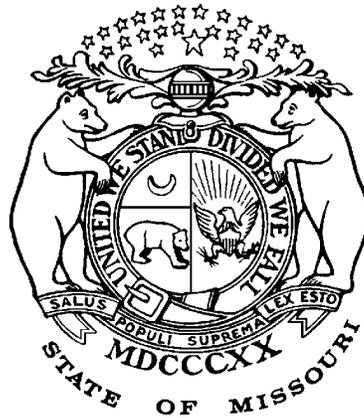


91ST General Assembly

Second Regular Session

MISSOURI SENATE



WEEKLY BILL STATUS REPORT

for week of:

FEBRUARY 25 - MARCH 1, 2002

Prepared by
Divisions of Research and Data Processing

MISSOURI SENATE

BILL STATUS

SENATE BILLS

SB 0631

SENATE SPONSOR Schneider

3216S.01I

SCS/SB 631 - This act allows an Administrative Law Judge to appoint an impartial physician to examine, at the request of the State, upon a finding that there is no other adequate medical evidence available and necessary to second injury fund claims. The physician's fee and other reasonable costs may be assessed by the administrative law judge against any party and becomes immediately payable.

The report of a treating or examining physician may be submitted into evidence in a second injury fund claim, provided the physician is made available to the opposing party by deposition.

This act is similar to SB 832 (2002).
JIM ERTL

120101	Prefiled	
010902	S First Read	S40
011002	Second Read and Referred S Judiciary Committee	S70
012202	Hearing Conducted S Judiciary Committee	
012202	SCS Voted Do Pass S Judiciary Committee	3216S.02C

EFFECTIVE : August 28, 2002

SB 0632

SENATE SPONSOR Schneider

2589S.01I

SB 632 - This act prohibits retailers from obtaining refunds of sales taxes without crediting the original purchasers.

This act is similar to SB 195 (2001).
JEFF CRAVER

120101	Prefiled	
010902	S First Read	S40
011002	Second Read and Referred S Ways & Means Committee	S70
012902	Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 0633

SENATE SPONSOR Schneider

2588S.01I

SB 633 - This act prohibits health carriers from changing their drug formularies except at the beginning of the policy anniversary date or pursuant to a FDA recommendation. The health

carrier may add new prescription drugs to its formulary. The health carrier may not increase an enrollee's co-payment or other out of pocket expenses except at the beginning of the policy annual anniversary date.

This act is identical to SB 194 (2001).
STEPHEN WITTE

120101 Prefiled
010902 S First Read S40
011002 Second Read and Referred S Insurance & Housing S70
Committee
011602 Hearing Conducted S Insurance & Housing Committee
022702 Motion to Report Bill Do Pass FAILED S Insurance &
Housing Committee

EFFECTIVE : August 28, 2002

SB 0634

SENATE SPONSOR Wiggins

2675S.01I

SB 634 - This act authorizes an annual appropriation to the Jackson County Sports Complex Authority for support of the two sports stadiums owned by the public authority, Arrowhead Stadium (home of the Kansas City Chiefs) and Kauffman Stadium (home of the Kansas City Royals), of up to \$7 million for each stadium, in addition to amounts previously authorized. Any such appropriation or transfer of money is contingent upon:

- (1) Renewal or extension of the current Kansas and Missouri Metropolitan Culture District retail sales tax (which is set to expire in 2002); and
- (2) Renewal or extension of the lease contracts currently in effect for the Chiefs and Royals.

No appropriations are authorized to occur until FY 2006.
JEFF CRAVER

120101 Prefiled
010902 S First Read S40
011002 Second Read and Referred S Ways & Means Committee S70

EFFECTIVE : August 28, 2002

SB 0635

SENATE SPONSOR Wiggins

2802L.01I

SB 635 - This act creates statutory warranties for home buyers and homeowners and also prevents home solicitors from engaging in certain deceptive practices.

HOME SOLICITATION - This act prohibits home solicitors from

selling products financed by the consumer's home which would put the consumer in those types of situations. This act outlaws certain unfair or deceptive practices relating to home improvement loans to consumer. It would prohibit home solicitations where a home improvement loan is made encumbering the person's home to pay the loan and where the practice violates federal law. Violation of this act's provisions would constitute a Class A misdemeanor. This portion of the act is similar to HB 1144 (1999).

STATUTORY HOME WARRANTIES -This act mandates warranties to protect new home purchasers from losses caused by faulty installation, major construction defects, and noncompliance with building standards. The act also mandates similar warranties to protect homeowners from losses caused by defects caused by home improvement contractors.

NEW HOME WARRANTIES - There are three distinct new home warranties created by this act. The first covers the home against faulty workmanship and defective materials due to noncompliance with building standards for a three year period. The second warranty covers new homes against faulty installation of plumbing, electrical, heating and cooling systems for a five-year period. The third warranty covers the home against major construction defects (foundation) for a ten-year period. These warranties are extended to subsequent purchasers of the home.

HOME IMPROVEMENT WARRANTIES - The second statutory warranty protects consumers against home improvement contractors. Under this warranty, the home improvement contract warrants that the home improvements made will be free from defects caused by faulty workmanship and defective materials for a two-year period. The home improvement warranty also guarantees that the home improvement will be free from major construction defects for a ten-year period. Improvements involving plumbing, electrical, heating and cooling systems are guaranteed to be free from defects for a period of two-years.

If the house vendor or the home improvement contractor violates these implied warranties then the homeowner may bring a cause of action against the person for actual damages. The court shall also award the homeowner court costs and reasonable attorney fees. If the breach of the warranties were willful or deceitful, then the court may assess punitive damages.

The house vendor or home improvement contractor shall not be liable for damages caused by the homeowner, forces of nature or for normal wear and tear. The statutory warranties provided for by this act are in addition to any other remedies the homeowner may have.

This act is similar to SB 6 (2001).
STEPHEN WITTE

03/01/02

MISSOURI SENATE
WEEKLY BILL STATUS REPORT

PAGE 4

011002 Second Read and Referred S Insurance & Housing S70
Committee
011602 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0636

SENATE SPONSOR Wiggins

2803L.01I

SB 636 - This act repeals the expiration (scheduled for
12/31/2003) of the majority of the Kansas City public mass
transportation system sales tax.
JEFF CRAVER

120101 Prefiled
010902 S First Read S40
011002 Second Read and Referred S Local Government & S70
Economic Development Committee
012202 Hearing Conducted S Local Government & Economic
Development Committee
012202 Voted Do Pass S Local Government & Economic
Development Committee-Consent
012802 Reported From S Local Government & Economic S160
Development Committee - Consent
013002 Removed from S Consent Calendar S184

EFFECTIVE : August 28, 2002

SB 0637

SENATE SPONSOR Caskey

3044S.01I

SB 637 - This act grants limited consent by the state to be
sued under the Americans with Disabilities Act (ADA) in state
court, subject to monetary limits, which shall not include
punitive damages.
JIM ERTLE

120101 Prefiled
010902 S First Read S40
011002 Second Read and Referred S Judiciary Committee S70
012202 Hearing Conducted S Judiciary Committee
012202 Voted Do Pass S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 0638

SENATE SPONSOR Caskey

SB 638 - Bill withdrawn.

120101 Prefiled

120301 BILL WITHDRAWN

S40

SB 0639

SENATE SPONSOR Caskey

3068S.02P

SB 639 - This act exempts sellers of jams and jellies from the requirement to construct or maintain separate facilities for their production. This exemption applies as long as the seller does not sell more than \$30,000 of jams and jellies annually.
CINDY KADLEC

120101 Prefiled

010902 S First Read

S40-41

011002 Second Read and Referred S Public Health & Welfare Committee

S70

013002 Hearing Conducted S Public Health & Welfare Committee

013002 Voted Do Pass S Public Health & Welfare Committee Consent

020402 Reported From S Public Health & Welfare Committee to Floor - Consent

S202

021902 S Third Read and Passed - Consent

S307

022002 H First Read

H326

022102 H Second Read

H333

EFFECTIVE : August 28, 2002

SB 0640

SENATE SPONSOR Russell

2794S.01I

SB 640 - This act adds a regional child assessment center in Camden County.
ERIN MOTLEY

120101 Prefiled

010902 S First Read

S41

011002 Second Read and Referred S Aging, Families & Mental Health Committee

S70

012202 Hearing Conducted S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

****SB 0641****

SCS SBs 641 & 705

SENATE SPONSOR Russell

2756S.05C

SB 641 - This act prohibits union fees from being paid by payroll deduction. The act also provides that no state employee shall be required to pay a service fee to any organization in lieu of being a member of the union, nor will be required to join a union in order to be employed.

ERIC ROSENKOETTER

120101 Prefiled
 010902 S First Read S41
 011002 Second Read and Referred S Labor & Industrial S70
 Relations Committee
 012902 Hearing Conducted S Labor & Industrial Relations
 Committee
 013102 SCS Voted Do Pass (SCS SBs 641 & 705) S Labor &
 Industrial Relations Committee (2756S.05C)
 013102 Reported From S Labor & Industrial Relations S192
 Committee to Floor w/SCS
 030402 001 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

****SB 0642****

SCS SB 642

SENATE SPONSOR Russell

2904S.04C

SCS/SB 642 - This act requires Hepatitis B and sexually transmitted disease (STD) testing of crime victims and prisoners. New Sections 191.224 and 191.660 are substantially similar to current Sections 191.226 and 191.659, RSMo, but relate to Hepatitis B and STD testing, instead of HIV testing. Section 191.224 allows the Department of Health and Senior Services to pay for the cost of Hepatitis B and STD tests for crime victims and Section 191.659, RSMo, requires hepatitis B and STD testing of sex offenders in the custody of the Department of Corrections.

ERIN MOTLEY

120101 Prefiled
 010902 S First Read S41
 011002 Second Read and Referred S Public Health & Welfare S70
 Committee
 021302 Hearing Conducted S Public Health & Welfare
 Committee-Consent
 021302 SCS Voted Do Pass S Public Health & Welfare
 Committee-Consent (2904S.04C)
 021802 Reported From S Public Health & Welfare Committee to S299
 Floor w/SCS - Consent
 030402 S Consent Calendar w/SCS (2/18)

EFFECTIVE : August 28, 2002

SB 0643

SENATE SPONSOR Mathewson

2630S.01I

SB 643 - This act allows members of the Board of Probation and Parole to use unused sick leave for the purchase of additional creditable service for retirement purposes.
CINDY KADLEC

120101 Prefiled
010902 S First Read S41
011002 Second Read and Referred S Pensions & General Laws S70
Committee
012302 Hearing Cancelled S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0644

SENATE SPONSOR Mathewson

2846S.01P

SB 644 - This act allows Veterans to receive Veterans' license plates for their motorcycles. In addition to regular registration fees, the person shall pay an additional fee of \$15.
STEPHEN WITTE

120101 Prefiled
010902 S First Read S41
011002 Second Read and Referred S Transportation Committee S70
011502 Hearing Conducted S Transportation Committee
012302 Voted Do Pass S Transportation Committee-Consent
012802 Reported From S Transportation Committee to S160
Floor - Consent
021202 S Third Read and Passed - Consent S254-255
021302 H First Read H277
021402 H Second Read H283

EFFECTIVE : August 28, 2002

SB 0645

SCS SB 645
SENATE SPONSOR Mathewson

2597S.02P

SCS/SB 645 - Regional jail district commissioners of a district located in Caldwell County, DeKalb County or Daviess County are authorized to place a sales tax on retail sales in the district of 1/8th, 1/4th, 3/8ths, or 1/2 of one percent on the ballot which will provide funding for jail services, jail facilities, court facilities and equipment. The tax requires approval of a majority of voters in the district.

The provisions of this act shall expire on September 30,

2015.

This act is similar to SB 14 (2001) and HB 642 (2001).
JIM ERTL

120101	Prefiled	
010902	S First Read	S41
011002	Second Read and Referred S Local Government & Economic Development Committee	S70
012202	Hearing Conducted S Local Government & Economic Development Committee	
013002	SCS Voted Do Pass S Local Government & Economic Development Committee-Consent (2597S.02C)	
020402	Reported From S Local Government & Economic Development Committee to Floor w/SCS - Consent	S202
021802	SCS S adopted	S295
021802	S Third Read and Passed - Consent	S295
021902	H First Read	H315
022002	H Second Read	H322

EFFECTIVE : August 28, 2002
TERM DATE : Sept. 30, 2015

SB 0646

SENATE SPONSOR Staples

2925L.01I

SB 646 - This act requires that motorcyclists under 21 years wear helmets. Currently, all motorcyclists are required to wear helmets.

STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S41
011002	Second Read and Referred S Transportation Committee	S70
011502	Hearing Conducted S Transportation Committee	
013002	Voted Do Pass S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 0647

SCS SB 647

SENATE SPONSOR Goode

3159S.06C

SCS/SB 647 - This act revises the law regarding seat belt usage and child restraint systems.

USE OF CHILD PASSENGER RESTRAINT SYSTEM/BOOSTER SEAT - This act requires children less than 4 years old, regardless of weight, or children weighing less than 40 pounds, regardless of age, to use an appropriate child passenger restraint system. The act requires children at least 4 years of age but less than 8 years of age or who weigh 40 pounds to 80 pounds to be secured in a

child passenger restraint system or a child booster seat. Children 8 years of age or older, or children who are at least 80 pounds, must use a safety belt.

WAIVER OF PENALTY - A person may escape the \$25 penalty by demonstrating that the person obtained a child safety seat prior to or at his or her hearing which is satisfactory to the court or the party responsible for prosecuting the violator's citation.

RENTAL AGENCIES - This act requires car rental agencies doing business in Missouri to inform customers of the requirements of Section 210.104 and to provide an appropriate child passenger safety restraint system for rental.

SEAT BELT REQUIREMENTS - If there are more persons than there are seat belts in the car, then the passengers must sit in the area behind the front seat unless the vehicle is designed only for a front-seated area.

This act has an effective date of January 1, 2003.

This act is substantially similar to SB 549 (2001).
STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S41
011002	Second Read and Referred S Transportation Committee	S70
011502	Hearing Conducted S Transportation Committee	
012302	SCS Voted Do Pass S Transportation Committee (3159S.06C)	
022502	Reported From S Transportation Committee to Floor w/SCS	S354
030402	018 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : January 1, 2003

SB 0648

SENATE SPONSOR Goode

3217S.02I

SB 648 This act allows any county or the City of St. Louis to opt out of the use of an inflation growth factor to increase property levy rates. The entity may opt out by means of:

- (1) An act of the entity's governing body;
- (2) A referendum submitted to the voters upon act of the entity's governing body; or
- (3) A referendum submitted to the voters upon initiative petition.

Passage of the referendum would prohibit the entity's governing body from adjusting the rate or rates of levy to increase the amount of property tax revenue to allow for inflationary growth that may occur between periods of assessment.

JEFF CRAVER

120101 Prefiled
 010902 S First Read S41
 011002 Second Read and Referred S Ways & Means Committee S70
 012202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0649

SENATE SPONSOR Goode

2886S.01I

SB 649 - This act creates the Invasive Species Council. The named members of the Council are the Directors of the Departments of Agriculture, Conservation, Health, Natural Resources and Transportation. The Director of the Department of Conservation shall serve as the first-year Council chair and the other named members shall serve one year terms as Council chair on a rotating basis. Other agencies may be included. The five named agencies shall provide temporary staffing for the Council, and the Council may request appropriations for dedicated staffing.

State agencies whose actions affect invasive species shall attempt to prevent further impacts of invasive species and shall not act in ways that create further impacts of invasive species.

The Council shall oversee implementation of the act, encourage planning, develop recommendations, facilitate sharing of information and create and update an Invasive Species Management Plan.

The Plan shall be issued within 18 months of passage. The Plan shall be a 5-year rolling plan including goals, objectives and measures of success concerning invasive species.

This act is similar to SB 20 (2001).
 CINDY KADLEC

120101 Prefiled
 010902 S First Read S41
 011002 Second Read and Referred S Interstate Cooperation Committee S70
 012301 Hearing Conducted S Interstate Cooperation Committee

EFFECTIVE : August 28, 2002

SB 0650

HCS SS#2 SB 650

SENATE SPONSOR Singleton HOUSE HANDLER Monaco

2395L.09C

HCS/SS#2/SB 650 - This act removes the statute of limitations for the crimes of forcible rape, attempted forcible rape, forcible sodomy, and attempted forcible sodomy so that a prosecution may be commenced at any time when a suspect is apprehended.

This act contains an emergency clause.
JIM ERTL

120101	Prefiled	
010902	S First Read	S41
011002	Second Read and Referred S Judiciary Committee	S70
012202	Hearing Conducted S Judiciary Committee	
012202	Voted Do Pass S Judiciary Committee	
012402	Reported From S Judiciary Committee to Floor	S151
013002	SS S offered & adopted (Klarich)	S183
013002	Perfected	S183
013102	Reported Truly Perfected S Rules Committee	S190
020402	S Third Read and Passed - EC adopted	S199-200
020402	Motion to reconsider adoption of EC - ADOPTED	S200
020402	Motion to adopt EC - WITHDRAWN	S200
020402	Motion to reconsider Third Reading Vote - ADOPTED	S200
020402	Motion to reconsider Perfection Vote - ADOPTED	S200-201
020402	Motion to Perfect Bill - WITHDRAWN	S201
020402	Bill Placed on Informal Calendar	S201
020502	Motion to reconsider adoption of SS - ADOPTED	S210
020502	SS S withdrawn	
020502	SS#2 S offered & adopted (Klarich) (2395S.08F)	S210
020502	Perfected	S210
020602	Reported Truly Perfected S Rules Committee	S221
020702	S Third Read and Passed - EC adopted	S227
020702	H First Read (w/EC)	H229
021102	H Second Read	H238
021202	Referred H Judiciary Committee	H259
021402	Hearing Conducted H Judiciary Committee	
021902	HCS Voted Do Pass H Judiciary Committee	
021902	HCS Reported Do Pass H Judiciary Committee	H313
022102	HA 1 to HCS H offered & ruled out of order (Behnen)	H335
022102	HCS H adopted	H335
022102	H Third Read and Passed	H335/S337
022502	S Refused to concur in HCS	S347/H361
022502	S Requested H recede or grant conference	S347/H361
022602	H Refused to recede & granted conference	/S369
022602	H conferees appointed	/S369
022602	Monaco, Hosmer, Clayton, Crowell & Richardson	/S369
022602	S conferees appointed	S369
022602	Singleton, Klarich, Klindt, House & Caskey	S369
030402	In Conference	

EFFECTIVE : August 28, 2002

SB 0651

SCS SB 651

SENATE SPONSOR Singleton

2652S.03C

SCS/SB 651 - This act requires a health carrier to allow any health care provider to participate in its network if that person satisfies all of the selection standards. This act will be known as the "Patient Freedom of Choice Act of 2002".

