

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SEVENTH DAY—TUESDAY, APRIL 18, 2000

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl Gauck offered the following prayer:

Abraham Lincoln was once asked: "If God is on our side?" To which he replied: "It is more important to know that we are on God's side."

Gracious God, over and over again we have seen how You have chosen insignificant minorities to be Your spokespersons and again and again You have achieved great victories. Help us to keep the faith even though at times we seem to be a minority voice among our people. Help us to have the courage to do that which is right knowing we are on Your side. And we give You thanks for providing healing for Don Rackers and we pray Your continued healing presence brings him to complete health. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from the Associated Press were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House

Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

Absent with leave—Senators—None

Senator Wiggins assumed the Chair.

RESOLUTIONS

Senator Howard offered Senate Resolution No. 1547, regarding Adam Ellsworth, Broseley, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator DePasco, Chairman of the Committee on Rules, Joint Rules and Resolutions, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which were referred **SB 851**; **SB 830**; and **SS** for **SJR 31**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Quick moved that **SB 892** be taken up for perfection, which motion prevailed.

On motion of Senator Quick, **SB 892** was declared perfected and ordered printed.

Senator Staples moved that **SB 793**, with **SCS**,

be taken up for perfection, which motion prevailed.

SCS for SB 793, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 793

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to motor vehicles.

Was taken up.

Senator Staples moved that **SCS for SB 793** be adopted, which motion prevailed.

On motion of Senator Staples, **SCS for SB 793** was declared perfected and ordered printed.

Senator Howard moved that **SB 959** and **SB 598**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SBs 959 and 598, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 959 and 598

An Act to repeal sections 660.250, 660.260 and 660.300, RSMo 1994, relating to in-home care for the elderly, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

Was taken up.

Senator Howard moved that **SCS for SBs 959 and 598** be adopted.

Senator Howard offered **SA 1**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 3, Section 660.260, Line 3, by striking the word "immediately"; and

Further amend said bill, page 4, Section 660.300, Lines 19-20, by striking "one calendar week" and inserting in lieu thereof the following: "**five business days**".

Senator Howard moved that the above amendment be adopted, which motion prevailed.

Senator Howard offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills No. 959 and 598, Page 4, Section 660.300,

Line 34, by striking said line and inserting in lieu thereof the following: "**a mental health professional as defined by 9 CSR 30-4.025 provided through the department of mental health, and**"; and further amend line 36, by striking "coordinator" and inserting in lieu thereof the following: "**professional**"; and further amend lines 37 to 39, by striking said lines and inserting in lieu thereof the following: "**of co-case manager for the in-home services client. In cases in which the interdisciplinary case management team believes the client, as a result of a mental disorder, presents a likelihood of serious harm as defined in section 632.005, the interdisciplinary team shall refer the client to a mental health coordinator who shall conduct an investigation pursuant to section 632.300.**".

Senator Howard moved that the above amendment be adopted, which motion prevailed.

Senator Sims offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 1, Section 660.250, Line 1, by inserting before all of said line the following:

"197.400. As used in sections 197.400 to [197.475] **197.477**, unless the context otherwise requires, the following terms mean:

(1) "**Branch office**", a location or site from which an organization provides services within a portion of the total geographic area served by the parent company. A branch office is part of a company and is located sufficiently close to it to share administration, supervision and services in a manner that renders it unnecessary for the branch to independently meet the requirements of a home care company;

(2) "**Client residence**", a temporary or permanent domicile of a person receiving home health services, professional services or paraprofessional services;

(3) "**Council**", the home [health services] care advisory council created by sections 197.400 to [197.475] **197.477**;

[2)] (4) "**Deficiency**", a statement of a

deficit practice;

(5) "Department", the department of health;

(6) "Home care company", any public or private organization or part of an organization that is staffed or equipped to provide home health services, professional services or paraprofessional services;

[(3)] (7) "Home health [agency] category", a category of home care company which is a public [agency] or private organization or [a subdivision or subunit of an agency or organization that provides two or more home health services at the residence of a patient according to a physician's written and signed plan of treatment] **part of an organization that provides home health services and is eligible to be certified as a Medicare provider of home health services, as defined in Title XVIII of the Social Security Act;**

[(4)] (8) "Home health services", any [of the following items and services provided at the residence of the patient on a part-time or intermittent basis: nursing, physical therapy, speech therapy, occupational therapy, home health aid, or medical social service] **services provided at the residence of a client which, at a minimum, meet the standards established pursuant to 42 C.F.R. 484, Medicare Conditions of Participation: Home Health Agencies;**

[(5) "Part-time or intermittent basis", the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;

(6) "Patient's residence", the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;

(7) (9) "Local public health agency", an organization that promotes preventative health services for all of its citizens and is established by a city or county by appropriating funds from their general revenue taxing authority or pursuant to chapter 70, RSMo, or chapter 205, RSMo;

(10) "Paraprofessional home care category", a category of home care company which is any

public or private organization or part of an organization that provides paraprofessional services;

(11) "Paraprofessional services", personal care-related services provided at the residence of a client by an unlicensed caregiver that are unskilled in nature, may require a physician order, plan of care or service plan, and may include certain limited nursing services as described in state regulation;

(12) "Physician", a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334, RSMo, to practice in this state as a physician and surgeon;

[(8)] (13) "Plan of [treatment] care", a [plan reviewed and signed as often as medically necessary by a physician or podiatrist, not to exceed sixty days in duration, prescribing items and services for an individual patient's condition] **written plan for home health services and professional services based on a client's diagnosis and an assessment of his or her immediate and long-range needs and resources. A plan of care is established in consultation with a home care team that may include a physician, podiatrist, staff members of the company, a client and members of the client's family;**

[(9)] (14) "Podiatrist", a person licensed by the state board of podiatry pursuant to the provisions of chapter 330, RSMo, to practice in this state as a podiatrist;

[(10) "Subunit" or "subdivision", any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of sections 197.400 to 197.475 independent of the larger organization, which can be held accountable for the care of patients it is serving, and which provides to all patients care and services meeting the standards and requirements of sections 197.400 to 197.475]

(15) "Professional home care category", a category of home care company which is any public or private organization or part of an organization that provides professional services;

(16) "Professional services", services, other

than home health services, provided at the residence of a client by a health care professional who is considered by the state as being qualified to provide such services. Such services are provided on a per visit, hourly or shift basis and may require a plan of care, service plan or an order signed by a physician, podiatrist or other practitioner as allowed by state law;

(17) "Sanction", actions to be determined by the department and assessed against individuals who have been proven to have violated the provisions of sections 197.400 to 197.477 and which may include, but are not limited to, suspension or revocation of licensure;

(18) "Service plan", a written plan for paraprofessional services developed and agreed upon by a client and provider that includes a description of services to be provided and a schedule or frequency of such services;

(19) "Supervision", authoritative guidance given by a qualified person, including initial direction and periodic direction or indirect monitoring of services;

(20) "Survey inspection", monitoring by the department for compliance with state regulations related to sections 197.400 to 197.477, including investigation of complaints.

197.405. 1. [No home health agency, including Medicare and Medicaid providers, shall provide two or more of the home health services covered by subdivision (4) of section 197.400 or shall hold itself out as providing such home health services or as a home health agency] **No public or private organization or part of an organization shall hold itself out as a home care company or as providing home health services, professional services or paraprofessional services unless it is licensed and registered in accordance with the provisions of sections 197.400 to [197.475] 197.477.**

2. **No person shall establish, conduct or maintain a home care company in this state without maintaining a business location within the state and a valid license issued by the department. A branch office of a licensed home**

care company shall not require separate licensing.

3. **The paraprofessional category of a home care company that provides services licensed, certified, regulated or contracted with the division of aging in the department of social services may elect to be regulated by the division of aging and shall be exempt from licensure by the department of health. Any home care company that elects to be exempt from the home care paraprofessional category pursuant to this subsection shall be monitored, regulated and overseen by the division of aging to assure that, regardless of payer source, all individuals receiving paraprofessional services by such company, including individuals who are not clients of the division of aging, are included as a responsibility of the division of aging.**

4. **No person shall interfere with or prevent any authorized representative of the department or the attorney general from enforcing the provisions of sections 197.400 to 197.477.**

197.410. [1. Persons desiring to receive a license to operate a home health agency in the state of Missouri shall file a written application with the department of health on a form prescribed by the director of the department.

2. The application shall be accompanied by a six hundred- dollar license fee] **A license shall be renewed annually upon approval by the department if the following conditions are met:**

(1) **An application for renewal is completed on forms provided by the department, filed with the department and accompanied by the required nonrefundable license fee;**

(2) **The company is in compliance with the requirements in sections 197.400 to 197.477, as evidenced by a survey inspection by the department which shall occur prior to initial licensure, once a year for the first three years and at least once every thirty-six months thereafter. Except for the inspection prior to initial licensure, such inspections shall be conducted:**

(a) **Without the prior notification of the company; and**

(b) At times of the day, on dates and at intervals which do not permit companies to anticipate such inspections;

(3) Each initial application for a home care company shall be filed on forms provided by the department and accompanied by the required nonrefundable license fee. Such application must be approved by the department prior to initiating client care.

The department of health shall coordinate initial and annual inspections of all home care categories and other inspections when possible.

197.415. 1. [The department shall review the applications and shall issue a license to applicants who have complied with the requirements of sections 197.400 to 197.475 and have received approval of the department.

2. A license shall be renewed annually upon approval of the department when the following conditions have been met:

(1) The application for renewal is accompanied by a six-hundred-dollar license fee;

(2) The home health agency is in compliance with the requirements established pursuant to the provisions of sections 197.400 to 197.475 as evidenced by a survey inspection by the department which shall occur at least every thirty-six months for agencies that have been in operation thirty-six consecutive months from initial inspection. The frequency of inspections for agencies in operation at least thirty-six consecutive months from the initial inspection shall be determined by such factors as number of complaints received and changes in management, supervision or ownership. The frequency of each survey inspection for any agency in operation less than thirty-six consecutive months from the initial inspection shall occur and be conducted at least every twelve months;

(3) The application is accompanied by a statement of any changes in the information previously filed with the department pursuant to section 197.410.

3. Each license shall be issued only for the home health agency listed in the application. Licenses shall be posted in a conspicuous place in

the main offices of the licensed home health agency.

