrollment annually. The department shall prescribe by rule the application form, which shall be no more than one two-sided page.

3. The department shall take the necessary steps to ensure that the state of Missouri participates to the fullest extent possible in the national rebate program available to states that establish a pharmacy discount program. Any national rebate projected by the state shall be distributed as follows:

(1) Thirty percent of the rebate shall be credited at the point of sale as a discount to the enrollees. Participating community pharmacies shall be reimbursed monthly for the total amount of discounts given to enrollees;

(2) Forty-seven percent of the rebate shall be given to participating community pharmacies as a service fee on a monthly basis; and

(3) Twenty-three percent of the rebate shall be retained by the department to cover the administrative costs associated with the program.

4. At the time of purchase, enrollees in the pharmacy discount program shall receive prescription drugs at a price that is equivalent to the price that Medicaid pays minus the enrollee's thirty percent share of the national rebate. In no case shall the charge to the enrollee exceed the usual and customary charge of the pharmacy for the prescription. Participants in the pharmacy discount program shall not receive any other Medicaid benefits.

5. Participants in the pharmacy discount program shall be issued an identification card for use at a participating community pharmacy which shall be consistent with the department of insurance and subsequent third-party requirements. The participating community pharmacy shall use the state's online adjudication system to determine the amount to collect from the enrollee which shall simultaneously submit a claim to the state Medicaid agency to collect the difference between the amount the enrollee paid and the fee on file. The state shall pay the pharmacy and submit a claim to collect the national rebate available under the Medicaid program.

6. The state shall, at least once every two years, conduct a statistically valid study to determine the average cost of filling a prescription exclusive of any profit by a Missouri pharmacy. A certified accounting firm or the faculty of the department of pharmacy administration of a Missouri school of pharmacy shall conduct the study. The findings shall be used to set the reimbursement formula for all Medicaid prescriptions and other prescriptions paid for by this state using the Medicaid price as a basis for reimbursement. The state shall pay each pharmacy no less than the determined cost of filling a prescription exclusive of any profit as determined by the study or the study adjusted for the inflation factor in the year not conducted."; and

Further amend said Bill, Page 9, Section B, Line 13 of said page, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to ensure the state's participation in a federal pharmacy discount program the enactment of section 208.800 of 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 the enactment of section 208.800 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Gambaro raised a point of order that **House Amendment No. 1 to Part II of HS HCS HB 824** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Abel requested a division of the question on **House Amendment No. 1 to Part II of HS HCS HB 824**.

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

PART I

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

"208.800. 1. The department of social services shall apply to the federal Department of Health and Human Services for a Medicaid waiver amendment to the section 1115 demonstration waiver or any additional Medicaid waivers necessary and desirable to establish a pharmacy discount program that provides discounted prescription drugs to eligible persons."

On motion of Representative Naeger, **Part I of House Amendment No. 1 to Part II of HS HCS HB 824** was adopted by the following vote:

AYES: 150

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

Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Bowman	Ford	Harlan	Hickey
Mayer	Troupe	Wagner	Mr. Speaker	

VACANCIES: 003

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

PART II

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

“208.800 1. Upon receipt of the necessary waivers pursuant to subsection 1 of this section, the department of social services shall establish a pharmacy assistance program. Any Medicare eligible person whose household income is three hundred percent of the federal poverty level or less and who has no Medicare supplemental insurance policy that covers prescription drugs shall be eligible to participate in the program. Eligible persons shall enroll in the program through the department or a community pharmacy Medicaid provider. Community pharmacy Medicaid providers may charge a two-dollar sign-up fee for each application to cover administrative costs. Participants in the program shall renew their enrollment annually. The department shall prescribe by rule the application form, which shall be no more than one two-sided page.