Currently, Section 354.606, RSMo, deals with contracts between health carriers (currently defined as HMOs) and health care professionals (currently defined as physicians or other health care practitioners who provide specific health services). New language clarifies the definition of "health carrier" to mean as defined in Section 376.1350, RSMo, which includes any entity subject to insurance laws in this state, including accident and sickness insurance, HMOs, nonprofit hospitals, and health service corporations, among others. Health carriers may not develop selection criteria in such a way that it will deny a health care professional the opportunity to become a participating provider if that professional meets all of the selection criteria and is willing to abide by all other terms and conditions. Current language also contains a provision that health carriers do not, however, need to hire more providers than necessary to maintain an adequate network.

This act is similar to SB 121 (2001).
ERIN MOTLEY

SA 1 - PROHIBITS A HEALTH CARRIER FROM DISCRIMINATING BETWEEN PROVIDERS WHEN MAKING NETWORK ENROLLMENT SELECTIONS, WHEN REFERRING ENROLLEES, OR WHEN REIMBURSING PROVIDERS

120101	Prefiled	
010902	S First Read	S41
011002	Second Read and Referred S Public Health & Welfare Committee	S70
012302	Hearing Conducted S Public Health & Welfare Committee	
012302	SCS Voted Do Pass S Public Health & Welfare Committee (2652S.03C)	
012402	Reported From S Public Health & Welfare Committee to Floor w/SCS	S151
012902	SA 1 to SCS S offered & adopted (Caskey)	S166
012902	Bill Placed on Informal Calendar	S166
022602	SA 2 to SCS S offered & adopted (Singleton)	S371
022602	Bill Placed on Informal Calendar	S371
030402	S Inf Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0652
SCS/SB 652
SENATE SPONSOR Singleton

2944S.02I

SCS/SB 652 - This act prohibits certain hospitals from preventing any licensed physician from practicing who complies with all hospital rules. Currently, Section 205.300, RSMo, prohibits public hospitals from discriminating against practitioners of any school of medicine and allows them equal privileges to treat patients. Patient choice of practitioner is also addressed. New language prohibits any hospital which provides Medicaid or Medicare services to patients in this state from excluding any physician from practicing who is licensed in Missouri, in good standing, and who complies with hospital rules.

No hospital may deny, restrict, or terminate medical staff or privileges for unrelated economic reasons. All medical staff applications shall be given due process.

ERIN MOTLEY

120101 Prefiled
 010902 S First Read S41
 011002 Second Read and Referred S Public Health & Welfare S70
 Committee
 020602 Hearing Conducted S Public Health & Welfare Committee
 021302 SCS Voted Do Pass S Public Health & Welfare
 Committee (2944S.03C)

EFFECTIVE : August 28, 2002

 SB 0653

SENATE SPONSOR Johnson

3134S.01I

SB 653 - This act revises various provisions relating to sheltered workshops.

Currently, the law allows the establishment and operation of sheltered workshops, residence facilities, and related services. In this and other sections, this bill references "sheltered workshops, residence facilities, or any other services or programs for persons with developmental disabilities" instead of referencing only "related services". The new language does not, however, state that the "other services" must be of a type related to sheltered workshops or residence facilities and, instead, allows Boards to conduct needs assessments and provide funds to any services or programs it deems necessary. A new definition for "developmental disability" is also provided. In Section 205.969, new language provides that the Board may not discontinue funding to a sheltered workshop unless eight of the nine members vote in favor of doing so.

The Board may set rules. New language continues rulemaking authority for the Board's services and programs, but states that rules for admission to a sheltered workshop will be established by the Department of Elementary and Secondary Education. Funding for sheltered workshops must be at a minimum of fifteen percent. A county board may provide additional funding or may contractually decrease the minimum level. All funds must be spent in the manner in which the ballot language specifies, or the question must be submitted to the voters (Section 208.970, 205.971).

Section 205.972, RSMo, currently outlines the ballot language to be used for approval of levies. New language changes the ballot language to be used for approval of the establishment of sheltered workshops to include any other services or programs for persons with developmental disabilities (Section 205.972).

A new section is created to provide for the state to grant

limited consent to be sued under the ADA in state courts, but not federal courts. Consent is for a maximum monetary award under Section 537.610, regardless of whether the state is insured against the claim. The amount may include attorneys fees, but not punitive or exemplary damages. This section applies to all actions pending or initiated on or after February 21, 2002 (Section 537.617).

This act is substantially similar SS #2/SB 184 and SB 550 (2001).

This act contains an emergency clause.
ERIN MOTLEY

120101 Prefiled
010902 S First Read S41
011002 Second Read and Referred S Aging, Families & Mental S70
Health Committee

EFFECTIVE : Emergency clause

SB 0654

SENATE SPONSOR Rohrbach

2496S.01I

SB 654 - This act prohibits private companies or individuals from operating private jails or correctional facilities. It does not prohibit the state from contracting with private companies to provide facilities for specific programs, and exempts the Division of Youth Services. Nationally accredited or religiously operated correctional facilities existing before January 1, 2002, are exempted from this act.

This act is similar to SB 30 (2001).
JIM ERTLE

120101 Prefiled
010902 S First Read S41
011002 Second Read and Referred S Financial & Governmental S70
Org., Veterans' Affairs and Elections Committee
012102 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee

EFFECTIVE : August 28, 2002

SB 0655

SENATE SPONSOR Rohrbach

3079S.01I

SB 655 - This act requires the Governor to replace appointive officers with successors within ninety days after they resign or their terms expire. When a Governor is re-elected to a

second term all salaried appointive officers who serve at the pleasure of the Governor must be re-submitted to the Senate for the Senate's advice and consent.

This act is similar to SB 398 (2001).
JIM ERTL

120101 Prefiled
010902 S First Read S41
011002 Second Read and Referred S Gubernatorial Appointments S70
Committee

EFFECTIVE : August 28, 2002

SB 0656

SCS SB 656

SENATE SPONSOR Rohrbach

3045S.05P

SCS/SB 656 - This act allows an insurer to provide insurance policies, endorsements, riders and explanatory materials in a language other than English. The English version shall govern disputes. If these materials are provided in a language other than English, the insurer shall provide a copy of the materials in English. The insurer shall disclose on such materials, in both English and the other language, that the translation is for informational purposes only and that the English version of the materials is controlling unless the language in the other language version is shown to be a fraudulent misrepresentation. Under this act, any knowing misrepresentation in providing materials in a language other than English shall be a violation of the Unfair Trade Practices Act.

STEPHEN WITTE

120101 Prefiled
010902 S First Read S42
011002 Second Read and Referred S Insurance & Housing S70
Committee
011602 Hearing Conducted S Insurance & Housing Committee
013102 SCS Voted Do Pass S Insurance & Housing
Committee-Consent (3045S.05C)
020402 Reported From S Insurance & Housing Committee to S202
Floor w/SCS - Consent
021402 SCS S adopted S186
021402 S Third Read and Passed - Consent S186
021802 H First Read H302
021902 H Second Read H310

EFFECTIVE : August 28, 2002

****SB 0657****

SCS SBs 958 & 657

SENATE SPONSOR House

2844S.01I

SB 657 - This act establishes the compelling interest test as the burden the state has in restricting the free exercise of religion. No governmental authority may restrict a person's free exercise of religion unless the restriction is one of general applicability and furthers a compelling governmental interest in the least restrictive means.

The act is identical to SB 337 (2001).
CINDY KADLEC

120101 Prefiled

010902 S First Read

S42

011002 Second Read and Referred S Judiciary Committee

S70

012202 Hearing Conducted S Judiciary Committee

EFFECTIVE : August 28, 2002

****SB 0658****

SCS SBs 843 & 658

SENATE SPONSOR House

2798S.01I

120101 Prefiled

010902 S First Read

S42

011002 Second Read and Referred S Insurance & Housing
Committee

S70

011602 Hearing Conducted S Insurance & Housing Committee

021902 Bill Combined (SCS SBs 843 & 658) S Insurance &
Housing Committee

EFFECTIVE : August 28, 2002

****SB 0659****

SENATE SPONSOR House

2784S.01I

SB 659 This act makes many revisions to laws concerning charter schools and public school teachers.

TEACHERS & STAFF - The act allows the Kansas City Missouri School District to hire retired teachers and allows them to continue receiving their pensions while returning to teaching for up to two years (currently available only in City of St Louis). The retirement system shall determine the actuarial cost of such rehiring, and the cost shall be paid by the district. District teachers employed in charter schools shall retain tenure status and shall retain seniority rights for three years. Charter schools are permitted to hire noncertificated administrators.

CHARTER SCHOOL LOCATIONS - Charter schools may be operated in the currently authorized territories, even if the existing school district no longer exists or includes that territory. The act clarifies that charter schools may be sponsored by a public 4-year college or university in a county containing an eligible school district, even if the college or university is not in the school district.

CONVERSION TO CHARTER SCHOOLS - Increases the number of public school buildings in a school district which may be converted to charter school use from five percent to ten percent, with discretion given to the local school board. The act requires urban school districts to lease buildings to charter schools on substantially equivalent terms and at a price which is substantially equivalent and requires good-faith negotiations by such districts, for fair market value. The requirements regarding lease of buildings shall not apply to contracts in existence on January 1, 2002.

PROCESS FOR CHARTERING A SCHOOL - The act revises the procedure and timeline for chartering a school. A charter school proponent shall provide the local school district and the State Board of Education with copies of the charter school application within five days of submitting the application to the proposed sponsor. A charter application must be provided to a proposed sponsor at least 11 months prior to the proposed starting date for the school. The sponsor's decision of approval or denial must be made within 90 days of filing the proposed charter (rather than the current 60); if the charter is denied, written notice must be served on the State Board of Education within 5 days. The State Board has 60 days to deny or grant a proposed charter and shall provide reasons for denial in writing, if applicable.

GRANT FUNDING FOR SPONSORS OF CHARTER SCHOOLS - The act creates a Charter School Sponsor Oversight Fund, with grant funding administered by the Coordinating Board for Higher Education. Funds shall be transferred annually by the State Treasurer, based upon the number of charter schools and charter school enrollment the previous year. Approved sponsors shall receive, from the fund, \$23,400 per school sponsored the previous year plus 0.5% of per pupil operating revenues for each student enrolled in such school the previous year. Any sponsor may apply and must demonstrate compliance of all requirements of law. Grant funds shall be prorated if necessary when funds are inadequate. Unused funds shall be retained and used to reduce the next year's withholding from charter school revenues.

CHARTER SCHOOL BOARDS Sponsors must perform criminal background checks on the members of the Board of Directors of any nonprofit corporation applying to establish a charter school, prior to granting or renewing a charter. No member of a charter school board may be employed by the charter school nor have a significant interest in any entity employed by or contracting with the board.

ACCOUNTABILITY FOR PERFORMANCE Sponsors must provide documentation establishing compliance with charter school laws.

Sponsors found to have violated the charter school law requirements may have their ability to sponsor new schools suspended for up to four years by the State Board of Education; suspension is mandatory for subsequent violations. Charter schools are required to employ the Missouri Assessment Program (MAP) tests. Charter schools shall provide all information needed to confirm compliance with all requirements of the charter and all charter school laws.

PUBLIC REPORTING Charter schools are required to publish audits and financial reports. Public reporting shall include results of background checks of charter board members. A charter may be revoked for failure to provide necessary compliance information, or the sponsor may require specified remedial action of the school. Charter schools must make available the charter and public report card to the parent of guardian of any pupil eligible to seek to enroll at the school. Reasonable fees may be charged for such copies.

LEGAL LIABILITY Charter school board members, officers and employees who willfully violate charter school laws or neglect to perform any duty in the charter school laws are guilty of a misdemeanor as other public school employees are under current law. A charter school board may participate in the Missouri Public Entity Risk Management Fund to the same extent as a school board.

The act contains penalty provisions.

This act is similar to SB 512 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S42
011002	Second Read and Referred S Education Committee	S70
011602	Hearing Conducted S Education Committee	
012302	Voted Do Pass S Education Committee	
012402	Reported From S Education Committee to Floor	S151
020602	SS S offered (House) (2784S.03F)	S219-220
020602	Bill Placed on Informal Calendar	S220
021202	SS withdrawn	S256
021202	SS#2 S offered (House) (2784S.05F)	S256
021202	Bill Placed on Informal Calendar	S256
021902	SA 1 to SS#2 S offered & defeated (Bland)	S308
021902	SA 2 to SS#2 S offered & defeated (Bland)	S308
021902	SA 3 to SS#2 S offered (Bland)	S308-309
021902	SSA 1 for SA 3 to SS#2 S offered (Yeckel)	S309-312
021902	Bill Placed on Informal Calendar	S312
030402	S Inf Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0660

SCS SB 660

SENATE SPONSOR Westfall

2471S.04C

SCS/SB 660 - This act prohibits passengers, as well as drivers, from possessing or consuming an open container of an alcoholic beverage in the passenger area of a motor vehicle on a highway or a right-of-way. A person violating this act shall be guilty of an infraction with a penalty not to exceed \$25. This act does not apply to passengers in the passenger area of motor vehicle used to transport persons for compensation or to passengers in the living quarters of a house coach, house trailer or recreational motor vehicle. This act shall also not apply to the possession of an open container behind the last upright seat of a motor vehicle that is not equipped with a trunk.

This act contains a provision similar to one contained in SB 291 (2001).

STEPHEN WITTE

SA 1 - MODIFIES PROCEDURE FOR IMPLIED CONSENT LAW

SA 2 - OPEN CONTAINER LAW ONLY APPLIES TO INDIVIDUALS WHO HAVE A BAC OF .08 OR HIGHER

120101 Prefiled

010902 S First Read

S42

011002 Second Read and Referred S Transportation Committee

S70

011502 Hearing Conducted S Transportation Committee

012302 SCS Voted Do Pass (2471S.04C) S Transportation
Committee012402 Reported From S Transportation Committee to
Floor w/SCS

S151

013002 SA 1 to SCS S offered & adopted (Jacob)

S180-182

013002 SA 2 to SCS S offered & adopted (Schneider)

S182-183

013002 Bill Placed on Informal Calendar

S183

030402 S Inf Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0661

SENATE SPONSOR Westfall

2771S.01I

SB 661 - STATE SCHOOL AID FORMULA - The act establishes a new formula for the distribution of state school aid. The formula establishes a flat, per pupil entitlement known as the "formula base amount per eligible pupil" which shall be initially established at \$5300 per pupil for FY 2002 and shall be annually adjusted by the percentage change in the state average equalized assessed value from the 3rd to 2nd preceding year. Deductions are made for local sources of operating revenues, including merchant's and manufacturer's replacement taxes, and some federal revenues.

The act requires that each district, other than certain very wealthy school districts, levy no less than the \$1.25 minimum operating levy as an eligibility requirement for state aid. Actual local property tax receipts from the \$1.25 minimum levy are deducted at 100% from state aid entitlement while additional local property tax receipts above an additional \$530 or ten percent are deducted at fifty percent. Payments pursuant to the new formula are phased in over 2 years.

"Average daily attendance" is weighted at 105% for the first 100 kids per grade level per school, but only for schools serving at least 4 grades including either kindergarten or twelfth grade. Double counting of summer school attendance is deleted.

"Operating levy for school purposes" is revised to allow up to 12.5 cents of the \$1.25 minimum levy to be placed in either debt service or capital projects.

CATEGORICAL AID - The current Line 14 At-Risk categorical aid is revised so that districts receive an additional formula entitlement payment of 15% of the base formula amount on the basis of Free and Reduced Price Lunch Eligible pupils in the district enrollment. A new categorical, the "experienced teacher entitlement", is created.

MINIMUM TEACHER SALARIES - The bill creates a new, mandatory 5-level minimum salary program, beginning in the 2003-04 school year, funded by a separate categorical appropriation with salary steps as follows:

\$25,000 for 5 or less years experience,
\$30,000 for Master's (or higher) + 6-10 years or Bachelor's + 6-19 years),
\$35,000 for Bachelors + 20 or Master's (or higher) + 11-19 years,
\$40,000 for Master's (or higher) + 20-29 years,
\$45,000 for Master's (or higher) + 30 or more years.

The act creates an "experienced teacher entitlement" which shall be \$670 for every year of experience for every employee employed the previous year in a position for which a certificate from the State Board was required.

To be eligible for the "experienced teacher entitlement" a district shall: meet all requirements for state aid pursuant to section 163.021; make no illegal transfers for capital purposes; make no reductions in salary schedule unless financially stressed; place new teachers (with experience in other districts) on salary schedule using all of the new teacher's public school teaching experience and pay returning teachers no less than they were paid the previous year (on an FTE basis). State payments will be reduced if the district's extra duty pay is more than 8.5% or if end of year operating balances are over 15%.

TAXATION - The act increases the statutory sales tax from four percent to five percent. The one-cent Proposition C sales

tax revenues and the one-cent increase in sales tax revenues will be distributed as part of the state sources used to fund the basic school aid payment. Personal income taxes are increased by one percent for all brackets. Corporate income taxes are increased one percent to seven and one-quarter percent.

The act has a referendum clause.
DONALD THALHUBER

120101 Prefiled	
010902 S First Read	S42
011002 Second Read and Referred S Education Committee	S70

EFFECTIVE : August 28, 2002

SB 0662
SCS SBs 662 & 704
SENATE SPONSOR Westfall

2894S.03C

SCS/SBs 662 & 704 - This act allows a Sheriff to seize property in the possession of a pawnbroker if the Sheriff receives a report from a claimant that the property has been misappropriated and the property is reasonably identifiable as the property of the claimant. If the pawnbroker believes the property is not misappropriated he or she would then be entitled to file a cause of action in small claims court. The prevailing party would be entitled to court costs and attorney's fees.

This act lowers the felony stealing limit from \$750 to \$500, and raises the felony limit for numerous other crimes involving theft from \$150 to \$500. The other criminal statutes affected are: making a false statement to receive health care payment; sale of any species of wildlife; tampering with computer data; tampering with computer equipment; tampering with computer users; determination of value; receiving stolen property; alternation or removal of item numbers with intent to deprive rightful owner; passing bad checks; fraudulently stopping payment on an instrument; fraudulent use of a credit device; library theft; theft of cable television service; failure to return rented personal property; unlawful receipt of food stamps or ATP cards; unlawful conversion of food stamps or ATP cards; unlawful transfer of food stamps or ATP cards; and perjury, committed when obtaining public assistance.