4.] If the application review is not completed prior to the expiration of a license and the company is not at fault for the failure to complete the application review process, the department may issue a temporary operating permit of sufficient duration to allow for state review of the home care company's relicensure application.

2. Each license shall be issued only for the home care company listed on the application. Such license shall be:

(1) Posted in a conspicuous place in the office of the licensed home care company; or

(2) Made available for review upon request.

3. Any license issued shall state the licensure category or categories for which the license is issued, the name of the home care company to whom it is issued, the expiration date, and any additional information or special limitations that the department may require by rule.

4. If a home care company is relocating, the company shall notify the department in writing thirty days prior to the intended relocation. The department may provide written notification to the home care company amending the current license to reflect the new location.

5. In lieu of any survey required by sections 197.400 to [197.475] 197.477, the department may accept in whole or in part written reports of the survey of any state or federal agency, or of any professional accrediting agency, such as the joint commission on accreditation of health care organizations and the community health accreditation program, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) [Is conducted within one year of initial application or within thirty-six months for the renewal of the home health license as required by subdivision (2) of subsection 2 of this section] Meets all required time frames; and

(3) Is provided to the department with sufficient documentation to assure that the home care company is in compliance with the requirements in sections 197.400 to 197.477.

6. Services provided pursuant to chapter 338, RSMo, shall be excluded from survey inspection.

197.420. **1.** A license shall not be transferable or assignable. When a home [health agency] **care company** is sold or ownership or management is transferred, or the corporate legal organization status is [substantially] changed, the license of the [agency] **company** shall be voided and a new license obtained. Application for a new license shall be made to the department in writing[, at least ninety days] prior to the effective date of the sale, transfer, or change in corporate status. The application for a new license shall be on the same form, containing the same information required for an original license, and shall be accompanied by [a license fee of six hundred dollars. The department may issue a temporary operating permit for the continuation of the operation of the home health agency for a period of not more than ninety days pending the survey inspection and the final disposition of the application. The department shall require all licensed home health agencies to submit statistical reports. The content, format, and frequency of such reports shall be determined by the department with council approval] **the required nonrefundable license fee.**

2. The department may issue a temporary operating permit of sufficient duration to allow the department to evaluate an application for a license submitted as a result of a change in ownership.

197.422. The department shall require all licensed home care companies to submit statistical reports. The content, format and frequency of such reports shall be established by the department in conjunction with the home care advisory council and shall not include financial information.

197.425. In addition to the survey inspection required for licensing or license renewal, the department may [make other survey inspections]

conduct survey inspections during normal business hours. Each home [health agency] **care company** shall allow the department or its authorized representatives to enter upon its premises during normal business hours for the purpose of conducting the survey [inspection] **inspections.**

197.430. After completion of each department [survey] **inspection**, a written [report] **statement** of the findings with respect to compliance or noncompliance with the provisions of sections 197.400 to [197.475] **197.477** and the standards established hereunder as well as a list of deficiencies found shall be prepared. A copy of the [report] **statement** and the list of deficiencies found shall be served upon the home [health agency] **care company** within fifteen business days following the [survey] inspection. The list of deficiencies shall specifically state the statute or rule which the home [health agency] **care company** is alleged to have violated. If the home [health agency] **care company** acknowledges the deficiencies found by the [survey] inspection, the home [health agency] shall inform the department of the time necessary for compliance and] **care company** shall file a plan of correction with the department **within thirty days of the inspection completion date.** If the [home health agency] **company** does not acknowledge the deficiencies, it [may request a resurvey] **shall request a reinspection** by the department. If, after the [resurvey] **reinspection**, the home [health agency] **care company** still does not agree with the findings of the department, it may seek a review of the findings of the department by the administrative hearing commission **in accordance with chapter 621, RSMo. In case of immediate client jeopardy, immediate sanctions may be imposed.**

197.435. **1.** Any person wishing to make a complaint against a home [health agency licensed under] **care company licensed pursuant to** the provisions of sections 197.400 to [197.475] **197.477** may file the complaint **orally or** in writing with the department setting forth the details and facts supporting the complaint. [If the department determines the charges are sufficient to warrant a hearing to determine whether the license of the home health agency should be suspended or

revoked, the department shall fix a time and place for a hearing and require the home health agency to appear and defend against the complaint. A copy of the complaint shall be given to the home health agency at the time it is notified of the hearing. The notice of the hearing shall be given at least twenty days prior to the date of the hearing. The hearing shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 621, RSMo.] **The department shall investigate all complaints and prepare a written statement of the investigative findings with respect to compliance or noncompliance with sections 197.400 to 197.477 and the standards established hereunder, as well as a list of deficiencies found which shall be served upon the home care company within fifteen business days following such investigation. The list of deficiencies shall specifically state the statute or rule which the home care company is alleged to have violated. If the company acknowledges the deficiencies found by the inspection, the company shall file a plan of correction with the department within thirty days of the inspection completion date. If the company does not agree with the findings of the investigation the company may seek a review of such findings by the administrative hearing commission in accordance with chapter 621, RSMo. In cases of immediate client jeopardy, immediate sanctions may be imposed.**

2. Each employee of a home care company shall be responsible for reporting any evidence of abuse, neglect or exploitation of any client served by the home care company in accordance with state law.

197.440. 1. The department shall refuse to issue or shall suspend or shall revoke the license of any home [health agency] **care company** for failure to comply with any provision of sections 197.400 to [197.475] **197.477** or with any rule or standard of the department adopted [under] **pursuant to** the provisions of sections 197.400 to [197.475] **197.477** or for obtaining the license by means of fraud, misrepresentation[,] or concealment of material facts.

2. Any home [health agency] **care company**

which has **had sanctions imposed**, been refused a license or which has had its license revoked or suspended by the department may seek a review of the department's action by the administrative hearing commission **in accordance with chapter 621, RSMo. A sanction shall be designed to minimize the time between identification of a problem and imposition of such sanction and shall provide for the imposition of incrementally more severe sanctions for repeated or uncorrected problems.**

3. A home care company shall not reapply for licensure for a six-month period following a final action by the department pursuant to this section.

4. A license shall not be issued or renewed if the operator, owner or any principle in the operation of the home care company has been convicted of any offense concerning the operation of a home care company or any offense that is reasonably related to the qualifications, functions or duties of a home care company. Notwithstanding any other provision of law to the contrary, the department shall have access to records involving an operator, owner or any principle in the operation of a home care company applying for or renewing a license pursuant to this chapter, where the applicant has been adjudicated and found guilty or entered a plea of guilty or nolo contendere in a prosecution pursuant to the laws of any state or of the United States for any offense reasonably related to the qualifications, functions or duties of any person who operates or owns a home care company licensed pursuant to sections 197.400 to 197.477. The department may deny, suspend or revoke the license of any home care company whose operators, owners or any principles in the operation of the company have been convicted of such an offense.

5. The department shall promulgate rules to waive the restrictions pursuant to subsection 4 of this section for good cause. For purposes of this section, "good cause" means a determination by the department after examining the prior work history and other relevant factors that such operators, owners or

principles do not present a risk to the health or safety of clients.

197.445. 1. **The department shall administer the provisions of sections 197.400 to 197.477.** The department may adopt reasonable rules and standards necessary to carry out the provisions of sections 197.400 to 197.477. [The rules and standards adopted shall not be less than the standards established by the federal government for home health agencies under Title XVIII of the Federal Social Security Act. The reasonable rules and standards shall be initially promulgated within one year of September 28, 1983.] **In promulgating regulations for the licensure of home care companies, the department shall establish licensure procedures for a home care category, professional home care category and paraprofessional home care category, with separate and distinct regulations for each of the three licensure categories. All rules shall be initially promulgated within one year of the effective date of this section. The regulations for the professional home care category shall not exceed the Medicaid private duty nursing regulations and the regulations for the paraprofessional category shall not exceed the Medicaid personal care regulations.**

2. The rules and standards adopted by the department pursuant to the provisions of sections 197.400 to 197.477 shall apply to all health services covered by sections 197.400 to 197.477 rendered to any patient being served by a home [health agency] **care company** regardless of source of payment for the service, patient's condition, or place of residence[, at which the home health services are ordered by the physician or podiatrist]. No rule or portion of a rule promulgated pursuant to the authority of sections 197.400 to 197.477 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. All agencies of the state or any of its political subdivisions shall assist and cooperate with the department as necessary to carry out the department's responsibility pursuant to sections 197.400 to 197.477.

197.450. 1. There is hereby created the "Home

[Health Services] **Care Advisory Council**", which shall guide, advise and make recommendations to the department relating to the rules and standards adopted and the implementation and administration of sections 197.400 to [197.475] **197.477.**

2. Members of the council shall be residents of this state. The council shall consist of members who shall serve for a term of three years. No member may serve more than two successive full terms. [One member] **Two members** of the council shall be [a representative] **representatives** of the department, and **one** such member shall serve as chairman of the council. [Three members] **One member** shall be [citizens] **a citizen** selected from the state at large and shall have no connection with any home [health agency. Five] **care company. Six** members shall be representatives of [home health agencies and one of these five members shall be selected from each of the following types of home health agencies:

- (1) Public sponsored home health agencies;
 - (2) Institutional sponsored home health agencies;
 - (3) Voluntary nonprofit home health agencies;
 - (4) Private nonprofit home health agencies;
- and
- (5) For profit home health agencies] **each of the three home care licensure categories. Each category shall have at least one representative on the council.**

3. All members of the council shall be appointed by the director of the department. The term of office of each member shall be for three years or until his **or her** successor is appointed; except that, of the members first appointed, three shall be selected for one year, three shall be selected for two years, and three shall be selected for three years. Before a member's term expires, the director of the department shall appoint a successor to assume his **or her** duties on the expiration of his **or her** predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

4. The council shall meet not less than [quarterly] **twice** each year, **in person or by**

telecommunication, at a place, day and hour determined by the [council] **department**. The council may also meet at such other times and places as may be designated by the chairman, or upon the request of the majority of the other members of the council.

5. Members of the council shall receive no compensation for their services, but shall be reimbursed, out of funds appropriated to the department for that purpose, for their actual and necessary expenses incurred in the performance of their duties.

197.455. The department may file an action in the circuit court for the county in which [any home health agency alleged to be violating the provisions of sections 197.400 to 197.475 resides or may be found] **the home care company is located** for an injunction to restrain the home [health agency] **care company** from continuing the violation or **sections 197.400 to 197.477**.