2. The department shall take the necessary steps to ensure that the state of Missouri participates to the fullest extent possible in the national rebate program available to states that establish a pharmacy discount program. Any national rebate projected by the state shall be distributed as follows:

(1) Thirty percent of the rebate shall be credited at the point of sale as a discount to the enrollees. Participating community pharmacies shall be reimbursed monthly for the total amount of discounts given to enrollees;

(2) Forty-seven percent of the rebate shall be given to participating community pharmacies as a service fee on a monthly basis; and

(3) Twenty-three percent of the rebate shall be retained by the department to cover the administrative costs associated with the program.

3. At the time of purchase, enrollees in the pharmacy discount program shall receive prescription drugs at a price that is equivalent to the price that Medicaid pays minus the enrollee's thirty percent share of the national rebate. In no case shall the charge to the enrollee exceed the usual and customary charge of the pharmacy for the prescription. Participants in the pharmacy discount program shall not receive any other Medicaid benefits.

4. Participants in the pharmacy discount program shall be issued an identification card for use at a participating community pharmacy which shall be consistent with the department of insurance and subsequent third-party requirements. The participating community pharmacy shall use the state's online adjudication system to determine the amount to collect from the enrollee which shall simultaneously submit a claim to the state Medicaid agency to collect the difference between the amount the enrollee paid and the fee on file. The state shall pay the pharmacy and submit a claim to collect the national rebate available under the Medicaid program.

5. The state shall, at least once every two years, conduct a statistically valid study to determine the average cost of filling a prescription exclusive of any profit by a Missouri pharmacy. A certified accounting firm or the faculty of the department of pharmacy administration of a Missouri school of pharmacy shall conduct the study. The findings shall be used to set the reimbursement formula for all Medicaid prescriptions and other prescriptions paid for by this state using the Medicaid price as a basis for reimbursement. The state shall pay each pharmacy no less than the determined cost of filling a prescription exclusive of any profit as determined by the study or the study adjusted for the inflation factor in the year not conducted."; and

Further amend said Bill, Page 9, Section B, Line 13 of said page, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to ensure the state's participation in a federal pharmacy discount program the enactment of section 208.800 of 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 the enactment of section 208.800 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Naeger moved that **Part II of House Amendment No. 1 to Part II of HS HCS HB 824** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Lawson	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Reynolds
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 081

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Franklin	Fraser	Gambaro

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

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Ford	Hickey	Mayer	Troupe
--------	------	--------	-------	--------

VACANCIES: 003

Representative Campbell offered **House Amendment No. 2 to Part II of HS HCS HB 824**.

*House Amendment No. 2
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

AMEND PART II of House Substitute for House Committee Substitute for House Bill No. 824, Page 7, Section 135.095, Line 12, by inserting the word “**not**” after the words “**the department may**”.

On motion of Representative Campbell, **House Amendment No. 2 to Part II of HS HCS HB 824** was adopted.

Representative Crawford offered **House Amendment No. 3 to Part II of HS HCS HB 824**.

Representative Monaco raised a point of order that **House Amendment No. 3 to Part II of HS HCS HB 824** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 3 to Part II of HS HCS HB 824**.

*House Amendment No. 3
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 3, Line 1, by deleting the number “**six**” and inserting in lieu thereof the number “**twelve**”; and

Further amend said bill, Page 4, Line 21, by deleting the number “**five**” and inserting in lieu thereof the number “**six**”; and

Further amend said bill, Page 5, Line 5, by deleting the word “**family**”; and

Further amend said bill, Page 5, Line 7, by deleting the number “**ten**” and inserting in lieu thereof the number “**twelve**”.

On motion of Representative Froelker, **House Amendment No. 3 to Part II of HS HCS HB 824** was adopted.

On motion of Representative Abel, **Part II of HS HCS HB 824, as amended**, was adopted by the following vote:

AYES: 141

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

867 *Journal of the House*

Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 007

Bartelsmeyer	Gaskill	Hohulin	Holand	Hunter
Marble	Rector			

PRESENT: 002

Levin	Naeger
-------	--------

ABSENT WITH LEAVE: 010

Baker	Ballard	Berkstresser	Bowman	Ford
Hickey	Long	Mayer	Troupe	Mr. Speaker

VACANCIES: 003

On motion of Representative Abel, **HS HCS HB 824, as amended**, was ordered perfected and printed.