This act is identical to SB 458 (2001) and 622 (2001).
SARAH MORROW

SA 1 - TECHNICAL CHANGE - REMOVES THE WORD "ASSESS" AND REPLACES IT WITH "ACCESS"

SA 2 - ADDS ALTERING A RECEIPT, PRICE TAG OR PRICE CODE WITH THE INTENT TO CHEAT AND DEFRAUD A RETAILER TO THE LIST OF STEALING CRIMES. ALSO PROVIDES FOR A REASONABLE SERVICE CHARGE ON RETURNED CHECKS

120101 Prefiled
 010902 S First Read S42
 011002 Second Read and Referred S Civil & Criminal S70
 Jurisprudence Committee
 011602 Hearing Conducted S Civil & Criminal Jurisprudence
 Committee
 012402 SCS Voted Do Pass (SCS SBs 662 & 704) S Civil &
 Criminal Jurisprudence Committee (2894S.03C)
 012402 Reported From S Civil & Criminal Jurisprudence S151
 Committee to Floor w/SCS
 012902 SA 1 to SCS S offered & adopted (Westfall) S166
 012902 SA 2 to SCS S offered & adopted (Kenney) S166-171
 012902 SA 3 to SCS S offered (DePasco) S171-174
 012902 SA 1 to SA 3 to SCS S offered & adopted (DePasco) S174
 012902 Bill Placed on Informal Calendar S174
 021302 SA 3 to SCS, as amended, S adopted S276
 021302 SA 4 to SCS S offered (Westfall) S276
 021302 SSA 1 for SA 4 to SCS S offered & defeated (Kenney) S276-277
 021302 Bill Placed on Informal Calendar S277
 030402 S Inf Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0663

SCS SBs 688, 663, 691, 716, 759, 824 & 955
 SENATE SPONSOR Klarich

3152S.03I

120101 Prefiled
 010902 S First Read S42
 011002 Second Read and Referred S Ways & Means Committee S70
 012202 Hearing Conducted S Ways & Means Committee
 020502 Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824
 & 955) S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0664

SENATE SPONSOR Klarich

3151S.01I

SB 664 - This act provides that all state sales tax revenue generated by a multipurpose facility owned by the City of St. Louis and located within the City, shall be placed in a specially designated account for the sole purposes of maintenance and refurbishment of the facility.
 JEFF CRAVER

120101 Prefiled
 010902 S First Read S42
 011002 Second Read and Referred S Ways & Means Committee S70

EFFECTIVE : August 28, 2002

SB 0665

SENATE SPONSOR Kenney

3059S.01I

SB 665 This act requires public schools that provide access to the Internet to either use filtering software, or to purchase Internet service through a provider that filters the material that can be accessed. A public library may either use filtering software or otherwise restrict minors' access to the Internet by local rule.

Any school official who neglects or refuses to comply with these legal duties shall be subject to the same criminal penalty provided in section 162.091 (a misdemeanor, punishable by a fine not more than \$500 or up to one year in jail). Any public school employee who complies with the law shall not be liable if a minor gains access to pornographic material through the use of the school's computer.

Similar provisions were incorporated in the Perfected version of SS#2/SCS/SBs 757 & 602, but were not retained in the Truly Agreed To version of that bill.

This act is identical to SB 42 (2001).
DONALD THALHUBER

- 120101 Prefiled
- 010902 S First Read S42
- 011002 Second Read and Referred S Financial & Governmental S70
Org., Veterans' Affairs and Elections Committee
- 012102 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee
- 012802 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee
- 013102 Reported From S Financial & Governmental Org., S192
Vet. Affairs & Elections Committee to Floor
- 030402 003 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0666

SENATE SPONSOR Kenney

3064S.01I

SB 666 - The School Building Revolving Fund is eliminated and the School Building Construction and Renovation Fund is created. Moneys in the Fund would be used, in equal portions, to fund school construction and school renovation. The interest accruing to all state funds, other than funds created by the Missouri Constitution, shall be transferred quarterly to the newly created School Building Construction and Renovation Fund.

To be eligible for a grant, a district must apply to the Department of Elementary and Secondary Education, must meet all

criteria for state aid (meets or exceeds minimum school calendar, maintains proper records of attendance, personnel and finance, levies at least a \$1.25 tax rate and computes attendance properly under law) and must not be experiencing financial stress.

Priority of construction grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster;
- b) districts with at least 12% enrollment growth in the last 3 years;
- c) districts with 9% growth in the last 3 years;
- d) districts with 6% growth in the last 3 years;
- e) overcrowded districts; and
- f) districts with certain particular building needs.

Priority of renovation grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster or hazardous waste cleanup;
- b) districts renovating buildings which are at least 35 years old; and
- c) districts renovating buildings less than 35 years old.

Once a district has received a grant, it shall not be eligible for a new grant from the Fund unless all eligible applications from districts which have yet to receive a grant are funded.

Local matching funds are required to receive a state grant. The local match requirement is 50% for the least wealthy of districts, 75% for the most wealthy of districts and the match percentages for the remaining districts are uniformly spaced across the range from 50% to 75%.

Maximum total state costs per pupil for new construction are \$8000 for high school, \$7000 for middle school and \$6000 for elementary school. Maximum total state costs per pupil for renovation are \$5600 for high school, \$4900 for middle school and \$4200 for elementary school. A school may spend more than the maximum state grant amount plus local match by adding additional local funds.

State grant funds shall not be used for lease purchases. State grant funds shall be used only for capital expenditures, and shall not be used to retire debt. If a project costs less than the projected amount, the state's share of the remaining funds shall be returned to the state and placed in the Fund.

Upon completion of a project, the district shall submit a report to the Department, and the Department may require an audit. State funds not expended as allowed by this act must be repaid to the state.

All school buildings constructed or renovated with grants under this act shall remain the property and responsibility of the school district.

This act is identical to SS/SB 242 (2001).
DONALD THALHUBER

120101 Prefiled
010802 BILL WITHDRAWN S42

EFFECTIVE : August 28, 2002

SB 0667

SENATE SPONSOR Bentley

2651S.01I

SB 667 - The State Board of Education shall establish a program of salary supplements for teachers receiving certification from the National Board for Professional Teaching Standards. An annual salary stipend of \$5000 will be given for a period of ten years, starting in the school year in which the teacher receives certification.

The salary supplement shall be in addition to the base salary to which the teacher would otherwise be entitled. The salary supplements shall be paid only during those school years in which the teacher is employed with a Missouri school district.

A teacher certified by the National Board for Professional Teaching Standards may also receive a payment of 10% of the teacher's base pay for any school year in which the teacher serves as a mentor teacher to other candidates for National Board certification in a program established by the school district and meeting standards established by the State Board of Education.
DONALD THALHUBER

120101 Prefiled
010902 S First Read S42
011002 Second Read and Referred S Education Committee S70

EFFECTIVE : August 28, 2002

SB 0668

SENATE SPONSOR Bentley

2647S.01I

SB 668 - This act establishes a four year, competitive grant program to school districts for improving math curriculum and instruction up to grade 9.

Applications may be made for grant funding for individual schools, a combination of schools or an entire school district. The act specifies certain elements which must be included in any application, including a process of instructional improvement and stated goals for improving student performance. Funding beyond the second year shall be based upon improvement in student

performance on the 8th grade mathematics assessment.

Upon conclusion of the grant, the Department of Elementary and Secondary Education may reimburse the local match, based upon improvement in student performance. The Department shall establish standards for student performance improvement needed for continued grant funding and reimbursement of local match.

Funds shall be distributed in equal amounts within geographic areas based proportionately on student population, but may be reallocated from an area if there are not sufficient applications.

This act is the same as SB 97 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S42
011002	Second Read and Referred S Education Committee	S70
011602	Hearing Conducted S Education Committee	
012302	Voted Do Pass S Education Committee	
012402	Reported From S Education Committee to Floor	S151
020502	SS S offered (Bentley) (2647S.03F)	S209
020502	SA 1 to SS S offered & adopted (Klarich)	S209-210
020502	SA 2 to SS S offered & adopted (Singleton)	S210
020502	Bill Placed on Informal Calendar	S210
020702	Motion to reconsider adoption of SA 1 - ADOPTED	S228
020702	Bill Placed on Informal Calendar	S228
030402	S Inf Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0669

SCS SB 669

SENATE SPONSOR Bentley

3108S.02P

SCS/SB 669 - This act authorizes removal of property from the Springfield Community Improvement District, or relocation of property from a certain zone of designation in the CID to a different zone. A public hearing must be conducted and approval by the board. The district must be able to meet its financial obligations without the revenues from the proposed portion to be removed.

This act is similar to SB 125 (2001).
JEFF CRAVER

120101	Prefiled	
010902	S First Read	S42
011002	Second Read and Referred S Local Government & Economic Development Committee	S70
012202	Hearing Conducted S Local Government & Economic Development Committee	
012202	SCS Voted Do Pass S Local Government & Economic	

	Development Committee-Consent	(3108S.02C)	
012802	Reported From S Local Government & Economic Development Committee to Floor w/SCS - Consent		S160
021202	SCS S adopted		S260
021202	S Third Read and Passed - Consent		S260
021302	H First Read		H277
021402	H Second Read		H283

EFFECTIVE : August 28, 2002

SB 0670

SCS SBs 670 & 684

SENATE SPONSOR Sims

2848S.06C

SCS/SBs 670 & 684 - This act makes a number of changes designed to protect the elderly.

Definitions for elder care terms are modified (Section 187.010). Certain persons are required to report suspected abuse or neglect of facility residents. Anyone failing to make a report or filing a false report is guilty of a Class A misdemeanor. Immunity is given to reporters, unless they act negligently, recklessly, or in bad faith. The Department of Health and Senior Services must maintain statistics on all deaths over age sixty-five (Section 187.020).

If a report is made about a long-term care resident, certain information must be included in the report. Within 24 hours, the Department of Health and Senior Services must initiate an investigation and notify the resident's family. If a report involves imminent harm, the Department must start an on-site investigation within 24 hours. If an investigation indicates possible abuse or neglect, the resident may be removed from the facility. Reports are confidential, but information may be released to certain persons. Within five working days, the person making the report must be notified of its progress. Harassment of reporters is prohibited. Any person who knowingly abuses or neglects a resident of a facility is guilty of a Class D felony and will be placed on the employee disqualification list (Section 187.024).

Section 187.028 contains provisions similar to Section 187.024, but for eligible adults not residing in a facility and in-home services clients. If a report is made by a client's physician, then the Department must maintain contact with the physician regarding the investigation. When a report is received, the client's case manager and the department nurse must be notified and the case manager must investigate. The nurse may participate in the investigation as well. If an in-home services employee is found guilty and the provider fails to report it, then the provider may be subject to penalties of \$1000 per violation. The Department must require providers to verify compliance with program standards (Section 187.028). This portion of the act is substantially similar to SB 684.

The Department must investigate reports by using the

procedures established in Sections 660.250 to 660.295 and must refer all suspected cases to law enforcement. The Department and law enforcement must require elder abuse training and must develop an investigation checklist (Section 187.030). Immunity from liability is provided to reporters, unless they act in bad faith (Section 187.034).

Section 187.050 contains provisions similar to 187.024, but for the misappropriation of property or falsification of documents of an in-home services client. Any in-home services provider or employee who performs such acts will be guilty of a Class A misdemeanor (Section 187.050).

Any person placed on the employee disqualification list (EDL) must be notified in writing with thirty days to respond or appeal. Certain persons will be automatically listed on the EDL, such as those who intentionally or negligently inflict serious physical injury or death to another. No person on the EDL may be employed by anyone receiving the list. Persons listed on the EDL may request removal once every twelve months (Section 187.080).

Prior to hiring an employee, providers must request a criminal background check and must check the EDL. Failure to disclose will result in a Class A misdemeanor. Failure by a provider to investigate will result in civil penalties. Providers may use private investigators to do background checks (Section 187.084). All reports of abuse or neglect will be kept confidential, with specific exceptions (Section 187.087).

The Departments of Health and Senior Services, Social Services, and Mental Health must work cooperatively in the investigation of abuse and neglect, when appropriate (Section 187.102).

The term "financial" is included in the definition of abuse and redefines "medical assistance" as any federal health care program (Section 191.900).

The Attorney General, with approval of the court, is allowed to investigate violations of Sections 191.900 - 191.910 or Sections 187.020 - 187.028 (Section 191.910). The provisions of Section 187.020 are included as non-applicable to certain entities, such as hospitals (Section 198.012).

Written notice of facility noncompliance must be copied to the Attorney General (Section 198.029). Every residential care facility I or II must meet or exceed federal requirements for posting deficiencies (Section 198.030). Sections 187.020 - 187.050 are included in the requirement for confidentiality of resident records (Section 198.032).

One state licensure inspection is required of every facility every fifteen months. One or more additional inspections will be required if a facility receives or fails to correct certain deficiencies. A second inspection may be done if a facility changes ownership. This does not prohibit the Department from making other inspections, as necessary (Section 198.033).

The Attorney General is included in provisions allowing a civil action against a noncomplying facility (Section 198.067).

A requirement is added that skilled or intermediate care nursing assistants must complete training within 120 days of employment. The Department must approve all training (Section 198.082).

Currently, Section 198.526 deals with facility inspection procedures. New language provides for immediate termination and a Class A misdemeanor for any Division employee who discloses an inspection time to a facility (Section 198.526).

Providers or employees of SNFs or Alzheimer's units are prohibited from sexual contact with residents. Anyone having sexual contact is guilty of a Class B misdemeanor, with subsequent violations being a Class A misdemeanor. Anyone having sexual intercourse is guilty of a Class D felony, with subsequent violations being a Class C felony. This section does not apply to persons married to a resident (Section 565.200).

A new section provides that no legal privilege, with the exception of attorney/client, will excuse a person's failure to report or cooperate with the investigation of abuse or neglect. All Department personnel shall have access to victim's records, unless otherwise prohibited by federal law (Section 660.030).

The Department must provide certain long term care information over its website, including facility survey results (Section 660.051). The Department must consider a facility's compliance history when issuing or renewing a license (Section 660.083).

All Medicaid participation agreements must include a requirement for abuse and neglect training. If Alzheimer's patients are served, then training on the care of such patients shall be required (Section 660.252).

The Department must restructure the adult day care program to allow for a basic level of care without rehabilitative services. The Department should authorize additional reimbursement for transportation, as well (Section 660.401).

This act exempts all existing aging-in-place pilot programs from the certificate of need process (Section 1).

Portions of this act are substantially similar to HB 349 (2001).

ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S42
011002	Second Read and Referred S Aging, Families & Mental Health Committee	S70
012902	Hearing Conducted S Aging, Families & Mental Health Committee	

021202 SCS Voted Do Pass (SCS SBs 670 & 684) S Aging,
Families & Mental Health Committee (2848S.06C)
021802 Reported From S Aging, Families & Mental Health S299
Committee to Floor w/SCS
030402 013 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0671

SENATE SPONSOR Sims

2783S.01I

SB 671 - This act requires governmental food establishments to give preference to foods containing higher levels of calcium if at the same or lower price than similar products. Such preference is not required, however, if it interferes with patient care. These requirements are in addition to national school lunch requirements and do not apply to contracts entered into before July 1, 2002.

This act contains an emergency clause.
ERIN MOTLEY

120101 Prefiled
010902 S First Read S42
011002 Second Read and Referred S Public Health & Welfare S70
Committee
020602 Hearing Conducted S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 0672

SENATE SPONSOR Childers

2778S.01I

SB 672 This act establishes a Legislative Academy within the Division of Legislative Research. The Academy is designed to educate members of the General Assembly about the organization and operation of state government, appropriations and various other aspects of the legislative and executive branches, as well as the state constitution. This session of the Academy may be conducted during the interim of each biennium following the first regular session of each General Assembly. Participants are eligible for per diem and expense allowances comparable to session rates. For Senate members attending the Academy, two weeks will be devoted to Senate procedural rules and related matters.

The Academy also would assume responsibility for coordinating the Freshman Orientation mandated by Section 21.183. Currently, the tours for incoming legislators are scheduled by the Appropriations Chairs of the respective chambers.

Finally, the act establishes an Advisory Committee to the Legislative Academy comprised of nine former legislators chosen by the Speaker and President Pro Tem. Duties of the Committee will primarily focus upon programming for Academy curriculum. The provisions establishing the Legislative Academy shall expire on December 31, 2006.

This act is similar to SB 50 (2001).
CINDY KADLEC

120101 Prefiled
010902 S First Read S42-43
011002 Second Read and Referred S Financial & Governmental S70
Org., Veterans' Affairs and Elections Committee
012102 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee
012802 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 0673

SCS SBs 969, 673 & 855
SENATE SPONSOR Childers

2781S.01I

120101 Prefiled
010902 S First Read S43
011002 Second Read and Referred S Civil & Criminal S70
Jurisprudence Committee
011602 Hearing Conducted S Civil & Criminal Jurisprudence
Committee
021302 Bill Combined (SCS SBs 969, 673 & 855) S Civil &
Criminal Jurisprudence Committee

EFFECTIVE : August 28, 2002

SB 0674

SENATE SPONSOR Childers

2498S.01I

SB 674 - The State Board of Education shall annually establish, by January first of each school year, a schedule of four to six specific professional development days for the next school year.

The Department of Elementary and Secondary Education shall not sponsor, co-sponsor or fund any professional development activities, workshops, conferences and other work sessions for certificated personnel unless the activities occur on the scheduled professional development days for that school year or on Saturdays, Sundays or any day during the months of June, July or August.

This requirement will be effective for the 2003-2004 school year and each school year thereafter, and shall not apply to activities scheduled for the 2002-2003 school year.

This act is similar to SB 101 from 2001.
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S43
011002	Second Read and Referred S Education Committee	S71
011602	Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0675

SCS SB 675

SENATE SPONSOR Yeckel

3197S.06C

SCS/SB 675 - This act modifies numerous election law provisions.

The act prohibits any person from being a candidate for municipal office if such person has failed to pay municipal taxes or user fees.

The definition of electronic voting is expanded to include computerized voting systems.

In jurisdictions with a board of election commissioners, the act changes the composition of the board to add a non-voting representative from each major political party to participate in discussions of the board.

Provisions relating to the composition and party affiliation of election judges are modified. Additionally, election judges will no longer count ballots based on the voter's intent.

The act prohibits any employer from taking an adverse action against an employee based on the employee's service as an election judge.

The state must pay its proportional share of all election costs.

Certain days in June and August are designated as possible public election days.