197.460. 1. The provisions of sections 197.400 to [197.475] **197.477** shall not apply to [individuals who personally provide one or more home health services if such persons are not under the direct control and doing work for and employed by a home health agency.

2. The provisions of sections 197.400 to 197.475 shall not apply to any person or organization conducting a home health agency by and for the adherents of any recognized church or religious denomination or sect for the purpose of providing services for the care or treatment of the sick or infirm who depend upon prayer or spiritual means for healing in the practice of the religion of such church or religious denomination or sect.

3. The provisions of sections 197.400 to 197.475 shall not apply to any person or other entity which provides services pursuant to subdivision (18) of subsection 1 of section 208.152, RSMo, or provides in-home services pursuant to subdivision (21) of subsection 2 of section 660.050, RSMo] **the following:**

(1) Any person who is a single self-employed caregiver who provides one or more of the services defined in sections 197.400 to 197.477, when such services are not provided as an

employee, or under agreement or contract with a home care company;

(2) Any person or other entity operating a home care company by and for the adherents of any recognized church or religious denomination or sect for the purpose of providing services for the care or treatment of the sick or infirm who depend upon prayer or spiritual means for healing in the practice of the religion of such church or religious denomination or sect;

(3) Any person or entity that provides services pursuant to subdivision (18) of subsection 1 of section 208.152, RSMo, or provides in-home services pursuant to subdivision (21) of subsection 2 of section 660.050, RSMo, or provides in-home services pursuant to Title XIX of the Social Security Act, or any service or program authorized by the division of aging;

(4) Any person or entity licensed, certified, contracted, employed or operated by the state or its political subdivisions to provide specialized services, including care, treatment, habilitation and rehabilitation exclusively to persons affected by mental disorders, mental illness, mental retardation, developmental disabilities, or alcohol or drug abuse, as defined in section 630.005, RSMo;

(5) Any person or entity licensed, certified, contracted, employed or operated by the state to provide home health, paraprofessional or professional services to patients or clients of the division of vocational rehabilitation in the department of elementary and secondary education;

(6) The first steps program in the department of elementary and secondary education;

(7) Exempt from licensing services provided by a local public health agency not funded by private pay or a third-party payer such as Medicare, Medicaid or health insurance;

(8) The services of a provider or program that are regulated by a state regulatory program, other than those administered

pursuant to this chapter, may be exempt from licensure pursuant to this chapter if the department determines the other program's regulatory standards are substantially the same or exceed the requirements of this chapter. To be exempted pursuant to this subdivision, a provider or program shall request that the department review the standards under which the provider or program is regulated. The department may require the provider or program to provide any information necessary to determine the comparability of the regulations.

2. Nothing in this section shall prohibit any person or entity from applying for a license pursuant to sections 197.400 to 197.477.

[197.470. All reports or documents collected by the department, or findings and decisions made by the department, under the provisions of sections 197.400 to 197.475, unless declared to be a confidential record under any other provision of law, shall be available to public inspection upon written request. The material requested shall be made available within thirty days after receipt of the request. The department may charge a reasonable fee for the copying of any material.]

197.474. The provisions of sections 197.400 to 197.477 shall be fully implemented by July 1, 2002.

197.477. Upon the completion of the final report of an inspection or evaluation of a health facility or agency or any part thereof pursuant to sections 190.235 to 190.249, RSMo, sections 197.010 to 197.120, sections 197.200 to 197.240, or sections 197.400 to 197.475, including any amendments thereto which may hereinafter be enacted by the general assembly or rule or regulation promulgated pursuant thereto, the department of health may disclose to the public reports of the inspections or evaluations showing the standards by which the inspections or evaluations were conducted, whether such standards were met, and, if such standards were not met, in what manner they were not met and how

the facility proposed to correct or did correct the deficiencies. All other information whatsoever, including information and reports submitted to the department of health by governmental agencies and recognized accrediting organizations in whole or in part for licensure purposes pursuant to sections 190.235 to 190.249, RSMo, sections 197.010 to 197.120, sections 197.200 to 197.240, or sections 197.400 to 197.475, collected during such inspections or evaluations or information which is derived as a result of such inspections or evaluations shall be confidential and shall be disclosed only to the person or organization which is the subject of the inspection or evaluation or a representative thereof. **The material requested shall be made available within thirty days after receipt of the request. The department may charge a reasonable fee for the copying of any material.**”; and

Further amend the title and enacting clause accordingly.

Senator Sims moved that the above amendment be adopted, which motion prevailed.

Senator Johnson assumed the Chair.

Senator Steelman offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 6, Section 660.300, Line 98, by inserting after “RSMo,” the following: **“and the client's physician”**.

Senator Steelman moved that the above amendment be adopted, which motion failed.

Senator Steelman offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 5, Section 660.300, Line 86, by inserting after “felony.” the following: **“If such person is an in-home services employee and upon a determination of guilt by a court, the supervising in-home services provider may be subject to administrative penalties of one thousand dollars per violation**

to be collected by the department. Penalties collected pursuant to this section shall be deposited as designated in section 198.067, RSMo.”.

Senator Steelman moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Bentley, Childers, Ehlmann and Russell.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Childers
Clay	Ehlmann	Flotron	Kinder
Klarich	Rohrbach	Russell	Sims
Singleton	Stelman	Westfall—15	

NAYS—Senators

Caskey	DePasco	Graves	House
Howard	Johnson	Kenney	Mathewson
Maxwell	Mueller	Quick	Schneider
Staples	Stoll	Wiggins	Yeckel—16

Absent—Senators

Goode	Scott—2
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Absent with leave—Senator Jacob—1

Senator Ehlmann offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 1, Section A, Line 3, by inserting after all of said line the following:

“33.850. 1. Sections 33.850 to 33.895 shall be known and may be cited as the “Missouri False Claims Act”.

2. As used in sections 33.850 to 33.895, the following terms shall mean:

(1) “Claim”, includes any request or demand relating to Medicaid or Medicare, whether under a contract or otherwise, for money or property which is made to a contractor, grantee, or other person if the state provides any portion of the money or property which is requested or demanded, or if the state will reimburse such contractor, grantee, or other person for any portion of the money or property which is requested or demanded;

(2) “Custodian”, the custodian, or any deputy custodian, designated by the attorney general pursuant to section 33.883;

(3) “Documentary material”, includes the original or any copy of any book, record, report, memorandum, paper, communication, tabulation, chart, or other document, or data compilations stored in or accessible through computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret such data compilations, and any product of discovery;

(4) “Exempt official”, any of the following officials: any state official listed in article IV, section 12 of the Constitution of the state of Missouri and all other persons appointed by the governor by and with the consent of the senate;

(5) “Guard”, the Missouri national guard;

(6) “Investigation”, any inquiry conducted by an investigator for the purpose of ascertaining whether any person is or has been engaged in any violation of sections 33.850 to 33.895;

(7) “Investigator”, a person who is charged by the attorney general with the duty of conducting any investigation pursuant to sections 33.850 to 33.895, or any officer or employee of the state acting under the direction and supervision of the department of public safety, through the Missouri state highway patrol, with an investigation;

(8) “Knowing” and “knowingly”, that a person, with respect to information:

(a) Has actual knowledge of the information; and

(b) Acts in deliberate ignorance of the truth or falsity of the information; or

(c) Acts in reckless disregard of the truth or falsity of the information, and no proof of specific intent to defraud is required;

(9) “Original source”, an individual who has direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to

the state before filing an action pursuant to sections 33.850 to 33.895 which is based on the information;

(10) “Product of discovery” includes:

(a) The original or duplicate of any deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission, which is obtained by any method of discovery in any judicial or administrative proceeding of an adversarial nature;

(b) Any digest, analysis, selection, compilation, or derivation of any item listed in paragraph (a) of this subdivision; and

(c) Any index or other manner of access to any item listed in paragraph (a) of this subdivision;

(11) “State”, the state of Missouri and any of its agencies and any of the following entities that may elect to adopt the provisions of sections 33.850 to 33.895 by ordinance or resolution, a copy of which shall be filed with the attorney general within thirty days of its adoption: the system of state colleges and universities, or any school district, public community college district, municipality, municipal corporation, unit of local government and any combination of the above pursuant to air intergovernmental agreement that includes provisions for a governing body of the agency created by the agreement.

33.853. 1. Sections 33.850 to 33.895 are intended to provide for civil recovery for false or fraudulent Medicaid or Medicare claims paid by the state.

2. Any person who:

(1) Knowingly presents, or causes to be presented, to an officer or employee of the state or a member of the guard a false or fraudulent claim for payment or approval;

(2) Knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the state;

(3) Conspires to defraud the state by getting a false or fraudulent claim allowed or paid;

(4) Has possession, custody, or control of property or money used, or to be used, by the state and, intending to defraud the state or willfully to conceal the property, delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;

(5) Is authorized to make or deliver a document certifying receipt of property used, or to be used, by the state and, intending to defraud the state, makes or delivers the receipt without completely knowing that the information on the receipt is true;

(6) Knowingly buys, or receives as a pledge on an obligation or debt, public property from an officer or employee of the state, or a member of the guard, who lawfully may not sell or pledge the property; or

(7) Knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money or property to the state;

is liable to the state for a civil penalty of not less than five thousand dollars and not more than ten thousand dollars, plus three times the amount of damages which the state sustains because of the act of that person. A person found guilty of violating this section shall also be liable to the state for the costs of a civil action brought to recover any such penalty or damages.

3. This section does not apply to claims, records, or statements made pursuant to chapter 143, RSMo.

33.856. 1. The attorney general shall diligently investigate a civil violation pursuant to sections 33.850 to 33.895, except for civil violations that relate to and adversely affect primarily the system of state colleges and universities, or any school district, public community college district, municipality, municipal corporation, unit of local government or any combination of the above pursuant to an intergovernmental agreement that includes

provisions for a governing board of the agency created by the agreement. If the attorney general finds that a person has violated or is violating section 33.853, the attorney general may bring a civil action pursuant to this section against the person.

2. A person may bring a civil action for a violation of section 33.853 for the person and for the state. The action shall be brought in the name of the state. The action may be dismissed only if the court and the attorney general give written consent to the dismissal and their reasons for consenting.

3. A copy of the complaint and written disclosure of substantially all material evidence and information the person possesses shall be served on the attorney general for the state. The complaint shall be filed in camera, shall remain under seal for at least sixty days, and shall not be served on the defendant until the court so orders. The state may elect to intervene and proceed with the action within sixty days after it receives both the complaint and the material evidence and information.