HCS HB 581, relating to the farmland protection act, was taken up by Representative Ridgeway.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 581, Page 3, Section 262.802(11), Lines 46-48, by striking “**rural water supply districts formed by small rural communities as defined by the clean water commission for purposes of chapter 644, RSMo, except that a rural**” and inserting in lieu thereof the following:

“**public water supply districts as defined by chapter 247.010, RSMo, to and including chapter 247.227, RSMo, except that a public**”.

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 581, Page 3, Section 262.802(13), Line 76, by deleting the words “**or for any other reason or to prevent a landowner from claiming protection pursuant to sections 262.800 to 262.810**”.

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 581, Page 4, Section 262.810, Line 3, by adding the following at the end of said line:

“[347.189] 347.048. Any limited liability company that owns and rents or leases real property, **or owns unoccupied real property**, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city’s clerk an affidavit listing the name and address of at least one person, who has management control and responsibility for the real property owned and leased or rented by the limited liability company, **or owned by the limited liability company and unoccupied.**”.

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

Which motion was defeated.

On motion of Representative Ridgeway, **HCS HB 581, as amended**, was adopted.

On motion of Representative Ridgeway, **HCS HB 581, as amended**, was ordered perfected and printed.

HB 679, relating to organ donation, was taken up by Representative Boykins.

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

Representative Monaco 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.

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

House Amendment No. 1

AMEND House Bill No. 679, Page 1, Section 105.266, Line 1, by striking “**agencies or political subdivisions**,” and inserting in lieu thereof “**or agencies**.”.

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

AYES: 142

Baker	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill

George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Franklin Hagan-Harrell

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Ballard	Berkstresser	Bowman	Ford
Green 73	Harlan	Hickey	Hoppe	Long
Luetkenhaus	Mayer	Richardson	Scheve	Treadway
Troupe				

VACANCIES: 003

On motion of Representative Boykins, **HB 679, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 6** - Civil and Administrative Law
- HJR 9** - Education-Elementary and Secondary
- HJR 14** - Miscellaneous Bills & Resolutions
- HJR 16** - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 471** - Fiscal Review and Government Reform (Fiscal Note)
- HB 31** - Agriculture
- HB 32** - Civil and Administrative Law
- HB 34** - Judiciary
- HB 36** - Miscellaneous Bills & Resolutions
- HB 37** - Local Government and Related Matters
- HB 39** - Ways and Means
- HB 40** - Ways and Means
- HB 65** - Public Safety, Law Enforcement and Veteran Affairs
- HB 85** - Public Safety, Law Enforcement and Veteran Affairs
- HB 93** - Public Safety, Law Enforcement and Veteran Affairs
- HB 103** - Ways and Means
- HB 119** - Ways and Means
- HB 121** - Fiscal Review and Government Reform
- HB 168** - Ways and Means
- HB 169** - Ways and Means
- HB 201** - Critical Issues, Consumer Protection and Housing
- HB 206** - Motor Vehicle and Traffic Regulations
- HB 261** - Ways and Means
- HB 335** - Banks and Financial Institutions
- HB 433** - Fiscal Review and Government Reform
- HB 449** - Insurance
- HB 450** - Judiciary
- HB 451** - Children, Families and Health
- HB 487** - Miscellaneous Bills & Resolutions
- HB 490** - Local Government and Related Matters
- HB 492** - Ways and Means
- HB 493** - Ways and Means
- HB 494** - Ways and Means
- HB 495** - Ways and Means
- HB 519** - Retirement
- HB 532** - Miscellaneous Bills & Regulations
- HB 584** - Miscellaneous Bills & Resolutions
- HB 601** - Agriculture
- HB 669** - Education-Elementary and Secondary
- HB 670** - Motor Vehicle and Traffic Regulations
- HB 735** - Miscellaneous Bills & Resolutions
- HB 787** - Fiscal Review and Government Reform
- HB 828** - Motor Vehicle and Traffic Regulations
- HB 832** - Public Safety, Law Enforcement and Veteran Affairs
- HB 836** - Utilities Regulation