Election authorities shall establish an advance voting system for use in presidential election years.

Certain persons who register to vote by mail shall not be able to vote by absentee ballot until such person has first voted in person and presented proper identification at a polling place.

Voter registration agencies are required to transmit all

voter registration applications to the appropriate election authority within five business days.

Certain individuals are exempted from the public disclosure of their residential addresses.

The Secretary of State shall promulgate rules to allow the use of a computerized voting systems and may develop multilingual sample ballots and instructions. The Secretary of State shall oversee elections and ensure election laws are enforced. The Secretary of State shall have subpoena power in order to determine if election law violations have occurred. On a monthly basis, the Secretary of State shall collect the names of felons, deceased persons and incapacitated persons from counties and transmit that information to election authorities.

The ability to cast absentee ballots in certain situations is expanded. Provision for the delivery, witnessing and returning of an absentee ballot of a person hospitalized within a certain time before an election by certain relatives of the hospitalized person are created.

Butterfly ballots shall not be used without prior approval from the Secretary of State. The Secretary must act on requests to use the butterfly ballot within two business days of such request.

Currently, it is a criminal misdemeanor to conduct certain types of activities within 25 feet of a polling place. The act changes the distance to 50 feet.

The Attorney General shall have authority to prosecute allegations of election irregularity and fraud.

The act establishes a system of provisional voting in cases where the eligibility of a voter cannot be immediately established.

Numerous matching grants of up to five million dollars are created for election authorities to upgrade and improve the voting process or equipment, and to increase the compensation of election judges to at least seven dollars per hour.

JIM ERTL

120101	Prefiled	
010902	S First Read	S43
011002	Second Read and Referred S Financial & Governmental Organizations Committee	S71
012802	Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee	
012802	SCS Voted Do Pass S Financial & Governmental Org., Vets' Affairs & Elections Committee (3197S.06C)	
013102	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor w/SCS	S192
022602	Bill Placed on Informal Calendar	
030402	S Inf Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0676

SCS SB 676

SENATE SPONSOR Yeckel

3202S.04C

SCS/SB 676 - This act expands the World War II medallion program to include veterans who served in World War II and were legal residents of Missouri either at the time of enlistment, death or application. The time limit for applying for the medal has been removed as well as the language which causes appropriated money to revert at the end of the program.

This act also revises transfers made to the Veterans' Commission Capital Improvement Trust Fund by allocating seven million dollars from the gaming commission fund to the Veterans' Commission Capital Improvement Trust Fund. Current law allocates three million dollars to the veterans' fund.

Further, a five year sunset clause has been added to Section 313.835, RSMo. Section 313.835 concerns the distribution of funds deposited into Gaming Commission Fund.
DONALD THALHUBER

120101 Prefiled
010902 S First Read S43
011002 Second Read and Referred S Financial & Governmental S71
Org., Veterans' Affairs and Elections Committee
012102 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee
022102 SCS Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee (3202S.04C)
022502 Reported From S Financial & Governmental Organization S355
Veterans Affairs & Elections Committee to Floor w/SCS
030402 028 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0677

SENATE SPONSOR Yeckel

3203S.01I

SB 677 - This act allows a tax credit for contributions to support unplanned pregnancy resource centers. The credit is for 50% of the contribution, cannot exceed \$50,000 per year, is not refundable but can be carried forward. No more than a total of \$2 million may be claimed in credits in any one year. An unplanned pregnancy resource center is a non-residential facility that provides assistance designed to support women and encourage birth over abortion. The center must be tax exempt, must provide direct person-to-person counseling at no cost, and cannot provide abortion referrals.

JEFF CRAVER

120101 Prefiled
 010902 S First Read S43
 011002 Second Read and Referred S Ways & Means Committee S71
 030502 Hearing Scheduled S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0678

SENATE SPONSOR Bland

2863S.01I

SB 678 - This act provides that charter schools shall be subject to the same accreditation standards and accreditation process currently applied to other public schools.

This act is identical to SB 53 (2001).
 DONALD THALHUBER

120101 Prefiled
 010902 S First Read S43
 011002 Second Read and Referred S Education Committee S71
 013002 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0679

SENATE SPONSOR Bland

2903S.01I

SB 679 - This act establishes a Planning Commission for the Kansas City Missouri School District (KCMSD).

The Planning Commission shall consist of 15 members, including certain ex-officio members and members appointed to represent various interests. The appointed members shall be KCMSD residents.

The Commission shall conduct research, review and evaluation of key issues related to KCMSD and make recommendations for ways that the district may improve education, improve student performance and meet requirements applicable to school districts.

The act creates an Advisory Committee which shall serve as a liaison between the Commission and the community. The Advisory Committee shall seek public input and ideas to help the Commission in its efforts.

The State Board of Education may adopt an alternative plan whereby an unaccredited school district may return to accredited status, which may take more than two years, provided that the district annually meets all terms and conditions of the plan.

This act is identical to SB 630 (2001).
 DONALD THALHUBER

120101 Prefiled
 010902 S First Read S43
 011002 Second Read and Referred S Education Committee S71
 013002 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0680

SENATE SPONSOR Bland

3128S.01I

SB 680 - This act creates the Missouri Council on Obesity Prevention and Management within the Department of Health and Senior Services. The council will exist until August 28, 2004, and duties will include:

- Collecting data regarding obesity in Missouri;
- Listing programs and services available to overweight children and adults;
- Listing funds available for such services;
- Collecting data to demonstrate economic impact of not treating obesity;
- Identifying barriers to prevention and management of obesity;
- Identifying recommendations to increase prevention and management.

The Council must coordinate with various federal and state departments to ensure a comprehensive approach to obesity prevention and management. A report must be submitted to the Governor and House and Senate appropriations committees by August 28, 2004. The Council will consist of twenty-one members and must meet by October 1, 2002, and at least quarterly thereafter. The director of the Department of Health and Senior Services will be the chair. By January 1, 2003, the Department must establish a resource databank containing information about obesity and related subjects.

In addition, subject to appropriations, school districts must undertake initiatives to create healthy school nutrition environments, which are defined as those in which nutrition and physical activity are emphasized in school and at home. Districts should include quality school meals based on USDA dietary guidelines, other healthy food options, relaxed eating experiences, nutrition education, and appropriate marketing.
 ERIN MOTLEY

120101 Prefiled
 010902 S First Read S40
 011002 Second Read and Referred S Public Health & Welfare S71
 Committee
 022002 Hearing Conducted S Public Health & Welfare Committee
 022002 Voted Do Pass S Public Health & Welfare Committee

022702 Committee Vote Reconsidered S Public Health & Welfare
Committee
022702 Voted Do Pass S Public Health & Welfare Comm.-Consent

EFFECTIVE : August 28, 2002

SB 0681

SENATE SPONSOR Stoll

3130S.01I

SB 681 - This act pertains to adjustments in the Outstanding Schools Act state aid formula. The act will yield a more accurate indicator of the true growth of a district's free and reduced lunch population by excluding the desegregation students from the 1997-1998 line 14a calculation. This exclusion will calibrate the artificially inflated 1997-1998 line 14 numbers so any subsequent growth in a district's free and reduced lunch population will be represented in the finance formula.

Also, the act would attempt to repair a "glitch" in the state aid formula. Currently, an unintended consequence of the formula penalizes school districts which set their levies between 2.75 and 2.93 by reducing their share of state funding. This act prescribes that no school district will receive less on line 14 (a&b) than it would if that district's levy was no greater than 2.75. In other words, school districts would not be penalized for raising levies in excess of 2.75.

DONALD THALHUBER

120101 Prefiled
010902 S First Read S43
011002 Second Read and Referred S Education Committee S71
012302 Hearing Conducted S Education Committee
013002 Motion to Report out Do Pass - FAILED S Education
Committee
021302 Committee Vote Reconsidered S Education Committee
021302 Voted Do Pass S Education Committee

EFFECTIVE : August 28, 2002

SB 0682

SENATE SPONSOR Stoll

2473S.01I

SB 682 - This act authorizes Jefferson County to enact ordinances to provide for the abatement of debris on any lot or land. Jefferson County may enact an ordinance, which provides that if the owner does not remove the nuisance within seven days of receiving notice of the nuisance. The building commissioner or designated office may have the condition removed and the cost of such removal may be included in a special tax bill or added to the annual real estate bill for the property.

JIM ERTLE

120101 Prefiled
 010902 S First Read S43
 011402 Second Read and Referred S Local Government & S80
 Economic Development Committee
 012202 Hearing Conducted S Local Government & Economic
 Development Committee
 020502 Voted Do Pass S Local Government & Economic
 Development Committee

EFFECTIVE : August 28, 2002

SB 0683

SENATE SPONSOR Stoll

2799S.01I

SB 683 - This act authorizes the governing body of the City
 of Festus (Jefferson County) to place a question before the
 voters regarding imposition of a hotel-motel tax of between 2%
 and 5% for the promotion of tourism.

JEFF CRAVER

120101 Prefiled
 010902 S First Read S43
 011402 Second Read and Referred S Local Government & S80
 Economic Development Committee
 012202 Hearing Conducted S Local Government & Economic
 Development Committee
 013002 Voted Do Pass S Local Government & Economic
 Development Committee

EFFECTIVE : August 28, 2002

SB 0684

SCS SBs 670 & 684

SENATE SPONSOR Steelman

2665S.01I

120101 Prefiled
 010902 S First Read S43
 011402 Second Read and Referred S Aging, Families & Mental S80
 Health Committee
 012902 Hearing Conducted S Aging, Families & Mental Health
 Committee
 021202 Bill Combined (SCS SBs 670 & 684) S Aging, Families &
 Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0685

SENATE SPONSOR Steelman

2655S.03I

SB 685 - This act revises various provisions relating to public records. When investigating a death, the coroner's or medical examiner's office shall make certain information available as an incident report within 72 hours of death. The act defines a public governmental body to specifically include the Curators of the University of Missouri, as well as a Bi-State Development Agency.

Currently, any votes taken during a closed meeting shall be by roll call. The act extends this requirement to open meetings as well, except for votes on procedural or ministerial matters. Meetings relating to legal actions, imminent causes of action or litigation involving a public governmental body may be closed. Any vote regarding leasing or purchasing of real estate shall be made public upon execution of the lease or sale.

Currently, salaries and length of service of employees of public agencies may not currently be closed. The exception allowing confidential communications with the auditor of a public governmental body to be closed shall not include any completed audit report. The act provides a method for any member to record an objection to closing the meeting. The act requires production of public records. Fees for copying shall not exceed the amounts charged for copies by the Secretary of State.

A public governmental body shall cooperate if the Attorney General attempts to resolve a written complaint. In determining compliance, the Attorney General shall be entitled to copies of records, excepts those of privileged communications. Records identified by the public body as closed shall remain so, except that the Attorney General may use such records in a court proceeding to enforce compliance.

The penalty for any violation shall range from \$0 to \$2,500, but shall not be more than 5 percent of the body's total annual budget. If the court finds there was a knowing violation, the court may order the payment of attorney's fees and costs. Currently, any person may request a law enforcement agency to open incident reports and arrest records that are unlawfully closed. If the court finds there was any violation, the same penalties listed above apply.

In a criminal proceeding where no conviction results, the court's judgment or order or the final action taken by the prosecuting attorney may be accessed. The act deletes the provision prohibiting law enforcement from releasing accident or incident report to any person who is not an interested party for 60 days.

The act is similar to the perfected SB 375 (2001).
CINDY KADLEC

120101 Prefiled
 010902 S First Read S43
 011402 Second Read and Referred S Financial & Governmental S80
 Organizations Committee
 021102 Hearing Conducted S Financial & Governmental Org.,
 Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 0686

SENATE SPONSOR Steelman

3178S.01I

SCS/SB 686 - This act establishes that certain discovery and settlement documents filed or maintained in product liability cases are open public records unless a court determines the records should be sealed. The act authorizes judges to order that records be sealed if the requesting party can show that the request is narrowly tailored and that no less restrictive means exist to protect disclosure of prejudicial or confidential information and that: (a) the information is a trade secret, (b) the information would cause undue harm to a party, and (c) an interest exists which substantially outweighs the right of public access to the information.

Any portion of an agreement between parties that prohibits a party from disclosing information to a government agency about a defective product is considered void and unenforceable.

JIM ERTLE

120101 Prefiled
 010902 S First Read S43
 011402 Second Read and Referred S Judiciary Committee S80
 012902 Hearing Conducted S Judiciary Committee
 022602 SCS Voted Do Pass S Judiciary Committee (3178S.03C)

EFFECTIVE : August 28, 2002

SB 0687

SENATE SPONSOR Gibbons

2635S.01I

SB 687 - This act creates the "Safe Place for Newborns Act of 2001". A new Section 210.950 is created to protect parents from liability for leaving a newborn child if:

The child is left in the custody of a hospital staff member or volunteer;

The child is no more than 5 days old; and

The child has not been physically abused by the parent.

The hospital must perform any necessary treatment to protect

the child's health or safety and a parent's voluntary delivery of the child to the hospital is implied consent to medical treatment. The hospital must notify the Division of Family Services (DFS) when the child is ready for discharge. Within one business day of notification, DFS must take custody of the child. DFS must provide information about this process on its toll-free number or through brochures and pamphlets.

Currently, Section 568.030, RSMo, creates the crime of abandonment of a child in the first degree. Section 568.045, RSMo, currently creates the crime of endangering the welfare of a child in the first degree. Section 568.050, RSMo, creates the crime of endangering the welfare of a child in the second degree. New language to all three of the above sections allows an affirmative defense if the defendant voluntarily delivered the child to a medical facility.

This act is substantially similar to SB 66 (2001).
ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S43
011402	Second Read and Referred S Aging, Families & Mental Health Committee	S80
012202	Hearing Conducted S Aging, Families & Mental Health Committee	
012902	Voted Do Pass S Aging, Families & Mental Health Committee-Consent	
012902	Reported From S Aging, Families & Mental Health Committee to Floor - Consent	S175
013102	Removed from S Consent Calendar	S189
020502	Reported From S Aging, Families & Mental Health Committee to Floor	S212
030402	007 S Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0688

SCS SBs 688, 663, 691, 716, 759, 824 & 955
SENATE SPONSOR Gibbons

3199S.04C

SCS/SBs 688, 663, 691, 716, 759, 824 & 925 - This act makes the following modifications to various subjects related to property assessment:

The act divides the roll-back requirement into personal property, taken in the aggregate, and each individual subclass of real property, as those subclasses are defined in the Constitution. Similar language is carried throughout the remainder of Section 137.073, as necessary, to effectuate this change (Section 137.073).

If a county lowers the rate below the rate ceiling, the lower rate becomes the new ceiling (Section 137.073.5).

When reporting to the clerk of the county commission, each taxing authority must report its proposed tax rate calculated to four decimal points (Section 137.073.6).

Section 137.106 of this act, entitled the "The Missouri Homestead Preservation Act," limits the maximum increase to the property tax liability of a homeowner, when compared to the prior assessment period, to five percent. This section provides a 'pop-up' exemption to a portion of the assessed valuation of the property, when the tax liability exceeds the five percent increase cap. The exemption is limited to the amount necessary to stay within the five percent cap. However, calculation the five percent increase shall not include:

- (1) Increases due to new construction or improvements;
- (2) Increases due to any voter approved levy or increase to levy;
- (3) Increases due to a change in the assessed valuation based on a sale of the property.

The state must reimburse the counties for lost revenue due to the cap. A taxpayer can bring suit to enforce any of the provisions of Section 137.106, and receive attorney's fees and expenses if they prevail.

The threshold for requiring a physical inspection of the property is lowered from seventeen percent increased assessed valuation to fifteen percent (Section 137.115.10).

Before a physical inspection is completed the assessor must notify the property owner of his or her rights regarding the inspection. The property owner can request an interior inspection within thirty days (Section 137.115.11).

The elements of the physical inspection are set forth in greater detail. A mere "drive-by inspection" is not considered sufficient (Section 137.115.12).

A tax collector can accept credit cards as a form of payment for taxes, but shall not add a surcharge in excess of the actual fees charged by the credit card bank (Section 137.115.13).

A taxpayer can bring suit to enforce any of the provisions of Section 137.115, and receive attorney's fees and expenses if they prevail (Section 137.115.14).

When appealing an assessment to the board of equalization, the assessor shall have the burden of proving that the assessment reflects the true market value of the property. If the assessor cannot meet this burden, the property owner shall prevail as a matter of law (Section 138.060.1).

The boards of equalizations in first class charter counties must provide a taxpayer who has appealed an assessment a written finding of facts and conclusions of law (Section 138.100.3).

JEFF CRAVER

120101 Prefiled
 010902 S First Read S43-44
 011402 Second Read and Referred S Ways & Means Committee S80
 012202 Hearing Conducted S Ways & Means Committee
 020502 SCS Voted Do Pass (SCS SBs 688, 663, 691, 716, 759,
 824 & 925) S Ways & Means Committee (3199S.04C)
 021302 Reported From S Ways & Means Committee to S276
 Floor w/SCS
 021802 Corrected Report from S Ways & Means Committee S298
 030402 011 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0689

SENATE SPONSOR Gibbons

3180S.01I

SCS/SB 689 - This act creates "Project Exile", a program requiring the state to review certain weapons offense cases for the possibility of federal prosecution, if it appears that federal prosecution is reasonably likely to result in more restrictive bail, stricter enforcement or greater penalties. The Director of the Department of Public Safety is responsible for administration of the program.

The act is similar to SB 439 (2001).
 SARAH MORROW

120101 Prefiled
 010902 S First Read S44
 011402 Second Read and Referred S Judiciary Committee S80
 012902 Hearing Conducted S Judiciary Committee
 022602 SCS Voted Do Pass S Judiciary Committee (3180S.02C)

EFFECTIVE : August 28, 2002

SB 0690

SENATE SPONSOR Gross

2619S.01P

SB 690 - This act adds the Chief Information Officer as a member of the State Records Commission. The Chief Information Officer is the head of the Office of Information Technology.