4. The state may, for good cause shown, move the court for extensions of the time during which the complaint remains under seal pursuant to subsection 3 of this section. Any such motions may be supported by affidavits or other submissions in camera. The defendant shall not be required to respond to any complaint filed pursuant to this section until thirty days after the complaint is unsealed and served upon the defendant.

5. Before the expiration of the sixty-day period or any extensions obtained pursuant to subsection 4 of this section, the state shall:

(1) Proceed with the action, in which case the action shall be conducted by the state; or

(2) Notify the court that it declines to take over the action, in which case the person bringing the action shall have the right to conduct the action.

6. When a person brings an action pursuant to this section, no person other than the state may intervene or bring a related action based on

the facts underlying the pending action.

33.859. 1. If the state proceeds with the action, it shall have the primary responsibility for prosecuting the action, and shall not be bound by an act of the person bringing the action. Such person shall have the right to continue as a party to the action, subject to the limitations set forth in subsection 2 of this section.

2. (1) The state may dismiss the action notwithstanding the objections of the person initiating the action if the person has been notified by the state of the filing of the motion and the court has provided the person with an opportunity for a hearing on the motion.

(2) The state may settle the action with the defendant notwithstanding the objections of the person initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, such hearing may be held in camera.

(3) Upon a showing by the state that unrestricted participation during the course of the litigation by the person initiating the action would interfere with or unduly delay the state's prosecution of the case, or would be repetitious, irrelevant, or for purposes of harassment, the court may, in its discretion, impose limitations on the person's participation, such as:

(a) Limiting the number of witnesses the person may call;

(b) Limiting the length of the testimony of such witnesses;

(c) Limiting the person's cross-examination of witnesses; or

(d) Otherwise limiting the participation by the person in the litigation.

(4) Upon a showing by the defendant that unrestricted participation during the course of the litigation by the person initiating the action would be for purposes of harassment or would cause the defendant undue burden or unnecessary expense, the court may limit the participation by the person in the litigation.

3. If the state elects not to proceed with the action, the person who initiated the action shall have the right to conduct the action. If the state so requests, it shall be served with copies of all pleadings filed in the action and shall be supplied with copies of all deposition transcripts at the state's expense. When a person proceeds with the action, the court, without limiting the status and rights of the person initiating the action, may nevertheless permit the state to intervene at a later date upon a showing of good cause.

4. Whether or not the state proceeds with the action, upon a showing by the state that certain actions of discovery by the person initiating the action would interfere with the state's investigation or prosecution of a criminal or civil matter arising out of the same facts, the court may stay such discovery for a period of not more than sixty days. Such a showing shall be conducted in camera. The court may extend the sixty-day period upon a further showing in camera that the state has pursued the criminal or civil investigation or proceedings with reasonable diligence and any proposed discovery in the civil action will interfere with the ongoing criminal or civil investigation or proceedings.

5. The state may elect to pursue its claim through any alternate remedy available to the state, including any administrative proceeding to determine a civil penalty. If any such alternate remedy is pursued in another proceeding, the person initiating the action shall have the same rights in such proceeding as such person would have had if the action had continued pursuant to this section. Any finding of fact or conclusion of law made in such other proceeding that has become final shall be conclusive on all parties to an action pursuant to this section.

33.862. 1. If the state proceeds with an action brought by a person pursuant to section 33.856, such person shall receive at least fifteen percent but not more than twenty-five percent of the proceeds of the action or settlement of the claim, depending upon the extent to which the person

substantially contributed to the prosecution of the action. Where the action is one which the court finds to be based primarily on disclosures of specific information, other than information provided by the person bringing the action, the court may award such sums as it considers appropriate, but in no case more than ten percent of the proceeds, taking into account the significance of the information and the role of the person bringing the action in advancing the case to litigation. Any payment to a person shall be made from the proceeds. Any such person shall also receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorneys' fees and costs. The state shall also receive an amount for reasonable expenses which the court finds to have been necessarily incurred by the attorney general, including reasonable attorneys' fees and costs, and the amount received shall be deposited in the whistleblower reward and protection fund created in section 33.895. All such expenses, fees, and costs shall be awarded against the defendant upon a finding of guilt.

2. When the system of state colleges and universities, or any school district, public community college district, municipality, municipal corporation, unit of local government or any combination of the above pursuant to an intergovernmental agreement, has been adversely affected by a defendant, the court may award such sums as it considers appropriate, specifying the amount to be awarded from the net proceeds deposited in the whistleblower reward and protection fund.

3. If the state does not proceed with an action pursuant to this section, the person bringing the action or settling the claim shall receive an amount which the court decides is reasonable for collecting the civil penalty and damages. The amount shall be not less than twenty-five percent and not more than thirty percent of the proceeds of the action or settlement and shall be paid out of such proceeds. Such person shall also receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus

reasonable attorneys' fees and costs. All such expenses, fees, and costs shall be awarded against the defendant.

4. Whether or not the state proceeds with the action, if the court finds that the action was brought by a person who planned and initiated the violation of section 33.853 upon which the action was brought, then the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action which the person would otherwise receive pursuant to this section, taking into account the role of that person in advancing the case to litigation and any relevant circumstances pertaining to the violation. If the person bringing the action is convicted of criminal conduct arising from his or her role in the violation of section 33.853, that person shall be dismissed from the civil action and shall not receive any share of the proceeds of the action. Such dismissal shall not prejudice the right of the state to continue the action.

5. If the state does not proceed with the action and the person bringing the action conducts the action, the court may award to the defendant its reasonable attorneys' fees and expenses if the defendant prevails in the action and the court finds that the claim of the person bringing the action was clearly frivolous, clearly vexatious, or brought primarily for purposes of harassment.

33.865. 1. No court shall have jurisdiction over an action brought by a former or present member of the guard against a member of the guard arising out of such person's service in the guard.

2. (1) No court shall have jurisdiction over an action brought pursuant to section 33.856 against a member of the general assembly, a member of the judiciary, or an exempt official if the action is based on evidence or information known as the violation to the state when the action was brought.

(2) In no event may a person bring an action pursuant to section 33.856 which is based upon allegations or transactions which are the subject of a civil suit or an administrative civil penalty

proceeding in which the state is already a party.

(3) No court shall have jurisdiction over an action pursuant to this section based upon the public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a legislative, administrative, or auditor report, hearing, audit, or investigation, or from the news media, unless the action is brought by the attorney general or the person bringing the action is an original source of the information.

3. The state is not liable for expenses which a person incurs in bringing an action pursuant to section 33.856.

4. Any employee who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by his or her employer because of lawful acts done pursuant to sections 33.850 to 33.895, shall be entitled to all relief necessary to make the employee whole. Such relief shall include reinstatement with the seniority status such employee would have had but for the discrimination, interest on the back pay which would have been otherwise due, two times the amount of back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An employee may bring an action in the appropriate circuit court for the relief provided in this subsection.

33.868. 1. A subpoena requiring the attendance of a witness at a trial or hearing conducted pursuant to section 33.859 may be served at any place in the state.

2. A civil action pursuant to section 33.856 may not be brought:

(1) More than six years after the date on which the alleged violation of section 33.853 is committed; or

(2) More than three years after the date when facts material to the right of action are known or reasonably should have been known by the official of the state charged with responsibility to act in the circumstances, but in no event more than ten years after the date on

which the violation occurred, whichever occurs last.

3. In any action brought pursuant to section 33.856, the state or the person shall be required to prove all essential elements of the cause of action, including damages, by a preponderance of the evidence.

4. Notwithstanding any other provision of law, a final judgment rendered in favor of the state in any criminal proceeding charging fraud or false statements, whether upon a verdict after trial or upon a plea of guilty, shall estop the defendant from denying the essential elements of the offense in any action which involves the same transaction as in the criminal proceeding and which is brought pursuant to subdivision (1) or (2) of subsection 5 of section 33.856.

33.871. 1. When it appears to the attorney general that a person has engaged in, is engaging in or is about to engage in any violation of section 33.853 or when he or she believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in, is engaging in, or is about to engage in any such act or practice he or she may issue and cause to be served a civil investigative demand to assist in the investigation of the matter. The issuance and enforcement of each civil investigative demand shall be conducted in compliance with all of the terms and provisions of sections 407.040 to 407.090, RSMo, except as provided for in sections 33.850 to 33.895.

2. Any person served a civil investigative demand shall have the right to the assistance of counsel.

33.874. Any civil investigative demand issued pursuant to section 33.871 may be served as the Missouri rules of civil procedure prescribes for service of process. To the extent that the courts of this state can assert jurisdiction over any person outside the state consistent with due process, the courts of this state shall have the same jurisdiction to take any action respecting compliance with this section against any such person that such court would have if such

person were personally within the jurisdiction of such court.

33.877. A verified return by the individual serving any civil investigative demand issued pursuant to section 33.871 or any petition filed pursuant to section 33.856 setting forth the manner of such service shall be proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such demand.

33.880. 1. The oral testimony of any person taken pursuant to a civil investigative demand shall be taken in the county within which such person resides, is found, or transacts business, or in such other place as may be agreed upon by the investigator conducting the examination and such person.

2. When the testimony is fully transcribed, the investigator or the officer before whom the testimony is taken shall afford the witness, who may be accompanied by counsel, a reasonable opportunity to examine and read the transcript, unless such examination and reading are waived by the witness. Any changes in form or substance which the witness desires to make shall be entered and identified upon the transcript by the officer or the investigator, with a statement of the reasons given by the witness for making such changes. The transcript shall then be signed by the witness, unless the witness in writing waives the signing, is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within thirty days after being afforded a reasonable opportunity to examine it, the officer or investigator shall sign it and state on the record the fact of the waiver, illness, absence of the witness, or the refusal to sign, together with the reasons, if any, given therefor.

33.883. 1. The attorney general shall designate the Missouri state highway patrol to serve as custodian of documentary material, answers to interrogatories, and transcripts of oral testimony received pursuant to sections 33.850 to 33.895, and shall designate additional employees of the Missouri state highway patrol

as the attorney general determines from time to time to be necessary to serve as deputies to the custodian.

2. An investigator who receives any documentary material, answers to interrogatories, or transcripts of oral testimony pursuant to this section shall transmit them to the custodian. The custodian shall take physical possession of such material, and shall be responsible for the use made of them and for their return pursuant to subsection 5 of this section. The custodian may cause the preparation of such copies of such material as may be required for official use.