HB 864 - Education-Elementary and Secondary
HB 890 - Local Government and Related Matters
HB 964 - Children, Families and Health

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 285, HB 458, HB 590, HB 644, HB 648, HB 664, HB 716, HB 725, HB 796, HB 805, HB 816, HB 821, HB 865, HB 897** and **HB 949**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 394

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission for the House Chamber to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, April 9, 2001, from 12:15 p.m. to 1:30 p.m.

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 HCS HB 15**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 201**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to Missouri lifelong learning month.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 431**, entitled:

An act to authorize the conveyance of certain state property to the Clarence Cannon Wholesale Water Commission, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 515**, entitled:

An act to repeal sections 59.310 and 59.313, RSMo 2000, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 623**, entitled:

An act to repeal section 301.453, RSMo 2000, relating to congressional license plates, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 29, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, March 29, 2001, 8:30 am. Hearing Room 7.

Presentations on funding formulas.

BUDGET

Thursday, March 29, 2001, 8:00 am. Hearing Room 3.
Possible Executive Session. CANCELLED.
To be considered - HB 18, HB 19

BUDGET

Monday, April 2, 2001, 3:00 pm. Hearing Room 3.
Executive Session on previously heard bills.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 3, 2001. Hearing Room 7 upon morning adjournment.
Executive Session may follow.
To be considered - HB 843

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, April 3, 2001. Hearing Room 3 upon morning adjournment.
Executive Session may follow.
To be considered - HB 258, HB 853, HB 1013

SUBCOMMITTEE ON TOBACCO SETTLEMENT

Thursday, March 29, 2001. Hearing Room 3 upon adjournment.
To be considered - HB 14

UTILITIES REGULATION

Thursday, March 29, 2001, 8:15 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 823

HOUSE CALENDAR

FORTY-EIGHTH DAY, THURSDAY, MARCH 29, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HCS HB 457, HA 2, as amended, tabled - Kreider
- 3 HB 349 - Hosmer
- 4 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 5 HB 286, HCA 1 & HCA 2 - Smith
- 6 HCS HB 280, 69, 497 & 689 - Hoppe
- 7 HB 527 - Luetkenhaus

- 8 HB 736 - Liese
- 9 HB 366 - Champion
- 10 HB 678 - Seigfreid
- 11 HB 436 - Merideth
- 12 HCS HB 472 - Burton
- 13 HCS HB 488 - Koller
- 14 HB 592 - Williams
- 15 HCS HB 660 - Hagan-Harrell

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE BILLS FOR PERFECTION - CONSENT

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505 - Franklin
- 2 HS HCS HB 762 - Barry
- 3 HB 501 - Bowman
- 4 HB 314 - Nordwald
- 5 HS HCS HB 327 - Rizzo
- 6 HCS HB 106 - Johnson (61)
- 7 HB 471, (Fiscal Review 3-28-01) - Jolly
- 8 HCS HB 274, E.C. - Shields
- 9 HB 662 - Green (73)
- 10 HB 70 - Koller
- 11 HB 120 - O'Connor
- 12 HCS HB 533 & 724 - Johnson (90)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer
- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

SENATE BILLS FOR SECOND READING

- 1 SB 201
- 2 SCS SB 431
- 3 SCS SB 515
- 4 SCS SB 623

HOUSE BILL WITH SENATE AMENDMENTS

- SCS HCS HB 15 - Green (73)

HOUSE RESOLUTIONS

- 1 HR 152, (3-1-01, page 557) - Harlan
- 2 HR 394, (3-28-01) - Hendrickson