This commission has the duty to determine what records no longer have any administrative, legal, research or historical value and should be disposed of.
 CINDY KADLEC

120101 Prefiled
 010902 S First Read S44
 011402 Second Read and Referred S Financial & Governmental S80
 Organization, Veterans Affairs & Elections Committee

020402 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee
020702 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee-Consent
021202 Reported From S Financial & Governmental Org., Vet. S258
Affairs & Elections Committee to Floor - Consent
022602 S Third Read and Passed - Consent S370
022702 H First Read S370-371

EFFECTIVE : August 28, 2002

SB 0691
SCS SBs 688, 663, 691, 716, 759, 824 & 955
SENATE SPONSOR Gross

2666S.01I

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Ways & Means Committee S80
012202 Hearing Conducted S Ways & Means Committee
020502 Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824
& 955) S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0692

SENATE SPONSOR Gross

3129S.01I

SB 692 - This act would require school board to establish
the daily observance of one minute of silence in each classroom.
The teacher is responsible for maintaining order and silence in
the classroom.
CINDY KADLEC

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Education Committee S80
012302 Hearing Conducted S Education Committee
013002 Voted Do Pass S Education Committee

EFFECTIVE : August 28, 2002

SB 0693

SENATE SPONSOR Dougherty

2740S.01I

SB 693 - This act increases the foster care reimbursement
and adoption subsidy rates over a period of three years.
Currently, Sections 210.536 and 453.073, RSMo, require the
Division of Family Services to pay for the cost of foster care
and to grant adoption subsidies. Beginning in fiscal year 2004,
new language requires the incremental increase of the foster care

reimbursement rate and the adoption subsidy rate over three years. Both rates shall be increased until they meet or exceed rates established by the United States Department of Agriculture.

This act is similar to SB 410 (2001).
ERIN MOTLEY

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Aging, Families & Mental S80
Health Committee
020502 Hearing Conducted S Aging, Families & Mental
Health Committee

EFFECTIVE : August 28, 2002

SB 0694
SCS SBs 923, 828, 876, 694 & 736
SENATE SPONSOR Dougherty

2749S.01I

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Aging, Families & Mental S80
Health Committee
020502 Hearing Conducted S Aging, Families & Mental
Health Committee
021202 Bill Combined (SCS SBs 923, 828, 876, 694 & 736)
S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0695

SENATE SPONSOR Dougherty

2742S.02P

SB 695 - This act expands the Children's Trust Fund Board from seventeen to twenty-one members. The four additional members will be chosen and appointed by the Governor.

This act is identical to SB 464 (2001).
ERIN MOTLEY

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Aging, Families & Mental S80
Health Committee
012202 Hearing Conducted S Aging, Families & Mental Health
Committee
012902 Voted Do Pass S Aging, Families & Mental Health
Committee-Consent
012902 Reported From S Aging, Families & Mental Health S175
Committee to Floor - Consent

021302 S Third Read and Passed - Consent	S275-276
021402 H First Read	H292
021802 H Second Read	H300

EFFECTIVE : August 28, 2002

SB 0696

SENATE SPONSOR Cauthorn

3161S.01I

SB 696 - This act requires performance-based budget reviews of every department, division or agency of state government at least once every 5 years.
CINDY KADLEC

120101 Prefiled	
010902 S First Read	S44
011402 Second Read and Referred S Appropriations Committee	S80
012402 Re-referred S Financial & Governmental Organizations, Veterans' Affairs & Elections Committee	S152
020402 Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee	
020702 Voted Do Pass S Financial & Governmental Organ, Veterans' Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 0697

SENATE SPONSOR Cauthorn

2397S.02I

SB 697 - This act revises provisions relating to rural school districts. A rural school district is defined as any school district which:

- (1) Contains any part of either a third or fourth class county;
- (2) Has a current assessed valuation which is less than thirty million dollars; and
- (3) Has a current membership which is less than or equal to six hundred pupils.

The distribution of Free Textbook funds pursuant to Section 148.360, RSMo, is revised to increase distribution to rural school districts, especially those with an enrollment of 100 pupils or less, by doubling the pupil weighting of the first 100 pupils in a rural school district. The weighting for the remainder of the pupil count for a rural school district is reduced so that at the maximum membership of 600 pupils, the Free Textbook payment for a rural school district is the same as for any other district with that same membership.

The act creates a program of signing bonuses for newly-hired teachers in rural school districts. An annual signing bonus of

\$2000 will be given for a period of up to five consecutive years, provided the teacher is employed in the current year with a rural school district in a full-time teaching position.

A "newly-hired teacher" must be employed by the district as a full time teacher for the first time in the current school year, beginning no later than February first. Neither a substitute teacher nor any teacher who has been a "newly-hired teacher" in a previous school year is eligible to be a "newly-hired teacher".

The signing bonus shall be in addition to the base salary to which the teacher would otherwise be entitled. Teachers receiving the signing bonus shall receive any pay and benefits received by teachers of similar training, experience, and duties. The signing bonus shall be provided no later than one month following the commencement of employment as a newly-hired teacher.

Any rule created under this act shall become effective only if it complies with chapter 536, RSMo.
CINDY KADLEC

120101 Prefiled	
010902 S First Read	S44
011402 Second Read and Referred S Education Committee	S80
012302 Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0698

SENATE SPONSOR Cauthorn

2350S.01I

SB 698 - This act authorizes covenant marriages and only applies to newly married couples.

A couple wanting to contract a covenant marriage must state this intent on their application for a marriage licence. Before the recorder of deeds may issue such license, the couple must file a declaration of intent to contract a covenant marriage. This declaration must include:

- (1) A recitation that the couple is committed to a lifelong marriage;
- (2) An affidavit from the couple that they have engaged in pre-marital counseling, including a discussion of the legal requirements for covenant marriages; and
- (3) A notarized attestation from the counselor that the couple engaged in pre-marital counseling and discussed the Covenant Marriage Act.

Divorces will not be granted to couples with covenant marriages unless the couple seeks marital counseling and the spouse petitioning for the divorce proves that the other spouse

committed adultery, committed certain crimes, abandoned the marital home, or lived separately from the petitioning spouse for two years (or one year after a legal separation is granted).

The State Courts Administrator shall develop a pamphlet entitled the "Covenant Marriage Act" outlining the terms and conditions of covenant marriages. This pamphlet shall be available at all locations where applications for marriage licenses are available. The State Courts Administrator currently has the duty to create a handbook outlining child custody and support issues which is given to divorcing couple.
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S44
011402	Second Read and Referred S Judiciary Committee	S80
020502	Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 0699

SENATE SPONSOR Wiggins

2528S.01I

SB 699 - This act provides various forms of economic stimulus to the commercial airline industry in Missouri following the airline hijackings and attacks of September 11, 2001.

The act allows taxpayers a deduction from their Missouri adjusted gross income for the cost of airline tickets purchased for flights occurring between January 1, 2002 and December 31, 2003. It also creates a sales tax exemption for passenger tickets sold for commercial airline flights (this provision sunsets on 12/31/2003).

The act places a 2-year moratorium on corporate franchise taxes for commercial airline companies operating in Missouri. It also allows airline companies to defer payments of corporate income taxes and wage withholding taxes for up to 180 days (this provision sunsets on 12/31/2003).

The act temporarily expands the existing sales and use tax exemption for jet fuel. For a 2-year period, the act removes the \$1.5 million threshold amount that airline companies must pay before qualifying for the sales tax exemption on jet fuel.

The act temporarily expands the existing sales and use tax exemption for purchase and storage of tangible personal property by commercial airlines. For a 2-year period, the act removes the \$300,000 annual cost of qualifying for this exemption. The act also removes the exception for catered food and beverage products.

The act allows a tax credit for commercial airline companies for the cost of training their employees in airline flight

security, airport security, and passenger and baggage screening. The credit may be in an amount up to \$1,500 per employee per year and has an aggregate annual cap (maximum cost to the state) of \$1.5 million.

The act has an emergency clause.
JEFF CRAVER

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Ways & Means Committee S80

EFFECTIVE : Varies

SB 0700
SCS SBs 817, 978 & 700
SENATE SPONSOR Wiggins

2807L.01I

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Pensions & General Laws S80
Committee
012302 Hearing Conducted S Pensions & General Laws Committee
020702 Bill Combined (SCS SBs 817, 978 & 700) S Pensions
& General Laws Committee

EFFECTIVE : August 28, 2002

SB 0701
SENATE SPONSOR Wiggins

2603S.01P

SB 701 - This act modifies the law regarding the issuance of pilot licenses. Under the current law, it is unlawful for anyone to fly a plane without a pilot's license issued by the Department of Commerce. This statute has not been amended since 1939. The Department of Commerce is no longer the agency responsible for issuing such licenses. Pilot licenses are referred to as airmen certificates under federal law, and the Federal Aviation Administration is the agency responsible for their issuance. This act modifies the law to reflect the current status of the law.

STEPHEN WITTE

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Transportation Committee S80
012202 Hearing Conducted S Transportation Committee-Consent
012302 Voted Do Pass S Transportation Committee-Consent
012802 Reported From S Transportation Committee to S160
Floor - Consent
021202 S Third Read and Passed - Consent S255

021302 H First Read H277
021402 H Second Read H283

EFFECTIVE : August 28, 2002

SB 0702

SENATE SPONSOR Caskey

3043S.01P

SB 702 - This act creates the "Older Visually Impaired Missourians Fund" to be used for services to those who have experienced irreversible vision loss. A new Section 209.343 is created for the Fund, which will be administered by Rehabilitation Services for the Blind. Subject to availability of funds, the Department of Social Services must develop a program to provide specific services, such as screening, treatment, training, and public education. The Department may contract for such services and may make rules for the program.
ERIN MOTLEY

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Aging, Families & Mental Health Committee S80
012202 Hearing Conducted S Aging, Families & Mental Health Committee
012902 Voted Do Pass S Aging, Families & Mental Health Committee-Consent
012902 Reported From S Aging, Families & Mental Health Committee to Floor - Consent S175
021302 S Third Read and Passed - Consent S275
021402 H First Read H292
021802 H Second Read H300

EFFECTIVE : August 28, 2002

SB 0703

SCS SBs 727 & 703

SENATE SPONSOR Caskey

2957S.01I

120101 Prefiled
010902 S First Read S44
011402 Second Read and Referred S Transportation Committee S80
011502 Hearing Conducted S Transportation Committee
011502 Bill Combined w/SCS SBs 727 & 703 S Transportation Committee

EFFECTIVE : August 28, 2002

****SB 0704****

SCS SBs 662 & 704
SENATE SPONSOR Caskey

2963S.01I

- 120101 Prefiled
- 010902 S First Read S44-45
- 011402 Second Read and Referred S Civil & Criminal S80
Jurisprudence Committee
- 012302 Hearing Conducted S Civil & Criminal Jurisprudence
Committee
- 012402 Bill Combined (SCS SBs 662 & 704) S Civil & Criminal
Jurisprudence Committee

EFFECTIVE : August 28, 2002

****SB 0705****

SCS SBs 641 & 705
SENATE SPONSOR Russell

2845S.02I

- 120101 Prefiled
- 010902 S First Read S45
- 011402 Second Read and Referred S Labor & Industrial S80
Relations Committee
- 012902 Hearing Conducted S Labor & Industrial Relations
Committee
- 013102 Bill Combined (SCS SBs 641 & 705) S Labor &
Industrial Relations Committee

EFFECTIVE : August 28, 2002

****SB 0706****

SENATE SPONSOR Russell

2763S.01I

SB 706 - Supreme Court Rule 5.29 allows non-attorney representation proceedings before the state Division of Employment Security.

This act also allows non-attorney representation proceedings before the Administrative Hearing Commission and the Division of Labor and Industrial Relations in workers' compensation cases, to allow non-attorney officers and employees of businesses to legally represent the business in these additional forums.

This act is similar to SB 77 (2001).
CINDY KADLEC

- 120101 Prefiled
- 010902 S First Read S45
- 011402 Second Read and Referred S Judiciary Committee S80

EFFECTIVE : August 28, 2002

SB 0707

SENATE SPONSOR Russell

2759S.01I

SB 707 - This act disqualifies a person from receiving unemployment benefits for failing or refusing to take a test for controlled substances. Under this act, such failure or refusal constitutes misconduct connected with the person's work. For a first offense, the person will be disqualified from receiving benefits for not less than 6 weeks nor more than 16 weeks. For a second or subsequent discharge related to failing or refusing to take a drug test, the person will be disqualified from receiving benefits for a period of 26 weeks.

STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Labor & Industrial Relations Committee	S80
020502	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0708

SENATE SPONSOR Mathewson

2598S.01P

SB 708 - This act would revise the selection criteria for the Clean Water Commission.

The Commission is increased to seven members and must have exactly two members who are knowledgeable concerning the needs of agriculture, industry or mining and interested in protecting these needs in a manner consistent with state law. The act requires that the Commission also include one member knowledgeable of publicly-owned treatment works.

The act also requires that all new members shall have demonstrated an interest and knowledge about water quality and shall be qualified to provide, assess and evaluate relevant information about water quality, financial requirements and the effects of standards and rules.

This act is identical to SCS/SB 15 (2001).
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Commerce & Environment Committee	S80

012202	Hearing Conducted S Commerce & Environment Committee	
013102	Voted Do Pass S Commerce & Environment Comm-Consent	
020502	Reported From S Commerce & Environment Committee to	S212
	Floor - Consent	
022002	S Third Read and Passed - Consent	S322-323
022102	H First Read	H347
022502	H Second Read	H356

EFFECTIVE : August 28, 2002

SB 0709

SENATE SPONSOR Goode

3213S.01I

SB 709 - This act revises the sunshine law in the following manner:

- Allows disclosure of certain information for collections pursuant to section 288.170 (MOST fund);
- Includes a bi-state development agency in the definition of "quasi-public governmental body";
- Any votes taken during a closed or open meeting shall be by roll call, except on unanimous votes of the members present;
- Clarifies that votes taken by a public body in a closed meeting regarding legal actions, the acquiring of real property, or personnel matters must be taken by roll call vote and the results of the vote be made public;
- No vote may be closed without an affirmative vote of the body;
- Requires production of public records, and the fees for copying shall not exceed the amounts charged by the Secretary of State;
- Authorizes the Attorney General to attempt to resolve disputers or complaints, and to review open and closed records, except for privileged communications. Closed records shall remain closed, unless the Attorney General determines that closure was unlawful, in which case he shall be entitled to use the records in an action to enforce the Sunshine Law;
- Allows civil penalty if governmental body has "knowingly" violated act, and increases the penalty from \$500 to \$2500.

Provisions of this act are similar to SB 19 (2001)
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Financial & Governmental	S80
	Committee	

021102 Hearing Conducted S Financial & Governmental Org.,
Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 0710

SCS SBs 915, 710 & 907

SENATE SPONSOR Goode

2936S.03I

120101 Prefiled

010902 S First Read S45

011402 Second Read and Referred S Transportation Committee S80

020502 Hearing Conducted S Transportation Committee

021202 Bill Combined (SCS SBs 915, 710 & 907) S
Transportation Committee

EFFECTIVE : August 28, 2002

SB 0711

SCS SB 711

SENATE SPONSOR Goode

2457S.02I

SCS/SB 711 - This act gives the power of eminent domain to towns and villages with 200 or more inhabitants. Such towns and villages are also authorized to provide for and regulate sewage reduction devices, street lighting systems and water supplies.

JIM ERTL

120101 Prefiled

010902 S First Read S45

011402 Second Read and Referred S Local Government &
Economic Development Committee S80

012202 Hearing Conducted S Local Government & Economic
Development Committee

022502 SCS Voted Do Pass S Local Government & Economic
Development Committee (2457S.04C)

EFFECTIVE : August 28, 2002

SB 0712

SCS SB 712

SENATE SPONSOR Singleton

3084S.07P

SCS/SB 712 - This act increases state emergency health powers.

The Joint Committee on Terrorism, Bioterrorism, and Homeland Security is created, to be composed of seven members of the House and seven members of the Senate. A new Section 38.050 provides for appointments to continue during the member's term of office. No party may be represented by more than four members from either chamber. The Committee must analyze current efforts, devise a

standard reporting system, determine changes needed, and make other recommendations. The Committee must meet within thirty days after its creation and must meet at least quarterly thereafter. A report is due by January 15th of each year. This portion of the act will expire December 31, 2007, and is identical to SB 983 (Section 38.050).

Definitions are provided for related terms, including "bioterrorism" (Section 44.010). Current law outlines the emergency powers of the Governor. This act adds that such powers are allowed when there is a major natural or man-made disaster, an act of biological terrorism, or there exists an imminent threat of a disaster (Section 44.100).

A new section exempts the state and its officers from liability when responding to a state emergency (Section 44.240).

A twelve-month temporary license is currently allowed for a health care practitioner licensed in another state who is acting under military orders and is enrolled in a trauma and disaster response training in this state. This act adds a third category to also allow temporary licensure of a health care practitioner licensed in another state and acting pursuant to a Governor's declaration of a state public health emergency. Temporary licensure for this category will be issued for a two-week period and, after verification of qualifications, may be reissued every two weeks. Licensure information for all three categories may be obtained by any means, including electronic mail. The term "health care professional" means as defined in Section 383.130, RSMo, which includes physicians, dentists, podiatrists, pharmacists, psychologists, or nurses. This portion of the act is identical to SB 714 (Section 190.500).

A new section requires pharmacists to report unusual or increased prescription trends within 24 hours. Out-of-state laboratories which collect specimens within Missouri and in-state labs that send specimens out-of-state must report all cases of illness or health conditions. The Department will define this procedure by rule (Section 192.021).

Current law penalizes persons for leaving a quarantine without permission. This act modifies the language and imposes a Class A misdemeanor on those who:

- Refuse to submit to medical exams or testing;
- Refuse to perform medical exams or testing;
- Refuse to comply with isolation or quarantine orders;
- Knowingly put themselves in contact with an isolated or quarantined person;
- Knowingly fail to report or conceal a dangerous disease;
- Refuse to cooperate with investigations;
- Remove quarantine notices;

If anyone performs any of the above acts during a state health emergency, he or she will be guilty of a Class D felony (Section 192.320).

A new section allows the Department to waive the

registration and record keeping requirements regarding narcotic drugs (Section 195.041).

Current law allows probate to begin in certain circumstances when it relates to the estate of an absent persons. New language adds an individual's exposure to a specific peril of death due to an actual or suspected terrorist event to the list of circumstances (Section 473.697). Current law also allows a presumption of death after five years and without proof otherwise. New language provides that it will be sufficient to presume a person dead at any time after that person was exposed to a specific peril of death, even if five years have not yet elapsed (Section 490.620).

This act adds an exemption to Sunshine Law, allowing closure of meetings and records regarding specific information on certain terrorism readiness issues. However, certain information regarding municipal utilities and information regarding costs of security measures shall not be considered closed. This portion of the act is substantially similar to portions contained in SB 854 (Section 610.021).

A new section requires the Department of Mental Health to provide information about mental health support to address the emergency. The Department of Health and Senior Services may assist (Section 630.807).