3. Nothing in this section is intended to prevent disclosure to the general assembly, including any committee or subcommittee of the general assembly, or to any other state agency for use by such agency in furtherance of its statutory responsibilities. Disclosure of information to any such other agency shall be allowed only upon application, made by the attorney general to a circuit court, showing substantial need for the use of the information by such agency in furtherance of its statutory responsibilities.

4. Whenever any attorney has been designated to appear on behalf of the state before any court, grand jury, or state agency in any case or proceeding, the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony received pursuant to this section shall deliver to such attorney such material, answers, or transcripts for official use in connection with any such case or proceeding as such attorney determines to be required. Upon the completion of any such case or proceeding, such attorney shall return to the custodian any such material, answers, or transcripts so delivered which have not passed into the control of such court, grand jury, or agency through introduction into the record of such case or proceeding.

5. Material produced in the course of any investigation pursuant to a civil investigative demand shall be returned, upon written request of the person who produced such material, to

such person except authorized copies or those which have passed into the control of any court, grand jury, or agency through introduction into the record of such case or proceeding, if:

(1) Any case or proceeding before the court or grand jury arising out of such investigation, or any proceeding before any state agency involving such material, has been completed; or

(2) No case or proceeding in which such material may be used has been commenced within a reasonable time after completion of the examination and analysis of all documentary material and other information assembled in the course of such investigation.

33.886. 1. At any time during which any custodian is in custody or control of any material received pursuant to section 33.871, such person as provided the material, and in the case of an express demand for any product of discovery, the person from whom such discovery was obtained, may file, in the circuit court of the county within which the office of such custodian holding any of the material is situated, and serve upon such custodian, a petition for an order of such court to require the performance by the custodian of any duty imposed upon the custodian by this section.

2. Whenever any petition is filed in any circuit court pursuant to this section, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such orders as may be required to carry out the provisions of this section. Any final order so entered shall be subject to appeal in the same manner as appeals of other final orders in civil matters. Any disobedience of any final order entered pursuant to this section by any court shall be punished as a contempt of the court.

33.889. Any documentary material, answers to written interrogatories, or oral testimony provided under any civil investigative demand shall be a closed record pursuant to chapter 610, RSMo.

33.892. The Missouri rules of civil procedure shall apply to all proceedings pursuant to sections 33.850 to 33.895, except

when rules are inconsistent with sections 33.850 to 33.895.

33.895. 1. There is hereby created the "Whistleblower Reward and Protection Fund" within the state treasury. All proceeds of an action or settlement of a claim brought pursuant to sections 33.850 to 33.895 shall be transmitted to the director of revenue for deposit in the fund.

2. Moneys in the fund shall be allocated, subject to appropriation, as follows: one-sixth of the moneys shall be paid to the attorney general and one-sixth of the moneys shall be paid to the Missouri state highway patrol for state law enforcement purposes. The remaining two-thirds of the moneys in the fund shall be used for payment of awards to citizen plaintiffs, for attorneys' fees and expenses, and as otherwise specified in sections 33.850 to 33.895. The attorney general shall direct the state treasurer to make disbursement of funds as provided in court orders setting those awards, fees, and expenses. The state treasurer shall transfer any fund balances in excess of those required for these purposes to the general revenue fund at the end of each biennium."; and

Further amend the title and enacting clause accordingly.

Senator Ehlmann moved that the above amendment be adopted.

Senator Howard raised the point of order that **SA 6** is out of order as the amendment goes beyond the scope and purpose of the bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Steelman offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bills Nos. 959 and 598, Page 4, Section 660.300, Line 37, by inserting after "provider" the following: "**and the physician, if participating,**".

Senator Steelman moved that the above amendment be adopted.

Senator Mathewson assumed the Chair.

Senator Flotron raised the point of order that **SA 7** is out of order as it attempts to amend previously amended material.

At the request of Senator Steelman, **SA 7** was withdrawn rendering the point of order moot.

Senator Howard moved that **SCS** for **SBs 959** and **598**, as amended, be adopted, which motion prevailed.

On motion of Senator Howard, **SCS** for **SBs 959** and **598**, as amended, was declared perfected and ordered printed.

Senator Bentley moved that **SB 954**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 954**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 954**

An Act to amend chapter 620, RSMo, by adding thereto two new sections relating to cultural tourism.

Was taken up.

Senator Bentley moved that **SCS** for **SB 954** be adopted, which motion prevailed.

On motion of Senator Bentley, **SCS** for **SB 954** was declared perfected and ordered printed.

Senator Sims moved that **SB 1027** and **SB 815**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 1027** and **815**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 1027 and 815**

An Act to repeal section 192.070, RSMo 1994, and sections 167.181 and 332.311, RSMo Supp. 1999, relating to dental care, and to enact in lieu thereof four new sections relating to the same subject.

Was taken up.

Senator Sims moved that **SCS** for **SBs 1027** and **815** be adopted.

Senator Sims offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1027 and 815, Page 1, In the Title, Line 4, by inserting immediately after the word “subject” the following: “, with a termination date”; and

Further amend said bill, Page 4, Section 332.311, Line 20, by inserting after the word “established” the following: “**jointly**”; and further amend said line by inserting after the word “department” the following: “**of health and by the Missouri dental board**”.

Senator Sims moved that the above amendment be adopted, which motion prevailed.

Senator Bentley offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 1027 and 815, Page 4, Section 332.311, Line 21, by inserting after all of said line the following:

“332.324. 1. The department of health may contract with the Missouri dental board to establish a donated dental services program, in conjunction with the provisions of section 332.323, through which volunteer dentists, licensed by the state pursuant to chapter 332, will provide comprehensive dental care for needy, disabled, elderly and medically-compromised individuals. Eligible individuals may be treated by the volunteer dentists in their private offices. Eligible individuals may not be required to pay any fees or costs, except for dental laboratory costs.

2. The department of health shall contract with the Missouri dental board, its designee or other qualified organizations experienced in providing similar services or programs, to administer the program.

3. The contract shall specify the responsibilities of the administering organization which may include:

(1) The establishment of a network of volunteer dentists including dental specialists, volunteer dental laboratories and other

appropriate volunteer professionals to donate dental services to eligible individuals;

(2) The establishment of a system to refer eligible individuals to appropriate volunteers;

(3) The development and implementation of a public awareness campaign to educate eligible individuals about the availability of the program;

(4) Providing appropriate administrative and technical support to the program;

(5) Submitting an annual report to the department that:

(a) Accounts for all program funds;

(b) Reports the number of individuals served by the program and the number of dentists and dental laboratories participating as providers in the program; and

(c) Reports any other information required by the department;

(6) Performing, as required by the department, any other duty relating to the program.

4. The department shall promulgate rules, pursuant to chapter 536, RSMo, for the implementation of this program and for the determination of eligible individuals.”; and

Further amend the title and enacting clause accordingly.

Senator Bentley moved that the above amendment be adopted, which motion prevailed.

Senator Sims moved that SCS for SBs 1027 and 815, as amended, be adopted, which motion prevailed.

On motion of Senator Sims, SCS for SBs 1027 and 815, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HS for HCS for HB 1305—Local Government and Economic Development.

HS for HCS for HBs 1677, 1675 and 1676—
Civil and Criminal Jurisprudence.

HS for HCS for HBs 1652 and 1433—
Pensions and General Laws.

HS for HB 1603—Commerce and Environ-
ment.

RESOLUTIONS

Senator Rohrbach offered Senate Resolution No. 1548, regarding the death of Robert Edward Linville, Jefferson City, which was adopted.

Senator Kenney offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1549

WHEREAS, the members of the Missouri Senate hold in high esteem those Show-Me State students who are actively engaged in endeavors which promise to bring about a better future for all, including those with spinal cord injuries; and

WHEREAS, Sara Ketcherside enjoys selection for a "Do The Right Thing" award which will be presented to her on Wednesday, April 19, 2000, at the St. Louis Police headquarters building on Clark Street by the awards sponsors, the St. Louis Metropolitan Police Department, St. Louis County Police Department, KMOV-Channel 4, St. Louis Rams, AmerenUE, and cooperating school districts; and

WHEREAS, deciding to become a volunteer committee member of the Gateway to a Cure organization, Sara joined the group after witnessing her fifteen-year-old friend, Gabriel, suffer a severe spinal cord injury last summer in the Ketcherside pool, which initially resulted in paralysis below the neck and confinement to a wheelchair; and

WHEREAS, the daughter of Earl and Chris Ketcherside, Sara is an eighth grader at Windsor Middle School who initiated a write-in campaign in support of Senate Bill 986 which concerns spinal cord injury research and is sponsored by the Honorable Bill Kenney, State Senator from the Eighth District; and

WHEREAS, targeting youth aged fourteen to twenty-four, Sara's campaign incorporates letters, e-mails, and phone calls from the population most likely to suffer from spinal cord injuries caused by sports participation and automobile accidents; and

WHEREAS, Sara has also directed her dedication and boundless energy to service as president of the Student Council at Windsor Middle School, a member of Concert Choir and Select Glee, and as a cheerleader and teacher's aide:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join unanimously to applaud the diligent volunteer efforts of Sara Ketcherside and to congratulate her upon her receipt of a Do The Right Thing award which enhances the joy she already feels at the

miraculous, science-based recovery of her friend, Gabby, who is able to walk again with the aid of a cane; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Sara Ketcherside of Imperial, Missouri.

Senator Scott offered Senate Resolution No.1550, regarding Sergeant John Kavadas, St. Louis, which was adopted.

On motion of Senator DePasco, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Quick.

Senator Jacob requested unanimous consent of the Senate for the Committee on Insurance and Housing to meet while the Senate is in session, which request was granted.

CONCURRENT RESOLUTIONS

Senator Howard moved that **SCR 37**, with **SCA 1**, be taken up for adoption, which motion prevailed.

SCA 1 was taken up.

Senator Howard moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Howard, **SCR 37**, as amended, was adopted by the following vote:

YEAS—Senators

Bland	Carter	Caskey	Childers
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Maxwell	Mueller	Quick	Rohrbach
Russell	Schneider	Sims	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators—None

Absent—Senators

Bentley	Clay	Mathewson	Scott
Singleton	Staples—6		

Absent with leave—Senators—None

Senator Goode moved that **SCR 29** be taken up for adoption, which motion prevailed.

On motion of Senator Goode, **SCR 29** was adopted by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Ehlmann	Goode
House	Howard	Jacob	Johnson
Kenney	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senator Graves—1

Absent—Senators

Clay	Flotron	Staples—3
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Absent with leave—Senators—None

REFERRALS

President Pro Tem Quick referred **SS** for **SJR 31** and **HB 1186** to the Committee on State Budget Control.

CONCURRENT RESOLUTIONS

Senator Graves moved that **SCR 35**, with **SCA 1**, be taken up for adoption, which motion prevailed.

SCA 1 was taken up.

Senator Graves moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Graves, **SCR 35**, as amended, was adopted by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Clay	Singleton	Staples—3
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Absent with leave—Senators—None

SENATE BILLS FOR PERFECTION

Senator Russell moved that **SB 538** and **SB 565**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 538** and **565**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 538 and 565

An Act to repeal sections 32.055, 32.090 and 32.091, RSMo Supp. 1999, relating to motor vehicle records, and to enact in lieu thereof three new sections relating to the same subject.

Was taken up.

Senator Russell moved that **SCS** for **SBs 538** and **565** be adopted.

Senator Russell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 538 & 565, Page 1, In the Title, Line 3, by inserting after the word “records” the phrase “and electronic dissemination”; and

Further amend said bill, Page 1, Section 32.055, Line 8, by inserting after all of said line the following:

“[32.080. 1. Notwithstanding other provisions of law, the director of revenue may destroy motor vehicle, driver's license, or tax reports, returns and other related documents at any time if such reports, returns, and other related documents have been photographed, microphotographed, electronically generated, electronically recorded, photostated, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be

such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details.

2. The reproductions so made may be used as permanent records of the original. When microfilm or a similar reproduction is used as a permanent record by the director of revenue, one copy shall be stored in a fireproof vault and other copies may be made for use by any person entitled thereto. All reproductions shall retain the same confidentiality as is provided in the law regarding the original record.

3. Such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy of any motor vehicle, driver's license or tax reports, records, returns and other related documents made from such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall, for all purposes be deemed to be a transcript, exemplification or certified copy of the original and shall be admissible in evidence in all courts or administrative agencies. No document shall be admissible pursuant to this section unless the offeror shall comply with section 490.692, RSMo.

4. Reproductions made of motor vehicle, driver's license, or tax reports, returns and related documents hereunder shall be preserved for four years and thereafter until the director of revenue orders them to be destroyed.

5. Notwithstanding other provisions of law, the department of revenue may allow the electronic filing of any motor vehicle, driver's license, or tax records, reports, returns and other related documents. A transcript, exemplification or certified copy of any electronically filed motor vehicle,

driver's license or tax reports, records, returns and other related document upon certification of the director of revenue shall be admissible in evidence in all courts or administrative agencies without further proof. "Records, reports, returns, and other related documents" include, but are not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, deposited or filed with the department of revenue.

6. Any clear, accurate and nontransient output of a record of ownership, lien or satisfaction of a lien maintained electronically by the director of revenue as permitted in sections 301.600 to 301.640, RSMo, shall be deemed to be an original record for all purposes and shall be admissible in evidence in all courts or administrative agencies. A facsimile, exemplification or certified copy thereof, shall be deemed to be a transcript, exemplification or certified copy of the original.

7. Notwithstanding other provisions of law, the department of revenue may determine alternative methods for the signing, subscribing or verifying of a record, report, return, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, return, or related document.]

32.080. 1. Notwithstanding other provisions of law, the director of revenue may destroy motor vehicle, driver's license, or tax reports, returns and other related documents at any time if such reports, returns, and other related documents have been photographed, microphotographed, electronically generated, electronically recorded, photostated, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material

shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details.

2. The reproductions so made may be used as permanent records of the original. When microfilm or a similar reproduction is used as a permanent record by the director of revenue, one copy shall be stored in a fireproof vault and other copies may be made for use by any person entitled thereto. All reproductions shall retain the same confidentiality as is provided in the law regarding the original record.

3. Such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy of any motor vehicle, driver's license or tax reports, records, returns and other related documents made from such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall, for all purposes be deemed to be a transcript, exemplification or certified copy of the original and shall be admissible in evidence in all courts or administrative agencies. No document shall be admissible under this section unless the offeror shall comply with section 490.692, RSMo.

4. Reproductions made of motor vehicle, driver's license, or tax reports, returns and related documents hereunder shall be preserved for four years and thereafter until the director of revenue orders them to be destroyed.

5. Notwithstanding other provisions of law, the department of revenue may allow the electronic filing, **issuance or renewal** of any motor vehicle, driver's license, or tax records, reports, returns and other related documents. **All restrictions imposed by law that apply to the disclosure of information by the department of revenue shall also apply to any persons or entities contracting with the director of the department of revenue**

to provide electronic filing, issuance or renewal services. Notwithstanding other provisions of law, any online access or access via other electronic means granted to such persons or entities may be limited to the persons or entities providing such electronic filing, issuance or renewal services.

6. A transcript, exemplification or certified copy of any electronically filed motor vehicle, driver's license or tax reports, records, returns and other related document upon certification of the director of revenue shall be admissible in evidence in all courts or administrative agencies without further proof. "Records, reports, returns, and other related documents" include, but are not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, deposited or filed with the department of revenue.

[6.] 7. Notwithstanding other provisions of law, the department of revenue may determine alternative methods for the signing, subscribing or verifying of a record, report, return, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, return, or related document.

[7.] 8. The director of revenue may renew motor vehicle registrations by electronic means when the information, fees and documents required by chapters 301, 303 and 307, RSMo, to accompany such application are provided to the director electronically in a format prescribed by the director of revenue.

[8.] 9. The director of revenue may prescribe rules and regulations for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 1, 2000, if it fully complied with the provisions of chapter 536, 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 July 1, 2000, shall be invalid and void.”; and

Further amend said bill, Pages 1 to 2, Section 32.090, Lines 1 to 11, by deleting all of said section and inserting in lieu thereof the following:

“32.090. 1. The department of revenue shall keep a record of each application or other document filed with it and each certificate or other official document issued by it.

2. Except as otherwise provided by law, all records of the department of revenue are public records and shall be made available to the public according to procedures established by the department.

3. [Except as otherwise provided by law,] Personal information obtained by the department shall **not** be disclosed to any person requesting such personal information [if the individual whose personal information is requested has not elected to prohibit the disclosure of such personal information pursuant to] **except as provided in** section 32.091.”; and

Further amend said bill, Pages 2 to 3, Section 32.091, Lines 1 to 66, by deleting all of said section and inserting in lieu thereof the following:

“32.091. 1. As used in sections 32.090 and 32.091, the following terms mean:

(1) “Motor vehicle record”, any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by the department of revenue;

(2) “Person”, an individual, organization or entity, but does not include a state or agency thereof;

(3) “Personal information”, information that identifies an individual, including an individual's photograph, Social Security number, driver identification number, name, address, but not the five-digit zip code, telephone number, and medical

or disability information, but does not include information on vehicular accidents, driving violations and driver's status.

2. The department of revenue may disclose individual motor vehicle records pursuant to section 2721(b)(11) of Title 18 of the United States Code and may disclose motor vehicle records in bulk pursuant to section 2721(b)(12) of Title 18 of the United States Code [in the manner prescribed in this section. The department shall provide to all individuals for which such records are maintained a method by which an individual may prohibit personal information in such individual's records from being disclosed pursuant to this section], **as amended by Public Law 106-69, Section 350, only if the department has obtained the express consent of the person to whom such personal information pertains.**

3. [A notice that the personal information may be disclosed pursuant to this section and a notice of an individual's right to prohibit such disclosure shall be printed on all forms for issuance or renewal of motor vehicle titles and registrations prescribed in chapter 301, RSMo, and forms for issuance or renewal of motor vehicle operator's permits, licenses and personal identification cards issued pursuant to chapter 302, RSMo, in a clear and conspicuous manner. In addition, with respect to bulk disclosures, the department shall ensure that the personal information disclosed shall be used, rented or sold solely for bulk distribution for surveys, marketing and solicitations, and that such surveys, marketing and solicitations shall not be directed at individuals who have notified the department in a timely manner that they do not want the personal information contained in motor vehicle records disclosed.] **Notwithstanding any other provisions of law to the contrary, the department of revenue shall not disseminate a person's driver's license photograph, Social Security number and medical or disability information from a motor vehicle record, as defined in section 2726(1) of Title 18 of the United States Code without the express consent of the person to whom such information pertains, except for uses permitted under Sections 2721(b)(1), 2721(b)(4), 2721(b)(6) and 2721(b)(9) of Title 18 of the United States Code.**

4. [Notwithstanding any other provision of law to the contrary,] The department of revenue shall disclose any motor vehicle record or personal information permitted to be disclosed pursuant to Sections 2721(b)(1) to 2721(b)(10) and 2721(b)(13) to 2721(b)(14) of Title 18 of the United States Code **except for the personal information described in subsection 3 of this section.**

5. Pursuant to Section 2721(b)(14) of Title 18 of the United States Code, any person who has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other similar form of public communication, including dissemination by computer or other electronic means, may request the department to provide individual or bulk motor vehicle records, such dissemination being related to the operation of a motor vehicle or to public safety. Upon receipt of such request, the department shall release the requested motor vehicle records. [It is the public policy of this state that records be open to the public unless otherwise provided by law. The disclosure provisions of this section shall be liberally construed and the exemptions strictly construed to promote this public policy.]

6. This section is not intended to limit media access to any personal information when such access is provided by agencies or entities in the interest of public safety and is otherwise authorized by law.”; and

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

Senator Russell moved that the above amendment be adopted, which motion prevailed.

Senator Russell moved that **SCS** for **SBs 538** and **565**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **SBs 538** and **565**, as amended, was declared perfected and ordered printed.

CONCURRENT RESOLUTIONS

Senator Sims moved that **SCR 36** be taken up for adoption, which motion prevailed.

On motion of Senator Sims, **SCR 36** was

adopted by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Ehlmann	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Clay	Flotron	Schneider—3
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Absent with leave—Senators—None

Senator Johnson assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator DePasco, Chairman of the Committee on Rules, Joint Rules and Resolutions, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which were referred **SB 892**; and **SCS** for **SB 793**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

HOUSE BILLS ON THIRD READING

HCS for **HB 1101**, with **SCS**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up by Senator Goode.