This act contains an emergency clause.
ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Public Health & Welfare Committee	S80
013002	Hearing Conducted S Public Health & Welfare Committee	
013002	SCS Voted Do Pass S Public Health & Welfare Committee (3084S.07C)	
013102	Reported From S Public Health & Welfare Committee to Floor w/SCS	S191
021202	SA 1 to SCS S offered (Singleton)	S261
021202	SSA 1 for SA 1 to SCS S offered & adopted (Singleton)	S261-262
021202	SA 2 to SCS S offered (Klindt)	S262
021202	SSA 1 for SA 2 to SCS S offered & withdrawn (Jacob)	S262
021202	SA 2 to SCS S adopted	S262
021202	SA 3 to SCS S offered & adopted (Klindt)	S262
021202	SA 4 to SCS S offered & adopted (Sims)	S262-263
021202	SA 5 to SCS S offered (Gross)	S263-265
021202	SA 1 to SA 5 to SCS S offered & adopted (Bentley)	S265-266
021202	SA 5 to SCS, as amended, S adopted	S266
021202	SA 6 to SCS S offered & adopted (Gibbons)	S266
021202	SA 7 to SCS S offered & adopted (Singleton)	S266
021202	SA 8 to SCS S offered & adopted (Caskey)	S266
021202	SCS, as amended, S adopted	S266
021202	Perfected	S266
021302	Reported Truly Perfected S Rules Committee	S276
021302	Referred S Budget Control Committee	S277

021402	Hearing Conducted S Budget Control Committee	
021902	Voted Do Pass S Budget Control Committee	
021902	Reported From S Budget Control Committee to Floor	S317
022002	S Third Read and Passed - EC defeated	S323-324
022102	H First Read - EC defeated	H347
022502	H Second Read	H356

EFFECTIVE : Emergency Clause

SB 0713

SENATE SPONSOR Singleton

2660S.01I

SB 713 - This act clarifies the use of non-compete clauses in contracts between physicians and hospitals.

A new Section 334.113 is created and makes covenants not to compete enforceable except when they are part of a physician's contract with a not-for-profit health services corporation as defined in section 354.010. Covenants with other health care facilities are enforceable as long as they:

1. Do not deny the physician access to a list of patients the physician had seen within a year of termination;
2. Provide access to patient medical records with the patient's consent and in an accessible format;
3. Provide for a buy out of the covenant by the physician at a reasonable price; and
4. Provide that the physician will not be prohibited from providing continuing treatment to specific acutely ill patients after the contract has terminated.

This act is similar to SB 558 (2001).
ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Labor & Industrial Relations Committee	S80
012202	Hearing Conducted S Labor & Industrial Relations Committee	
021202	Voted Do Pass S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0714

SENATE SPONSOR Singleton

2938S.03I

SB 714 - This act allows the state to temporarily license certain health care practitioners in an emergency. Currently, Section 190.500, RSMo, allows a twelve-month temporary license for a health care practitioner licensed in another state who is acting under military orders and is enrolled in a trauma and disaster response training in this state.

This act adds a third category to also allow temporary licensure of a health care practitioner licensed in another state and acting pursuant to a Governor's declaration of a state public health emergency. Temporary licensure for this category will be issued for a two-week period and, after verification of qualifications, may be reissued every two weeks. Licensure information for all three categories may be obtained by any means, including electronic mail.

ERIN MOTLEY

120101 Prefiled
 010902 S First Read S45
 011402 Second Read and Referred S Public Health & Welfare S80
 Committee
 013002 Hearing Conducted S Public Health & Welfare Committee
 022002 Voted Do Pass S Public Health & Welfare Comm.-Consent
 022502 Reported From S Public Health & Welfare Committee to S353
 Floor - Consent
 030402 S Consent Calendar (2/25)

EFFECTIVE : August 28, 2002

SB 0715

SENATE SPONSOR Rohrbach

3080S.02I

SCS/SB 715 - This act creates the Environmental Regulation Consistency Act. It provides that the Department of Natural Resources and the regulatory commissions within the Department may adopt rules to ensure the state complies with applicable federal law and regulations. The act revises rulemaking authority in the following areas: air pollution, water pollution and underground storage tanks, hazardous waste, surface mining and land reclamation, drinking water and solid waste.

The rules shall not be stricter than those required under federal law and regulations nor enforced in any part of the state prior to the time required under federal law and regulations, unless the Department or Commission makes specific findings based upon competent and substantial evidence in the administrative record. However, nothing shall prevent the ability of the Clean Air Commission to promulgate rules pursuant to section 643.055.

The findings must include:

- 1) Missouri-specific circumstances may cause harm to human health and the environment; and
- 2) Either:
 - a) The circumstances are not subject to any federal law or regulation; or
 - b) The existing federal law and regulations are not sufficient to adequately protect human health and the environment; and
- 3) A more restrictive rule is necessary to address the circumstances.

The Department or Commission shall publish, in the administrative record and in the Missouri Register, findings of fact regarding the circumstances or conditions causing harm, the nature and scope of harm and health-based or science-based reasons justifying why the more restrictive rule will prevent or alleviate the harm. The fiscal note for the rule shall contain a consideration of the effects on human health and the environment, economics, pollution prevention and the effectiveness and cost of control methods required by the rule.

Any more-restrictive rule promulgated without complying with this act shall be void.

The act also removes general authority for affected parties to appeal decisions of the Director of the Department to the relevant board or commission.

The act is similar to SB 750 (2000) and SB 300 (2001).
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Commerce & Environment Committee	S80
012202	Hearing Conducted S Commerce & Environment Committee	
021402	SCS Voted Do Pass S Commerce & Environment Committee	(3080S.03C)

EFFECTIVE : August 28, 2002

SB 0716

SCS SBs 688, 663, 691, 716, 759, 824 & 955
SENATE SPONSOR House

2645S.01I

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Ways & Means Committee	S80
012202	Hearing Conducted S Ways & Means Committee	
020502	Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824 & 955) S Ways & Means Committee	

EFFECTIVE : January 1, 2003

SB 0717

SENATE SPONSOR House

2753S.01I

SB 717 - This act creates the "Public Service Accountability Act" which regulates contracts between public bodies and private contractors.

State entities entering into private contracts for services over \$25,000 are required to follow these provisions. Local participating political subdivisions choose to follow these provisions regulating contracts between private and political subdivisions. Both state entities and participating political subdivisions are included in the definition of public body.

The public body will prepare a written statement specifically describing the services to be provided under a privatization contract. The state entity will file it with the Secretary of State no later than sixty business days before the bids are due and the statement will be published in the Missouri Register or the participating political subdivision will file it with the clerk of the county where the political subdivision is located and be published in a newspaper of general circulation no later than thirty business days prior to when bids are due.

Every bid received from a private entity must include the following:

- (1) Without disclosing employees' names, employee job history with the private entity will be provided;
- (2) Annual rate of staff turnover;
- (3) Hours of training planned for employees who would provide public services; and
- (4) Any legal complaints issued by an enforcement agency for alleged violations of federal, state or local rules, regulations or laws.

Compensation for employees pursuant to a privatization contract will be the greater of the wage rate paid at step one of the grade or classification of a public employee with similar duties, plus the cash value of health and other benefits or the average private sector rate plus health and other benefits.

The public body that is considering entering into a privatization contract will prepare an estimate of the costs for public employees to provide the services. Before the due date to receive sealed bids, any public employee organization may propose amendments to any relevant collective bargaining agreement. If the amendments reduce costs below the public body's comprehensive written estimate it will be the lowest and best bid. Such amendments will only become effective if they reduce the cost estimate below the contract cost. The estimate will be confidential until after the due date for sealed bids and then the estimate will become a public record.

Upon making a decision, the public body will publicly

designate the bidder that won the contract. The public body must certify compliance with these sections and that the contract costs will be ten percent less than the estimated cost for the services to be completed by public employees. Any privatization contract will be subject to Chapter 610, RSMo, which pertains to Missouri public records law.

The contractor may not award a subcontract without approval of the head of the public body. Each subcontractor contract will be subject to Chapter 610, RSMo.

Public body may seek contractual remedies for violation of the privatization contract.

Various limitations exist on the contractor or subcontractor regarding ownership rights. The public body and contractor or subcontractor will be jointly and severally liable to comply with Chapter 610, RSMo.

In addition to the remedies provided in Chapter 610, RSMo, the following remedies are also available, damages, restitution, civil penalty of not more than fifty thousand dollars (\$50,000). Legal action that may be brought pertaining to public records under this act must be brought within three years after the occurrence of such violation.

This act prevents persons from retaliating against any employee who discloses information in good faith about the services provided by the private contractor.

Private contractors must provide notice of the contract to provide public services at the worksite.

This act will apply to all privatization contracts entered into on or after July 1, 2003.

This act is similar to HB 530 (2001) and SCS/SB 513 (2001).
JIM ERTL

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Financial & Governmental Organizations Committee	S80
021102	Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee	

EFFECTIVE : July 1, 2003

SB 0718

SENATE SPONSOR House

2797S.01P

SB 718 - This act mandates that school children recite the Pledge of Allegiance to the U.S. flag no less often than once per week unless the child, or the child's parents or legal guardian,

is a conscientious objector.

This act is identical to SB 639 (1998).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Education Committee	S81
012302	Hearing Conducted S Education Committee	
013002	Voted Do Pass S Education Committee	
021102	Committee Vote Reconsidered S Education Committee	
021102	Voted Do Pass S Education Committee - Consent	
021202	Reported From S Education Committee to Floor-Consent	S257
022502	S Third Read and Passed - Consent	S347
022602	H First Read	

EFFECTIVE : August 28, 2002

SB 0719

SENATE SPONSOR Westfall

2777S.01I

SB 719 - This act authorizes categorical state school aid, subject to appropriation, of \$700 per year to school districts for each limited English proficient (LEP) student educated by the district during the preceding year. If annual appropriations are insufficient to fully fund the payments, the per pupil amount shall be uniformly prorated for all such payments to the extent necessary to ensure that the total of the prorated payments equals the funds appropriated.

This act is identical to SB 497 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S45
011402	Second Read and Referred S Education Committee	S81
013002	Hearing Conducted S Education Committee	
021302	Voted Do Pass S Education Committee	

EFFECTIVE : August 28, 2002

SB 0720

SENATE SPONSOR Westfall

2779S.01P

SB 720 - This act requires all deputies or assistants that are appointed by the collector or treasurer ex officio collector to provide a bond that is approved by the collector.

The bond amount will not exceed one-half of the amount of the maximum bond required for any collector or treasurer ex officio collector.

The county or city that is being protected will provide the premium for the bond.

JIM ERTLE

120101	Prefiled	
010902	S First Read	S46
011402	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S81
012302	Hearing Conducted S Civil & Criminal Jurisprudence Committee	
012402	Voted Do Pass S Civil & Criminal Jurisprudence Committee-Consent	
012802	Reported From S Civil & Criminal Jurisprudence Committee to Floor - Consent	S160
021102	S Third Read and Passed - Consent	S242
021202	H First Read	H261
021302	H Second Read	H267

EFFECTIVE : August 28, 2002

SB 0721

SCS SBs 721, 757, 818 & 930
SENATE SPONSOR Westfall

2747S.05C

SCS/SBs 721, 757, 818 & 930 - This act requires drivers to take certain actions, including yielding the right-of-way when possible, when an emergency vehicle is approaching. This provision is contained SB 721 (2002).

Current Missouri law requires drivers to obey traffic-related signals and directions given by members of the Missouri Highway Patrol (Section 43.170, RSMo). Failure to follow such direction is a misdemeanor offense.

This act extends the reach of the current law by also requiring drivers to obey signals and directions given by sheriffs and deputy sheriffs. This provision is identical to provisions contained in SB 237 (2001).

This act creates the "Head Injury Fund" for use by the Missouri Head Injury Advisory Council. A new Section 304.028 creates the Fund for the receipt of judgments, grants, private donations, and other moneys. Such funds will be used for the integration of medical, social, and educational services and for outreach to individuals with traumatic head injury and their families. Unexpended balances will not transfer to general revenue. This section also adds a \$2.00 surcharge for violations of any county ordinance or state criminal or traffic law. Such surcharge will be deposited into the Head Injury Fund. This is substantially similar to SB 757 (2002) and SB 41 (2001).

This act also modifies the language on the Spinal Cord Injury Fund. Instead of a \$25 fee for every intoxicated related offense, a \$2 surcharge will be assessed on every violation of

criminal or traffic offense. The money will be deposited in the Spinal Cord Injury Fund.

This act modifies the mental state required of a person who fails to comply with an lawful order of a police officer or fire department official from willfully to knowingly. This act includes blue flashing lights for authorized emergency vehicles. This act removes the requirement that the motorman of a streetcar stop the streetcar upon the approach of an authorized emergency vehicle. This act removes the provision of law regarding written accident reports. This act removes the exclusion that written accident reports shall not be used as evidence in a court proceeding. This act expands the rule that a driver shall not follow an emergency vehicle closer than 500 feet. The current restriction only applies to fire engines. This act removes a provision of law regarding when police officers are authorized to remove motor vehicles. These provisions are contained in SB 818 (2002).

This act requires the Director of the Department of Revenue to issues stickers or signs which bear the words "PERMIT DRIVER" to permit drivers. The sticker or sign may be affixed to the rear window of the motor vehicle by the permit driver. This language is contained in SB 930 (2002).

The act adds resisting or interfering with a detention or stop to the current crime of resisting or interfering with arrest. This act creates the presumption that a person is fleeing a vehicle stop if the person continues to operate a motor vehicle after seeing emergency lights or hearing a siren from the law enforcement vehicle that is pursuing the person. This act makes resisting or interfering with an arrest, detention, or stop is a class D felony. This language is similar to that contained in SB 807 (2002).

STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S46
011402	Second Read and Referred S Transportation Committee	S81
012202	Hearing Conducted S Transportation Committee	
013002	SCS Voted Do Pass (SCS SBs 721, 757, 818 & 930) S Transportation Committee (2747S.05C)	
013102	Reported From S Transportation Committee to Floor w/SCS	S192
030402	002 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 0722

SCS SB 722

SENATE SPONSOR Bentley

3028S.06P

SCS/SB 722 - This act permits qualified applicants to apply for a temporary administrator certificate with a school district that is willing to employ and sponsor the individual. The

temporary administrative certificate is restricted to the employing public school district or accredited nonpublic school. The employing school district of the temporary administrator must develop a mentoring program to ensure that the individual eventually obtains a full administrator certificate. The temporary certificate is valid for a period of one year and may be renewed up to four subsequent times upon demonstration that the individual is making measurable progress toward obtaining a full administrator certificate. The applicant, however, must receive a full administrative certificate within five years.

The State Board of Education will be responsible for establishing standards for the implementation of the temporary certificate program. A qualified applicant is a person who: holds a teacher's license; has a master's degree or is currently enrolled in a master's degree program; and has at least five years of teaching experience. The provisions in the act will expire in ten years.

DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S46
011402	Second Read and Referred S Education Committee	S81
012302	Hearing Conducted S Education Committee	
013002	SCS Voted Do Pass S Education Committee (3028S.06C)	
013102	Reported From S Education Committee to Floor w/SCS	S192
021902	SCS S adopted	S315
021902	Perfected	S315
022002	Reported Truly Perfected S Rules Committee	S325
030402	001 S Calendar S Bills for Third Reading	

EFFECTIVE : August 28, 2002

SB 0723

SENATE SPONSOR Bentley

2650S.01I

SB 723 - This act creates the "Cultural Tourism Development Program" within the Department of Economic Development. The goal of the program is to increase visitor enjoyment and visitor expenditures associated with artistic, heritage and historical offerings in the state.

The Department of Economic Development will work in conjunction with the Division of Tourism, Missouri Humanities Council, Missouri Arts Council, Department of Transportation, Department of Natural Resources, Secretary of State's office, and other entities to administer the grant and loan program. No single award for a project shall exceed ten percent of the total awards for a single year.

This act is similar to SB 250 (2001).
CINDY KADLEC

120101 Prefiled
 010902 S First Read S46
 011402 Second Read and Referred S Agriculture, Conservation, S81
 Parks & Tourism Committee
 012402 Hearing Conducted S Agriculture, Conservation, Parks
 & Tourism Committee

EFFECTIVE : August 28, 2002

SB 0724

SENATE SPONSOR Bentley

3027S.01I

SB 724 - This act requires certain facilities for children to show proof of accreditation or compliance with safety standards. Currently, Section 210.516, RSMo, requires licensure of all residential care facilities, foster homes, and child placing agencies, but exempts other facilities, such as those run by religious organizations. This act requires license-exempt facilities to show proof of accreditation through a national organization or show proof of compliance with sanitation and fire standards established by the state.
 ERIN MOTLEY

120101 Prefiled
 010902 S First Read S46
 011402 Second Read and Referred S Aging, Families & Mental S81
 Health Committee
 020502 Hearing Conducted S Aging, Families & Mental
 Health Committee

EFFECTIVE : August 28, 2002

SB 0725

SENATE SPONSOR Childers

2499S.01I

SB 725 - This act creates the "Missouri Airport Protection Act".

This act requires the Highways and Transportation Commission to establish an airspace review and permit process to regulate structures that may be erected within navigable airspace and to ensure that they do not interfere with air navigation. Local aviation zoning regulations which are more restrictive than the provisions of this act will take precedence. The commission must investigate all permit applications, taking into consideration the safety and welfare of persons and property in the air and on the ground. The commission may approve an application for a temporary structure if it is evident that the proposed temporary structure will not adversely affect safety or air navigation. Permits may be withheld upon Federal Aviation Administration investigation of any type.

The act also regulates location requirements of structures, when a permit is required, time required for making application for a permit, permit exceptions, identification requirements to be noted on permits, notification of denial of a permit, the appeal process upon permit denial, and rule-making authority. The commission is prohibited from using funds dedicated to highways for enforcement of this act.

This act is similar to SB 324 and HB 436 (2001).
STEPHEN WITTE

120101 Prefiled
010902 S First Read S46
011402 Second Read and Referred Local Government & Economic S81
Development Committee
012902 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0726

SENATE SPONSOR Childers

2649S.01P

SB 726 - This act changes Emergency Services Day from November 28th to September 11th.