A quorum was established by the following vote:

Present—Senators

Bentley	Bland	Caskey	Childers
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

Absent—Senators

Carter	Clay	Schneider—3
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Absent with leave—Senators—None

SCS for HCS for HB 1101, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1101**

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up.

Senator Goode moved that **SCS for HCS for HB 1101** be adopted, which motion prevailed.

Senator Mathewson assumed the Chair.

On motion of Senator Goode, **SCS for HCS for HB 1101** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senator Clay—1

Absent with leave—Senators—None

The President declared the bill passed.

On motion of Senator Goode, title to the bill was agreed to.

Senator Goode moved that the vote by which the bill passed be reconsidered.

Senator DePasco moved that motion lay on the table, which motion prevailed.

HCS for HB 1102, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up by Senator Goode.

SCS for HCS for HB 1102, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1102**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as

provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up.

Senator Johnson assumed the Chair.

Senator Goode moved that **SCS for HCS for HB 1102** be adopted.

Senator Bentley offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1102, Page 7, Section 2.115, Lines 3 and 5, by deleting "604,319" and inserting "654,319" on line 3, and further amend by deleting "762,475" and inserting "812,475" on line 5.

for the fine arts academy

Senator Bentley moved that the above amendment be adopted, which motion failed.

Senator Stoll assumed the Chair.

Senator Ehlmann offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1102, Page 3, Section 2.020, Line 26, by inserting after "Development" the following: "**provided that for any district which has, for at least five years immediately preceding the year in which the error is discovered, adopted a calendar for the school term in which elementary schools are in session for twelve months of each calendar year, any error made in the apportionment of state aid to such district because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091, RSMo, and subsection 1 of section 163.036, RSMo, except that if the amount paid exceeds the amount to which the district was actually entitled by more than five percent and the district provides written application to the state board requesting that the deductions be made pursuant to this section, then the amounts shall**

be deducted pursuant to this section. For deductions made pursuant to this section, interest at the rate of six percent shall be charged on the excess and shall be included in the amount deducted and the total amount of such excess plus accrued interest shall be deducted from the district's apportionment in equal monthly amounts beginning with the succeeding school year and extending for a period of months specified by the district in its written request and no longer than sixty months".

Senator Ehlmann moved that the above amendment be adopted, which motion prevailed.

Senator Goode moved that **SCS for HCS for HB 1102**, as amended, be adopted, which motion prevailed.

On motion of Senator Goode, **SCS for HCS for HB 1102**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bland	Carter	Caskey	Childers
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Bentley	Clay—2
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Absent with leave—Senators—None

The President declared the bill passed.

On motion of Senator Goode, title to the bill was agreed to.

Senator Goode moved that the vote by which the bill passed be reconsidered.

Senator DePasco moved that motion lay on the table, which motion prevailed.

HCS for HB 1103, with **SCS**, entitled:

An Act to appropriate money for the expenses,

grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up by Senator Goode.

SCS for **HCS** for **HB 1103**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1103

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 1103** be adopted.

Senator Goode offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1103, Pages 2 and 3, Section 3.040, Lines 3 and 4, by striking "\$292,060" on Page 2, Line 3 and placing in lieu thereof "\$331,959" and by striking "\$200,593" on Page 3, Line 4 and placing in lieu thereof "\$160,694".

Senator Goode moved that the above amendment be adopted, which motion prevailed.

Senator Goode moved that **SCS** for **HCS** for **HB 1103**, as amended, be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 1103**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

On motion of Senator Goode, title to the bill was agreed to.

Senator Goode moved that the vote by which the bill passed be reconsidered.

Senator DePasco moved that motion lay on the table, which motion prevailed.

HCS for **HB 1104**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up by Senator Goode.

SCS for **HCS** for **HB 1104**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1104

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 1104** be adopted.

Senator Flotron offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1104, Page 1, Section 4.005, Line 3, by deleting the figure "\$40,117,761" and inserting in lieu thereof the figure "\$39,970,867"; and

Further amend said bill, page 1, section 4.005, line 5, by deleting the figure "40,669,961" and inserting in lieu thereof the figure "\$40,447,891"; and

Further amend said bill, page 2, section 4.005, line 17, by deleting the figure "1993.63" on said line and inserting in lieu thereof the figure "1988.63"; and

Further amend said bill, page 2, section 4.005, line 17, by deleting the figure "\$83,478,907" on said line and inserting in lieu thereof the figure "\$83,109,943"; and

Further amend said bill, page 21, by adjusting the bill totals accordingly.

Senator Flotron moved that the above amendment be adopted, which motion failed.

Senator Goode moved that **SCS** for **HCS** for **HB 1104** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 1104** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

On motion of Senator Goode, title to the bill was agreed to.

Senator Goode moved that the vote by which the bill passed be reconsidered.

Senator DePasco moved that motion lay on the table, which motion prevailed.

HCS for **HB 1105**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up by Senator Goode.

SCS for **HCS** for **HB 1105**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1105

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 1105** be adopted.

Senator Maxwell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No.

1105, Pages 15 and 16, Section 5.300, by deleting the Section in its entirety and further amend said bill, page 16, Section 5.305, by deleting the Section in its entirety.

Senator Maxwell moved that the above amendment be adopted, which motion prevailed.

Senator Schneider offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1105, Page 2, Section 5.015, Line 7, by deleting the number "75,630" and inserting in lieu thereof the number "37,815"; and further amend said section, line 8, by deleting the number "11,200" and inserting in lieu thereof the number "5,600" and further amend said section, line 9, by deleting the number "86,830" and inserting in lieu thereof the number "43,415"; and further amend said section, by deleting line 10, and inserting in lieu thereof the following:

"Total (Not to exceed 31.80).....\$1,706,415".

Senator Schneider moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Quick assumed the Chair.

Senator Goode moved that **SCS for HCS for HB 1105**, as amended, be adopted, which motion prevailed.

On motion of Senator Goode, **SCS for HCS for HB 1105**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senator Kinder—1

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

On motion of Senator Goode, title to the bill was agreed to.

Senator Goode moved that the vote by which the bill passed be reconsidered.

Senator DePasco moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Quick referred **SB 892** to the Committee on State Budget Control.

REPORTS OF STANDING COMMITTEES

Senator DePasco, Chairman of the Committee on Rules, Joint Rules and Resolutions, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which were referred **SCS for SB 954**; and **SCS for SBs 1027 and 815**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Quick referred **SCS for SB 954** and **SCS for SBs 1027 and 815** to the Committee on State Budget Control.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Jennie L. Crisp, Highway Five North, County Road 837, Post Office Box 165, Gainesville, Ozark County, Missouri 65655, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and

qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Rebecca L. Culler, 1502 North Vansant, Clinton, Henry County, Missouri 64735, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, Douglas Oyer, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Lynne E. Dresner, 8220 South Tomlin Hill Road, Columbia, Boone County, Missouri 65203, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Virginia D. Evans, 2548 West Paseo Boulevard, Kansas City, Jackson County, Missouri 64108, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, James E.

Walker, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Maria I. Gomez, 3719 Rue De Renard, St. Louis, St. Louis County, Missouri 63034, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Donald J. Gralike, 1675 F. Blue Ridge Drive, St. Louis, St. Louis County, Missouri 63125, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2000, and until his successor is duly appointed and qualified; vice, J.N. "Jack" Matthews, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Jerry W. Griffin, Democrat, 2138 Red Oak Lane, Liberty, Clay County, Missouri 64068, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2005,

and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Roger E. Huckfeldt, M.D., 1530 East Erie, Number 304A, Springfield, Greene County, Missouri 65804, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2004, and until his successor is duly appointed and qualified; vice, Dr. Laura Fitzmaurice-Amick, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Carol J. Pastoret, 1625 Wilson Avenue, Columbia, Boone County, Missouri 65201, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

William C. Prince, 3406 West Camelot, Springfield, Greene County, Missouri 65807, as a member of the Child Abuse and

Neglect Review Board, for a term ending April 17, 2003, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Roger L. Pryor, Democrat, 3410 Elm Point Road, St. Charles, St. Charles County, Missouri 63301, as a member of the St. Charles County Convention and Sports Facilities Authority, for a term ending April 27, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Michelle L. Ray, 9309 Aster Avenue, St. Louis, St. Louis County, Missouri 63123, as a member of the Seismic Safety Commission, for a term ending October 2, 2003, and until her successor is duly appointed and qualified; vice, Jennifer A. Marino, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Anne B. Schmidt, 4311 Alderwood Drive, Florissant,

St. Louis County, Missouri 63033, as a member of the Child Abuse and Neglect Review Board, for a term ending April 17, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Gwendolyn R. Swearingin, Republican, 305 West Walnut, Post Office Box 93, Ozark, Christian County, Missouri 65721, as a member of the Missouri Community Service Commission, for a term ending December 15, 2001, and until her successor is duly appointed and qualified; vice, Stephen L. Maxey, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 18, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Deborah J. Tomich, Democrat, 34 Lake Forest, St. Charles, St. Charles County, Missouri 63301, as a member of the St. Charles County Convention and Sports Facilities Authority, for a term ending April 27, 2001, and until her successor is duly appointed and qualified; vice, Reid L. Bronson, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

President Pro Tem Quick referred the above appointments to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Maxwell introduced to the Senate, his daughters, Megan and Shannon, and Sharon Michaels, Mexico; and Megan and Shannon were made honorary pages.

Senator Quick introduced to the Senate, the Physician of the Day, Dr. Jim Di Renna, D.O., Gladstone.

Senator Mathewson introduced to the Senate, Erin Jenkins, Brunswick.

Senator Kenney introduced to the Senate, Reta Hatfield, Patricia Lay, Jessie Evans, Kathryn Barton, Tracy Via, Corey Unrein, Nancy Moore, Eric Johnson, Rusty Shipley and Debbie Whistler, Blue Springs.

Senator Howard introduced to the Senate, Dempsey Craft and students from New Madrid County Central High School, New Madrid; and Takendra Brown, Sieretha Jones, Jessica Miller, Leslie Russell and Hunter Hendricks were made honorary pages.

Senator Bentley introduced to the Senate, her granddaughters, Emma and Grace Bentley, and Gwyn Knauer, Katie Lohmeyer, Holly Elliott and Dr. Anson Elliott, Springfield; and Emma, Grace, Gwyn, Katie and Holly were made honorary pages.

On behalf of Senator Johnson, the President introduced to the Senate, Tyler Scott, St. Joseph; Amber Hewitt, Rosendale; Oneida Gillispie, Savannah; and Brent Dunkel, Platte County; and Tyler, Amber and Brent were made honorary pages.

Senator Klarich introduced to the Senate, Gloria J. Karwoski, Vinita Park; and Christine Johnson, St. Peters.

Senator Bentley introduced to the Senate, participants in the Eighth Annual Take Your Daughters to Work Day; and 2000 Women Legislators of Missouri Scholarship Recipients: Rachel Gerth, Memphis; Rosemary M. Rolls, Harrisonville; Caitlin R. Donnelly, Manchester; Holli A. Brooks, Wright City; and Gretchen P. Copeland, New Madrid.

Senator Sims introduced to the Senate, Alexzandra Smith, Nakia Billups and Sieadah Farmer, St. Louis; and Alexzandra, Nakia and Sieadah were made honorary pages.

Senator Bland introduced to the Senate, her grandson, Matthew Edwards Bland Williams, Kansas City; and Matthew was made an honorary page.

Senator Westfall introduced to the Senate, Anson Elliot, Springfield.

Senator Howard introduced to the Senate, Gretchen Copeland, New Madrid; and Gretchen was made an honorary page.

Senator Russell introduced to the Senate, Patrick McGinnis, Lebanon; and Sandy Crawford, Buffalo.

Senator Caskey introduced to the Senate, Maria Gaw and Jared Wortman, Warrensburg; Chris Ducos and Barrie Patrick, Centerview; Stanlee Miller and Rusty Wharton, Chilhowee; and Brent Lange and Sarah Conrad, Knob Noster; and Maria, Jared, Chris, Barrie, Stanlee, Rusty, Brent and Sarah were made honorary pages.

Senator Russell introduced to the Senate, Mr. Lee Eaton and sixty seventh grade students from Joel E. Barber School, Lebanon; and Ashley Dickenson, Tobin Moore, Samuel Morrison and Susie Koenig were made honorary pages.

Senator Quick introduced to the Senate, Marilee Frailey and eighth grade students from Eastgate Middle School, Kansas City; and Kris Ruiz, Alisa Polic, Mandy Forbis and Beth Marusarz were made honorary pages.

Senator Caskey introduced to the Senate, Raymond Troup and nineteen seventh and eighth grade students from Montrose Junior High School, Montrose; and Matt Swaters and Lindsey Jurgensmeyer were made honorary pages.

Senator Caskey introduced to the Senate, Dr. Shari Garber Bax, Warrensburg; and Dr. Krystyna Kujawinska-Courtney, Lodz, Poland.

Senator Johnson introduced to the Senate, Drew Cotton, Daniel Bauer, Dustin Bauer, Caleb Ridge, Mr. David Hoy, Kathy Bauer and Lisa Ridge, St. Joseph; and Drew, Daniel, Dustin and Caleb were made honorary pages.

Senator Jacob introduced to the Senate, fifth grade students from Grant Elementary School, Columbia; and Liana Presser, Nuzhat Chowdhury, Natalie Vargas, Chelsea Page, Ellen Beverley and Sonja Vignale were made honorary pages.

Senator Childers introduced to the Senate,

Brandon Graves, Brett McKnight, Katy Witbrod, Amanda Marcelhis, Anna Jones, Erica Russell, Jacqueline Pardeck, Jerry Martin and Mary Arnold, Taney County.

Senator Childers introduced to the Senate, Bob Stanton, Camillia Rich, Bob Rich and Robert Rich, III, Gainesville; and Gordon Hawkins, Mark Warnick and Deb Eisenmann, Brixey.

Senator Howard introduced to the Senate, Ronnie Simmons, Portageville; and Roger Arnzen, Cape Girardeau.

Senator Mueller introduced to the Senate, Connie Unland, Deborah Poslosky, Linda Favero, Connie Sloan and fourth grade students from Mason Ridge Elementary School, Creve Coeur; and Jackie Blair, Stephen Wright, Michael Donovan, Christi Fox, Christopher Bates, Audrey Triska, Tracy Spewak and Cory Schraier were made honorary pages.

Senator Kinder introduced to the Senate, sixty fourth grade students from Blanchard Elementary School, Cape Girardeau; and Paige Bomar, Meahsha Newbern, Joseph Sullivan, Brayail Moore, Whitney Williams and Sirena Irving were made honorary pages.

Senator Singleton introduced to the Senate, Susan Wagner, Carthage; Sandy Van Wagner, Smithville; and Dorothy Whitler, Boonville.

Senator Howard introduced to the Senate, Ralph Jones, Hawk Point.

Senator Mueller introduced to the Senate, Christian Schaefer, Kristin Becker, Carrie Nilges, Pam Bogosian and fifth grade students from Barretts Elementary School, Manchester; and Maddie Sullivan, David Brown, Erin Collins, Carolyn Butterworth, Colin Heyer, Andrew Bingaman and Austin Callaway; and Drew Nilges, the grandson of former State Representative, the late Bill Hand, and former State Representative Al Nilges, and the students were made honorary pages.

On motion of Senator DePasco, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 19, 2000

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HCS for HB 1797-Gratz

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SB 772-Goode
(In Budget Control) | 7. SB 892-Quick
(In Budget Control) |
| 2. SS for SCS for SB 926-Stoll
(In Budget Control) | 8. SCS for SB 793-
Staples |
| 3. SS for SS#3 for
SJR 35-Goode
(In Budget Control) | 9. SCS for SB 954-
Bentley and Johnson
(In Budget Control) |
| 4. SB 851-Wiggins and Stoll | 10. SCS for SBs 1027 & 815-Sims
(In Budget Control) |
| 5. SB 830-Caskey | |
| 6. SS for SJR 31-Schneider
(In Budget Control) | |

SENATE BILLS FOR PERFECTION

SBs 584, 539, 630, 777, 796, 918 & 927-Bentley, with SCS	SB 866-Klarich
SBs 818 & 564-Maxwell and Kinder, with SCS	SB 748-Johnson, with SCS
SB 955-Mathewson, et al	SB 1047-Rohrbach, with SCS
SB 1048-Mathewson, with SCS	SB 1045-Caskey, with SCS
	SBs 1043, 1031, 580 & 671-Mathewson, with SCS

HOUSE BILLS ON THIRD READING

HS for HCS for HJR 61-
Van Zandt, with SCS
(Quick)

HS for HCS for HB 1742-
Koller, with SCS (Johnson)
(In Budget Control)

HCS for HB 1106, with
SCS (Goode)
HCS for HB 1107, with
SCS (Goode)
HCS for HB 1108, with
SCS (Goode)
HCS for HB 1109, with
SCS (Goode)

HCS for HB 1110, with
SCS (Goode)
HCS for HB 1111, with
SCS (Goode)
HCS for HB 1112, with
SCS (Goode)

Unofficial
INFORMAL CALENDAR
SENATE BILLS FOR PERFECTION
Journal
Copy

SBs 545, 628, 647, 728,
834 & 832-Staples,
with SCS (pending)
SBs 599 & 531-Schneider,
with SCS (pending)
SB 604-Wiggins
SB 697-Schneider, with
SCS & SA 1 (pending)
SB 720-Caskey, with SS &
SA 3 (pending)
SB 729-House, with SCS &
SA 8 (pending)
SB 744-Klarich
SB 803-Goode, et al, with SCS
SBs 807, 553, 574, 614,
747 & 860-Jacob, with
SCS, SS for SCS & SA 2
(pending)
SB 817-Stoll, with SCS
SB 826-Jacob, et al, with
SCS, SS for SCS & SA 5
(pending)

SB 827-Scott, et al, with
SS & SA 2 (pending)
SB 885-Mathewson, with SCS
SB 930-Jacob, with SCS
SB 957-Johnson and Quick,
with SCS, SA 2, SSA 1
for SA 2 & SA 3 to SSA
1 for SA 2 (pending)
SB 980-Jacob, with SCS
SB 1016-Jacob, et al,
with SS, SA 2 & point
of order (pending)
SJRs 45 & 41-House, with
SCS (pending)
SJR 46-Goode, et al, with
SCS (pending)
SJR 47-Quick, et al, with
SCS, SS for SCS, SA 1,
SSA 1 for SA 1 & point
of order (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/15

SB 740-Wiggins

House Bills

Reported 4/10

HB 1604-Graham (106th),
with SCS (Johnson)

Reported 4/11

HB 1185-Gratz and Vogel,
with SCS (Rohrbach)
HB 1186-Gratz and Vogel
(Rohrbach)
(In Budget Control)

HB 1376-Farnen (Stoll)
HB 1802-Monaco and Liese
(Yeckel)
HB 1085-Selby (Howard)
HB 1591-Backer, with SCS
(Howard)

Reported 4/12

HB 1353-Farnen, with
SCA 1 (Caskey)
HB 1289-Auer (Clay)
HB 1509-Hosmer (Caskey)
HB 1321-Relford, et al
(Caskey)
HB 1284-Kissell (House)
HB 1077-Relford
(Mathewson)
HB 1631-Hoppe, with SCS
(Mathewson)
HB 1454-Hoppe, with SCS
(Mathewson)

HB 1659-Summers, with SCS
(Maxwell)
HB 1486-Abel, et al (Stoll)
HB 1647-Skaggs (Quick)
HB 1097-Hosmer, with SCS
(Caskey)
HB 1428-Hickey, et al,
with SCAs 1, 2 & 3
(DePasco)
HB 1739-Auer, with SCS
(Jacob)
HB 1544-Smith (Mueller)

Reported 4/13

HB 1465-Ransdall, et al,
with SCS (Mathewson)
HB 1848-Treadway, with
SCS (Carter)
HB 1568-Riback Wilson and
Holand, with SCS
(Jacob)
HB 1596-Auer (Clay)

HB 1875-Franklin, with
SCA 1 (Wiggins)
HB 1396-Farnen, with SCS
(Johnson)
HB 1363-Bray, et al
(Quick)
HB 1948-Gratz, et al,
with SCS

RESOLUTIONS

SR 1204-Goode
SR 1373-Mathewson

SCR 33-Kinder, et al

Reported from Committee

SCR 22-Staples

SCR 34-Bland, et al

Unofficial

Journal

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