Emergency Services Day is a day set apart as a day of appreciation, respect and gratitude for all public safety personnel, including police, firefighters, ambulance personnel, emergency dispatchers and corrections officers.
CINDY KADLEC

120101 Prefiled
010902 S First Read S46
011402 Second Read and Referred S Financial & Governmental S81
Org., Veterans' Affairs and Elections Committee
012102 Hearing Conducted S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee-Consent
012102 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs and Elections Committee-Consent
012802 Reported From S Financial & Governmental Organization, S160
Veterans Affairs & Elections Committee - Consent
021202 S Third Read and Passed - Consent S260
021302 H First Read H277
021402 H Second Read H283

EFFECTIVE : August 28, 2002

SB 0727

SCS SBs 727 & 703

SENATE SPONSOR Yeckel

HOUSE HANDLER Ross

3035S.05T

SCS/SBs 727 & 703 - This act permits the use of sun screening material with a light transmission of 35% or more, plus or minus 3%, and a luminous reflectance of 35% or less, plus or minus 3%, on front windows and sidewing vents located to the left and right of motor vehicles registered in Missouri. The Department of Public Safety may issue a permit to any person to operate a vehicle with sun screening with less light transmission and more luminous reflectance if the person has a serious medical condition and the sun screening is prescribed by a physician. The permit allows the operation of the motor vehicle by any titleholder or relative within the second degree of consanguinity who resides in the household.

The act does not prohibit the use of labels, stickers, decalcomania, or informational signs on motor vehicles; the application of tinting or solar screening material on recreational vehicles; or factory-installed tinted glass. This act also removes any restrictions on tinting of rear side windows and rear windows. The degree of sun tinting on vehicle windows will no longer be a part of motor vehicle inspections.

The act has an emergency clause.

This act is similar to HCS/HBs 1386 and 1038 (2002).
STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S46
011402	Second Read and Referred S Transportation Committee	S81
011502	Hearing Conducted S Transportation Committee	
011502	SCS Voted Do Pass w/SCS SBs 727 & 703	
	S Transportation Committee	(3035S.05C)
011602	Reported From S Transportation Com. to Floor w/SCS	S103
011702	SCS S adopted	S110
011702	Perfected	S110
011702	Reported Truly Perfected S Rules Committee	S113
012102	S Third Read and Passed - EC adopted	S123
012102	H First Read	H93
012202	H Second Read	H99
012302	Referred H Motor Vehicle & Traffic Regulations Committee	H120
012902	Hearing Conducted H Motor Vehicle & Traffic Regulations Committee	
012902	Voted Do Pass H Motor Vehicle & Traffic Regulations Committee	
020402	Reported Do Pass H Motor Vehicle & Traffic Regulations Committee	H186
020602	H Third Read and Passed - EC adopted	H204-206

020602 Truly Agreed to and Finally Passed (w/EC)	S221
020702 Reported Duly Enrolled S Rules Committee	S229
020702 Signed by Senate President	S229
020702 Signed by House Speaker	H223
020702 Delivered to Governor (w/EC)	S229
021402 Signed by Governor (w/EC)	S299

EFFECTIVE : Emergency Clause

SB 0728

SENATE SPONSOR Yeckel

2663S.02I

SB 728 - This act modifies several provisions pertaining to Residential Mortgage Brokers. After January 1, 2003, individuals applying or renewing a mortgage broker license will have to show proof of completion of a continuing education course. The act modifies the process for appointment to the Residential Mortgage Brokers Board. Effective January 1, 2003, the required net worth for a licensed mortgage broker from \$25,000 to \$50,000.
JIM ERTLE

120101 Prefiled	
010902 S First Read	S46
011402 Second Read and Referred S Financial & Governmental Organizations Committee	S81

EFFECTIVE : August 28, 2002

SB 0729

SCS SB 729

SENATE SPONSOR Yeckel

3034S.02P

SCS/SB 729 - The act authorizes mortgage insurers to insure a mortgage in an amount not exceeding 103% of the fair market value of the property at the time of the loan if secured by a first lien. Current law allows insurance only in amount not exceeding 100%.
JIM ERTLE

120101 Prefiled	
010902 S First Read	S46
011402 Second Read and Referred S Financial & Governmental Organizations, Veterans' Affairs & Elections Comm	S81
020402 Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee	
020702 SCS Voted Do Pass S Financial & Governmental Organ., Vets' Affairs & Elections Comm-Consent (3034S.02C)	
021202 Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor w/SCS-Consent	S258
022602 SCS S adopted	S370
022602 S Third Read and Passed - Consent	S370
022702 H First Read	

EFFECTIVE : August 28, 2002

SB 0730

SENATE SPONSOR Bland

3125S.01I

SB 730 - This act requires insurance companies to cover treatment for overweight and obese persons. A new Section 376.784 is created and requires all insurance plans to notify policyholders of the availability of such coverage. Nothing in this section will restrict any existing coverage nor will it allow limits of liability for coverage for overweight or obesity.
ERIN MOTLEY

120101 Prefiled

010902 S First Read

S46

011402 Second Read and Referred S Insurance & Housing Committee

S81

EFFECTIVE : August 28, 2002

SB 0731

SENATE SPONSOR Bland

2865S.01I

SB 731 - This act creates a nine-member commission to study all aspects of the death penalty as administered in Missouri. The act requires the commission to hold public hearings and review all charges of first or second degree murder or voluntary manslaughter which were filed during or after 1977. Findings and recommendations of the commission shall be reported to the Governor, the Missouri Supreme Court and the General Assembly by January 1, 2005. The commission shall recommend any proposed modifications to Missouri laws necessary to ensure adequacy of trial and appellate legal counsel, accuracy of findings of guilt of the accused, elimination of race disparity in charging and sentencing, fair court procedures and fair and consistent charging and sentence recommendations made by local prosecutors around the state.

The act prohibits executions during the period of review, which period shall be from August 28, 2002, to January 1, 2003.

The act is identical to SB 55 (2001).
ALAN KELLY

120101 Prefiled

010902 S First Read

S46

011402 Second Read and Referred S Judiciary Committee

S81

EFFECTIVE : August 28, 2002

SB 0732

SENATE SPONSOR Bland

2890S.01I

SB 732 - This act requires the Division of Family Services to provide an annual report on the progress of welfare reform in Missouri. The Division must deliver its first report by December 1, 2002, and must report annually thereafter to the Governor and General Assembly. The report should include, but not be limited to, statistics and recommendations on:

1. Individuals who have successfully left welfare and their employment;
2. Individuals who have remained on or returned to welfare; and
3. The benefits of welfare reform realized by families, employers, and the state.

This act is identical to SB 174 (2001).
ERIN MOTLEY

120101 Prefiled
010902 S First Read S46
011402 Second Read and Referred S Aging, Families & Mental S81
Health Committee
012202 Hearing Cancelled S Aging, Families & Mental Health
Committee

EFFECTIVE : August 28, 2002

SB 0733
SCS SBs 733 & 928
SENATE SPONSOR Steelman

3209S.01I

SCS/SBs 733 & 928 - This act exempts from state sales taxes certain fees and dues paid to health and fitness centers. Fees and dues paid to health and fitness centers are exempt if they are paid solely for health-benefit activities; are separately stated on the bill; and do not include dues or fees for any other activities or services. The act defines the term "health-benefit activities" and enumerates certain activities which either qualify or do not qualify as a "health-benefit activity".
JEFF CRAVER

120101 Prefiled
010902 S First Read S46
011402 Second Read and Referred S Ways & Means Committee S81
012902 Hearing Conducted S Ways & Means Committee
021202 SCS Voted Do Pass (SCS SBs 733 & 928) S Ways &
Means Committee (3209S.04C)

EFFECTIVE : August 28, 2002

SB 0734

SENATE SPONSOR Steelman

3208S.01I

SB 734 - This act authorizes a tax credit for individual taxpayers for 25% of the unreimbursed cost of health insurance premiums.

JEFF CRAVER

120101 Prefiled

010902 S First Read

S46

011402 Second Read and Referred S Ways & Means Committee

S81

EFFECTIVE : August 28, 2002

SB 0735

SENATE SPONSOR Steelman

3204S.01I

SCS/SB 735 - This act authorizes a tax credit for contributions to scholarship charities. To qualify, a scholarship charity organization must be considered a charitable organization pursuant to IRC 501(c)(3). The charity must also allocate at least 90% of its annual revenue for educational scholarships to children attending qualified elementary or secondary schools of their choice.

Beginning on or after January 1, 2003, a taxpayer may receive a credit of up to 50% of the taxpayer's contribution to the scholarship charity, not to exceed \$50,000 per taxable year, per taxpayer. The credit is not refundable but may be carried forward for up to four taxable years. The cumulative amount of all scholarship charity tax credits in the state is limited to \$5 million per fiscal year. The Director of the Department of Revenue is the authority authorized to allocate the tax credits.

The act applies only to schools in unaccredited or provisionally accredited school districts and any school in a district where at least one school has been determined to be "academically deficient". The act also limits the students who qualify for this scholarship to those who receive free or reduced lunches. Those students are in families at 185% of the federal poverty level or less.

This act is similar to HB 1278 (2002).
JEFF CRAVER

120101 Prefiled

010902 S First Read

S46

011402 Second Read and Referred S Ways & Means Committee

S81

021902 Hearing Conducted S Ways & Means Committee

022602 SCS Voted Do Pass S Ways & Means Comm (3204S.03C)

EFFECTIVE : August 28, 2002

SB 0736SCS SBs 923, 828, 876, 694 & 736
SENATE SPONSOR Dougherty

2743S.02I

120101 Prefiled
 010902 S First Read S46
 011402 Second Read and Referred S Aging, Families & Mental S81
 Health Committee
 020502 Hearing Conducted S Aging, Families & Mental
 Health Committee
 021202 Bill Combined (SCS SBs 923, 828, 876, 694 & 736)
 S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0737SCS SB 737
SENATE SPONSOR Cauthorn

3160S.02P

SCS/SB 737 - This act allows members or parents of 4-H members to obtain a special license plate that would bear the emblem of 4-H and the words "Missouri 4-H" in place of "Show-Me State". The fee for the plate will be \$15.
 STEPHEN WITTE

120101 Prefiled
 010902 S First Read S46-47
 011402 Second Read and Referred S Transportation Committee S81
 012202 Hearing Conducted S Transportation Committee-Consent
 012302 SCS Voted Do Pass S Transportation Committee-Consent
 (3160S.02C)
 012802 Reported From S Transportation Committee to S160
 Floor w/SCS - Consent
 021202 SCS S adopted S255
 021202 S Third Read and Passed - Consent S255-256
 021302 H First Read H277
 021402 H Second Read H283

EFFECTIVE : August 28, 2002

SB 0738SCS SBs 970, 968, 921, 867, 868 & 738
SENATE SPONSOR Cauthorn

2495S.01I

120101 Prefiled
 010902 S First Read S47
 011402 Second Read and Referred S Transportation Committee S81

012202 Hearing Conducted S Transportation Committee
 013002 Bill Combined (SCS SBs 970, 968, 921, 867, 868 & 738)
 S Transportation Committee

EFFECTIVE : August 28, 2002

 SB 0739

SENATE SPONSOR Wiggins

2806L.01I

SB 739 - This act establishes the "Uniform Athlete Agents Act".

The act requires that all athlete agents operating in Missouri must register with and be certified by the Secretary of State's Office in a manner prescribed by statute and by the Secretary of State. Registration and certification is valid for a two-year period, and may be renewed indefinitely. The Secretary may refuse to issue a certificate, or may suspend or revoke a certificate, under certain circumstances, such as:

- (1) If the applicant has been convicted of a crime of moral turpitude;
- (2) The applicant makes false statements on the application;
- (3) The applicant has had a similar license suspended or revoked in any state; or
- (4) The applicant has caused a student-athlete to be suspended from or to be ineligible for any interscholastic or intercollegiate athletic event.

The act requires that all agent-athlete contracts must be written and must contain certain information, including the basis for the agent's fee and a notice warning the student-athlete about possible loss of eligibility. The act also regulates the activities of agents and makes a violation of such regulations a Class B misdemeanor. The act subjects agents to civil penalties and damages for regulatory violations.
 CINDY KADLEC

120101 Prefiled
 010902 S First Read S47
 011402 Second Read and Referred S Interstate Cooperation S81
 Committee
 012301 Hearing Conducted S Interstate Cooperation Committee
 021802 Voted Do Pass S Interstate Cooperation Comm.-Consent

EFFECTIVE : August 28, 2002

****SB 0740****

SENATE SPONSOR Wiggins

2804L.01I

SB 740 - This act repeals Missouri's Uniform Child Custody Jurisdiction Act and adopts the current version of the Uniform Child Custody Jurisdiction and Enforcement Act. The act does not govern adoption proceedings, proceedings pertaining to the authorization of emergency medical care for a child, or proceedings governed by the Indian Child Welfare Act. Courts are required to treat a foreign country as a state of the United States for purposes of applying the Uniform Child Custody Jurisdiction and Enforcement Act, except where the child custody law of the foreign country violates fundamental human rights principles. The act gives limited immunity from service of process to parties participating in proceedings under the act who otherwise are not subject to personal jurisdiction in this state.

Any court of this state that has made a child custody determination pursuant to the Act has exclusive continuing jurisdiction over the determination under certain conditions, and the court is granted temporary emergency jurisdiction to make a child custody determination regarding a child present in this state when such a determination is necessary due to abandonment or abuse. The act itemizes relevant factors which a court may consider before making a determination whether it is an inconvenient forum.

In the enforcement provisions, the act enforces child custody determinations and orders for the return of a child pursuant to the Hague Convention on the Civil Aspects of International Child Abduction. The act also authorizes a court of this state, without modification, jurisdiction to temporarily enforce visitation ordered by a court in another state, and authorizes registration of a child custody determination issued by a court in another state in the same manner as foreign judgments are registered. Information which must be included in a petition for enforcement of a child custody determination is specified in the act, as well as the procedure for acting upon the child custody determination enforcement petition.

The act authorizes the issuance of a warrant to take physical custody of a child likely to suffer serious imminent physical harm or removal from this state, and requires payment of the prevailing party's costs and expenses by the non-prevailing party. The act does not apply retroactively to motions or other requests for relief initiated before August 28, 2000.

The act is identical to SB 603 (2000) and SB 135 (2001).
CINDY KADLEC

120101 Prefiled

010902 S First Read

S47

011402 Second Read and Referred S Aging, Families & Mental
Health Committee

S81

012202 Hearing Conducted S Aging, Families & Mental Health
Committee
012902 Voted Do Pass S Aging, Families & Mental Health
Committee-Consent
012902 Reported From S Aging, Families & Mental Health S175
Committee to Floor - Consent
013102 Removed from S Consent Calendar S189
020502 Reported From S Aging, Families & Mental Health S212
Committee to Floor
030402 006 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0741

SCS SBs 741, 929 & 871
SENATE SPONSOR Wiggins

2805S.04C

SCS/SBs 741, 929, & 871 - This act modifies the law relating to organ donation and procurement.

New terms are added to define "donee", "hospital designee", and "OPO" or "organ procurement organizations". Organ procurement organizations are added as recipients (Section 194.210).

Current law outlines the procedure for making an anatomical donation. New language allows minors age 16 or older to make an anatomical donation with parental consent. The consent must be noted on the minor's donor card, application, driver's license, or other gift document (Sections 194.220 and 194.230).

Portions of Section 194.233, RSMo, regarding hospital procedure during organ procurement are deleted. New language requires hospitals to comply with OPO requirements. This act also allows OPOs to engage procurement coordinators to assist in the recovery of donated organs (Sections 194.233 and 194.240).

Current law creates the "Organ Donor Program Fund" for the purpose of organ donation awareness programs, as directed by the Organ Donation Advisory Committee. This act allows the Fund to receive gifts, grants, contributions, and other sources. Current law designates how money in the fund will be expended. This act adds promotion of the registry, organ donation programs, and minority or ethnic organ donation as allowable expenditures (Sections 194.297 and 194.299).

This act adds to the Advisory Committee two representatives from any federally certified OPO, one representative of an eye bank, one member of the hospital industry, the Director of the Department of Health and Senior Services or a designee and one representative of the Department of Revenue. Appointed terms are clarified. The Department of Health and Senior Services must provide internet access to the organ donor registry for authorized personnel. A report is due on the subject by January 15, 2003 (Section 194.300 and 194.302).

Current law outlines vehicle registration requirements. New language is added to allow applicants for registration to make a donation of \$1 to promote an organ donor program. The new language will become effective on July 1, 2003 (Section 301.020).

The procedure individuals must follow when applying for a Missouri driver's license is outlined in current law. This act provides that, upon renewal, the Department must ask if the applicant is interested in being on the organ donor registry and must inform the applicant about the ability to consent to organ donation on his or her driver's license. The Director must provide by rule the procedure and format for an applicant to indicate an anatomical gift on the back of a nondriver's license card (Sections 302.171 and 302.181).

ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S47
011402	Second Read and Referred S Public Health & Welfare Committee	S81
021302	Hearing Conducted S Public Health & Welfare Committee	
022002	SCS Voted Do Pass (SCS SBs 741, 929 & 871) S Public Health & Welfare Committee (2805S.04C)	
022502	Reported From S Public Health & Welfare Committee to Floor w/SCS	S354
030402	015 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : Varies

SB 0742

SENATE SPONSOR Caskey

2965S.01P

SB 742 - This act makes a technical correction to an intersectional reference in a provision of the Principal and Income Act.

JIM ERTLE

SCA 1 - DEFINES CERTAIN PERSONS AND ACTIVITIES AS NOT CONSIDERED TO BE ENGAGED IN THE TRUST BUSINESS

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Judiciary Committee	S102
012902	Hearing Conducted S Judiciary Committee	
012902	Voted Do Pass w/SCA 1 S Judiciary Committee-Consent (2965S01.01S)	
020402	Reported From S Judiciary Committee Committee to Floor w/SCA 1 - Consent	S202-203
021902	SCA 1 S adopted	S314
021902	S Third Read and Passed, as amended - Consent	S314
022102	H First Read	H347
022502	H Second Read	H356

EFFECTIVE : August 28, 2002

SB 0743

SENATE SPONSOR Caskey

2964S.01I

SB 743 - This act provides that a ruling on a petition for termination of parental rights is deemed a final ruling for the purposes of appeal.

ERIC ROSENKOETTER

120101 Prefiled
010902 S First Read S47
011602 Second Read and Referred S Judiciary Committee S102
012902 Hearing Scheduled But Not Heard S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 0744

SENATE SPONSOR Caskey

3088S.01P

SB 744 - This act would allow Cass County to elect a county surveyor beginning with the general election in 2004 and every four years thereafter.

CINDY KADLEC

120101 Prefiled
010902 S First Read S47
011602 Second Read and Referred S Local Government & Economic Development Committee S102
021202 Hearing Conducted S Local Government & Economic Development Committee-Consent
021202 Voted Do Pass S Local Government & Economic Development Committee-Consent
021802 Reported From S Local Government & Economic Development Committee to Floor - Consent S298
022702 S Third Read and Passed - Consent S383
022802 H First Read

EFFECTIVE : August 28, 2002

SB 0745

SCS SB 745

SENATE SPONSOR Russell

2815S.02P

SCS/SB 745 - This act allows Marines and Navy veterans who have participated in active duty combat action to receive a "Combat Action Ribbon" license plate. There is a \$15 fee in addition to regular registration fees.

STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Transportation Committee	S102
012202	Hearing Conducted S Transportation Committee-Consent	
012302	SCS Voted Do Pass S Transportation Committee-Consent (2815S.02C)	
012802	Reported From S Transportation Committee to Floor w/SCS - Consent	S160
021202	SCS S adopted	S259
021202	S Third Read and Passed - Consent	S259
021302	H First Read	H278
021402	H Second Read	H283

EFFECTIVE : August 28, 2002

SB 0746

SENATE SPONSOR Russell

2757S.02I

SB 746 - This act provides that the Governor or the Director of the Office of Administration shall recognize a collective bargaining unit, upon approval by a majority of the unit's employees.

ERIC ROSENKOETTER

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Labor & Industrial Relations Committee	S102
021902	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0747

SENATE SPONSOR Russell

2764S.01I

SB 747 - This act allows corporations to designate an individual who is not an attorney to represent them in any proceeding before the Administrative Hearing Commission or any state agency. Such representation shall not be deemed to be the practice of law.

The act is similar to SB 12 (2001).
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Judiciary Committee	S102

EFFECTIVE : August 28, 2002

****SB 0748****

SENATE SPONSOR Goode

3182S.01I

SB 748 - This act authorizes "design-build" contracts in certain instances.

The Director of the Division of Design and Construction may determine that a design-build procurement process is necessary for any particular project based upon criteria set out in the act. The Division may hire a consultant to prepare proposals, review documents, decide disputes and make inspections. Design-build proposals are evaluated by a team composed of at least two representatives of the Division, two representatives of the agency that is to use the finished building and a chairman appointed by the Director of the Division.

Proposals may be solicited in three phases: Phase I involves soliciting of qualifications so that design-builders may be pre-qualified. The top five qualifiers will be asked to participate in phase II, in which they submit their design for the project. In phase III, the design-build contractors shall submit cost proposals.

The Division shall pay those submitting unsuccessful Phase II proposals for their technical submission and the Division may subsequently use the design. This section of the bill is similar to SB 320 (2001).

This act also allows MoDOT to enter into one interstate highway design-build pilot project within 10 years of the effective date of this act. The commission must establish a written procedure by rule for prequalifying design-builders before they will be allowed to submit a project proposal. The commission may issue requests for bid to up to 5 prequalified design-builders. The commission will make all final decisions regarding performance of work under the contract. The commission may promulgate rules to implement these provisions. The commission must submit a report to the General Assembly and Governor following the award of the design-build project as well as subsequent annual reports. If the commission fails to receive at least two submissions from qualified design-builders, the submissions shall not be opened and the project shall be readvertised.

The act allows persons or corporations (architects, engineers and land surveyors) who are not licensed or do not hold a certificate under Chapter 327, RSMo, to enter into agreements to design and build projects for public or private entities without being licensed in Missouri. The person or corporation cannot hold itself out as being able to perform those services and the actual work must be performed by persons licensed or by corporations holding a certificate to provide architectural, engineering or land survey services. This portion of the bill is similar to SB 229 (2001) and to SCS/HB 288 (2001).
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Labor & Industrial Relations Committee	S102
012202	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0749

SENATE SPONSOR Goode

2788S.01P

SB 749 - Under current law, a bill vetoed by the Governor becomes effective immediately if the General Assembly votes to over-ride the veto. Similarly, due to a 1926 decision of the Missouri Supreme Court, initiative petitions become effective on the date approved by the voters. This act provides that vetoed bills become effective 30 days after the General Assembly votes to over-ride. Issues submitted to the voters, whether by the General Assembly or by initiative petition, must contain an effective date.

This act is similar to SB 148 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Financial & Governmental Organizations Committee	S102
012802	Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee-Consent	
012802	Voted Do Pass S Financial & Governmental Org., Veterans Affairs & Elections Committee-Consent	
012902	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor - Consent	S175
013002	Motion to return bill to committee - ADOPTED	179
013002	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor - Consent	S184
021402	S Third Read and Passed - Consent	S749
021802	H First Read	H302
021902	H Second Read	H310

EFFECTIVE : August 28, 2002

SB 0750

SENATE SPONSOR Goode

2787S.01I

SB 750 - Under current law, if property is traded in on a purchase, purchasers pay sales or use tax only on the excess, if any, of the purchase price of the new item less any trade-in

allowance and any applicable rebates. This act authorizes the reduction in the purchase price of an article if the trade-in has been subject to the imposition of sales or use tax or has been exempted or excluded from such tax. The act specifies that a purchaser of a motor vehicle, trailer, boat or outboard motor is only allowed a credit for the trade-in of a similar item.

This act is similar to SB 140 (2001).
JEFF CRAVER

120101 Prefiled
010902 S First Read S47
011602 Second Read and Referred S Ways & Means Committee S102

EFFECTIVE : August 28, 2002

SB 0751

SENATE SPONSOR Singleton

3185S.02I

SB 751 - This act prohibits Medicaid from reimbursing providers for nontherapeutic circumcisions. A new section 208.661 defines "nontherapeutic circumcission" as a routine or elective circumcission which does not meet the criteria of a medically necessary treatment. In order for Medicaid to reimburse for a circumcission, two physicians must verify in writing the examination and a diagnosis that it is medically necessary. Medicaid should also reimburse if the provider gives proof of a written notice of necessity due to religious beliefs. Any claim for reimbursement that does not meet the criteria will constitute an act of unprofessional conduct and the provider and other responsible parties will be civilly liable or subject to professional disciplinary action.

ERIN MOTLEY

120101 Prefiled
010902 S First Read S47
011602 Second Read and Referred S Public Health & Welfare S102
Committee
020602 Hearing Conducted S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 0752

SENATE SPONSOR House

2712S.01I

SB 752 - This act requires specific health plans to cover all services provided or ordered by registered nurse first assistants. A "registered nurse first assistant" (RNFA) is defined as a registered nurse, licensed in Missouri, who has received additional certification through a nationally-recognized professional organization to become a RNFA or who meets the

criteria for RNFAs establishes by the Missouri State Board of Nursing. If so certified, then all services provided by RNFAs shall be covered by the specified health plans, including Medicaid.

This act is substantially similar to SCS/SB 35 (2001).
STEVE WITTE

SCA 1 - REQUIRES SPECIFIC HEALTH PLANS TO COVER ALL SERVICES PROVIDED BY CERTIFIED SURGICAL TECHNOLOGIST/CERTIFIED FIRST ASSISTANTS

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Insurance & Housing Committee	S102
012202	Hearing Conducted S Insurance & Housing Committee	
022702	Voted Do Pass (w/SCA 1) S Insurance & Housing Committee	(2712S01.01S)

EFFECTIVE : August 28, 2002

SB 0753

SENATE SPONSOR House

2734S.01I

SB 753 - This act prohibits broadcast employers from requiring noncompetition clauses in employment contracts with certain broadcast employees. While a noncompete clause may be enforced against an employee who signs a contract containing such a clause, the employer will also be liable for civil damages, attorneys fees and costs for including the provision in the contract.

CINDY KADLEC

120101	Prefiled	
010902	S First Read	S47
011602	Second Read and Referred S Labor & Industrial Relations Committee	S102
012202	Hearing Cancelled S Labor & Industrial Relations Committee	
020502	Hearing Conducted S Labor & Industrial Relations Committee	
021202	Hearing Conducted (continued from 2/5) S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0754

SENATE SPONSOR House

2950S.01I

SB 754 - Law enforcement officers who are covered by the act have a right to a hearing if dismissed, demoted, or suspended so as to suffer a reduction or withholding of salary or compensatory time. A hearing upon written request must be granted within thirty days of the disciplinary action.

Any law enforcement agency already having similar written procedures are exempted from the provisions of this act. This act shall not apply to any officer who is serving a probationary period, or who is employed by the state, a public college or a university.

SARAH MORROW

120101	Prefiled	
010902	S First Read	S47-48
011602	Second Read and Referred S Labor & Industrial Relations Committee	S102
012202	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0755

SENATE SPONSOR Westfall

2765S.01I

SB 755 - This act provides a sales tax exemption for retailers who donate inventory to private or public elementary or secondary schools and approved private or public institutions of higher learning.

This act is identical to SB 221 (2001).
JEFF CRAVER

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Education Committee	S102
020602	Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0756

SCS SB 756

SENATE SPONSOR Westfall

2769S.02P

SCS/SB 756 - This act allows students to participate in FFA, FHA and 4-H events and Missouri State Fair competitions while having such participation count as regular school attendance for

the purpose of state school aid.

This act is identical to SB 332 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Education Committee	S102
013002	Hearing Conducted S Education Committee	
021102	SCS Voted Do Pass S Education Committee-Consent (2769S.02C)	
021202	Reported From S Education Committee to Floor w/SCS - Consent	S257
022502	SCS S adopted	S346
022502	S Third Read and Passed - Consent	S346
022602	H First Read	

EFFECTIVE : August 28, 2002

SB 0757

SCS SBs 721, 757, 818 & 930
SENATE SPONSOR Westfall

3181S.01I

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Transportation Committee	S102
012202	Hearing Conducted S Transportation Committee	
013002	Bill Combined (SCS SBs 721, 757, 818 & 930) S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 0758

SENATE SPONSOR Bentley

3179S.01P

SB 758 - This act clarifies that any offender to whom the registration requirements apply must register with law enforcement by September 10, 2002, or within 10 days of becoming a resident of any county.
SARAH MORROW

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S102
012302	Hearing Conducted S Civil & Criminal Jurisprudence Committee	
012402	Voted Do Pass S Civil & Criminal Jurisprudence Committee-Consent	
012802	Reported From S Civil & Criminal Jurisprudence Committee to Floor - Consent	S160

021102 S Third Read and Passed - Consent	S241
021202 H First Read	H261
021302 H Second Read	H267

EFFECTIVE : August 28, 2002

SB 0759

SCS SBs 688, 663, 691, 716, 759, 824 & 955
SENATE SPONSOR Yeckel

3040S.01I

120101 Prefiled	
010902 S First Read	S48
011602 Second Read and Referred S Ways & Means Committee	S102
012202 Hearing Conducted S Ways & Means Committee	
020502 Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824 & 955) S Ways & Means Committee	

EFFECTIVE : January 1, 2003

SB 0760

SENATE SPONSOR Yeckel

3041S.01I

SB 760 - This act requires that a fire district board member commit some act of misconduct, malfeasance or nonfeasance relating to official board duties, or that the board member be convicted of any felony or any Class A or B misdemeanor, before a registered voter from that district may initiate recall proceedings.

JIM ERTL

120101 Prefiled	
010902 S First Read	S48
011602 Second Read and Referred S Financial & Governmental Organizations, Veterans' Affairs & Elections Comm	S102
020402 Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee	
020702 Voted Do Pass S Financial & Governmental Organ., Veterans' Affairs & Elections Committee-Consent	
021202 Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor - Consent	S258
021402 Removed from S Consent Calendar	S287

EFFECTIVE : August 28, 2002

SB 0761

SENATE SPONSOR Yeckel

3031S.01I

SB 761 - This act requires counties to make a payment in lieu of taxes (PILOT) for certain property purchased by the county and taken off the tax rolls. If the property is purchased

for the purpose of private development and then is undeveloped for a period of at least 2 years, the county must make PILOT payments. For property purchased for the purpose of private development between August 28, 1992, and August 28, 2002, the county will have 2 years from August 28, 2002, to develop the property, otherwise PILOT payments must be made. Additionally, if property is purchased by the county for purposes of private development and then is developed into income-producing property, the county must make PILOT payments.

This act also postpones the exempt status of property acquired by tax-exempt entities until January 1st of the year following the purchase by the tax-exempt entity.

This act is similar to SS/SCS/SBs 347 & 487 (2001).
JEFF CRAVER

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Local Government & Economic Development Committee	S102
020502	Hearing Conducted S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

SB 0762

SENATE SPONSOR Bland

2867S.01I

SB 762 - This act establishes the "Missouri Universal Health Assurance Program" (Program). The Program is a publicly-financed, statewide insurance program that will provide comprehensive health care coverage for Missouri residents.

The Director of the Department of Health will divide the population of the state into six regional districts, with an advisory council of seven private citizens established for each district. The advisory councils will assist the Board in development of a comprehensive state health care plan and will develop a transportation plan for indigent, elderly, and disabled clients.

The Program will be administered by a nineteen member Board of Governors, ten of which will be appointed by the Governor. The Directors of the Departments of Social Services, Health, and Mental Health will be ex-officio members and the Board shall include a representation of minority and disabled individuals. The Board will be responsible for implementing the Program, monitoring expenditures, adopting rules, employing staff, and studying the means of incorporating institutional long-term care benefits into the Program. An annual report will be required after conducting investigations and utilization reviews.

An annual comprehensive state health care plan should be

established by the Board and should include a budget, an evaluation of district health care needs, and goals for various parts of the Program. Prior to establishment, the Board should appoint advisory subcommittees of health care research and ethics experts and public hearings should be held. The resulting comprehensive health care plan should seek to secure the most cost-effective health care.

The Board shall establish the "Missouri Health Care Trust Fund" which will be used for all aspects of Program operation. Revenues held in the trust fund are not subject to appropriation or allotment by the State or any political subdivision of the State. Various accounts will be created within the trust fund for specific purposes.

Every person who is a resident of Missouri, regardless of preexisting conditions, will be eligible to receive benefits for covered services under the Program. Persons who are not residents, but who are employed in Missouri will be eligible for benefits if a health premium surcharge is paid. Certain services, as listed, will not be covered under this Program.

The Program shall pay the expenses of institutional providers of health care and each provider shall negotiate an annual budget with the Program to cover anticipated expenses. The Program will reimburse independent providers of health care on a fee for service basis. Other insurers and employers may offer benefits that do not duplicate those offered by the Program. Sections 354.750 to 354.816 of this act will become effective April 1 of the year following the award of a waiver by the Department of Health and Human Services.

Every employer or self-employed person within the State will pay a health premium surcharge to the Department of Revenue based on the number of employees it has. A health premium surcharge, in addition to the state income tax, will be imposed on residents' gross income. An employer may agree to pay all or part of an employee's surcharge.

No later than thirty days after the effective date of this act, the Department of Social Services shall apply to the United States Secretary of Health and Human Services for all health care program waivers that would enable the state to deposit federal funds into the Missouri health care trust fund created in Section 354.771. The Department should also identify other federal fund sources. Under the same time frame, the Governor shall appoint Board members.

The Board shall request that the Program be made available to federal employees and retirees while they are residents of Missouri.

For five consecutive tax years after approval of the Program, any employer who has twenty-five or less employees will be allowed a tax credit against the new tax due in incremental amounts.

Certain sections of this act have a conditional effective date and the entire act will be submitted to the voters of the state for approval or rejection in November, 2002.

This act is substantially similar to SB 104 (2001).
ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Insurance & Housing Committee	S102

EFFECTIVE : Contingent

SB 0763

SENATE SPONSOR Bland

2864S.01I

SB 763 - This act lowers the minimum age for jury service from 21 to 18. This act also excuses full-time students not residing within 20 miles of the city or county issuing the jury summons.

This act is similar to SB 54 (2001).
JIM ERTLE

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Judiciary Committee	S102

EFFECTIVE : Contingent

SB 0764

SENATE SPONSOR Bland

2873S.01I

SB 764 - This act establishes a Needle Exchange Program within the Department of Health. The Program will attempt to reduce HIV transmission by providing sterile needles and will encourage participants to seek substance abuse counseling. The Department may legally possess and distribute hypodermic needles or syringes as part of the Program. All records associated with the Program will be closed.

This act is identical to SB 163 (2001).
ERIN MOTLEY

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Public Health & Welfare Committee	S102
022702	Hearing Conducted S Public Health & Welfare Committee	

EFFECTIVE : August 28, 2002

SB 0765

SENATE SPONSOR Steelman

3206S.01I

SB 765 - The School Building Revolving Fund is eliminated and the School Building Construction and Renovation Fund is created. Moneys in the Fund would be used, in equal portions, to fund school construction and school renovation. The interest accruing to all state funds, other than funds created by the Missouri Constitution, shall be transferred quarterly to the newly created School Building Construction and Renovation Fund.

To be eligible for a grant, a district must apply to the Department of Elementary and Secondary Education, must meet all criteria for state aid (meets or exceeds minimum school calendar, maintains proper records of attendance, personnel and finance, levies at least a \$1.25 tax rate and computes attendance properly under law) and must not be experiencing financial stress.

Priority of construction grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster;
- b) districts with at least 12% enrollment growth in the last 3 years;
- c) districts with 9% growth in the last 3 years;
- d) districts with 6% growth in the last 3 years;
- e) overcrowded districts; and
- f) districts with certain particular building needs.

Priority of renovation grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster or hazardous waste cleanup;
- b) districts renovating buildings which are at least 35 years old; and
- c) districts renovating buildings less than 35 years old.

Once a district has received a grant, it shall not be eligible for a new grant from the Fund unless all eligible applications from districts which have yet to receive a grant are funded.

Local matching funds are required to receive a state grant. The local match requirement is 50% for the least wealthy of districts, 75% for the most wealthy of districts and the match percentages for the remaining districts are uniformly spaced across the range from 50% to 75%.

Maximum total state costs per pupil for new construction are \$8000 for high school, \$7000 for middle school and \$6000 for elementary school. Maximum total state costs per pupil for renovation are \$5600 for high school, \$4900 for middle school and \$4200 for elementary school. A school may spend more than the

maximum state grant amount plus local match by adding additional local funds.

State grant funds shall not be used for lease purchases. State grant funds shall be used only for capital expenditures, and shall not be used to retire debt. If a project costs less than the projected amount, the state's share of the remaining funds shall be returned to the state and placed in the Fund.

Upon completion of a project, the district shall submit a report to the Department, and the Department may require an audit. State funds not expended as allowed by this act must be repaid to the state.

All school buildings constructed or renovated with grants under this act shall remain the property and responsibility of the school district.

This act is identical to SS/SB 242 (2001).
DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Education Committee	S102
020602	Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0766

SENATE SPONSOR Steelman

2470S.02I

SB 766 - This act establishes certain requirements for committees formed to receive contributions or make expenditures on behalf of a person elected to serve in a state office.

Such committees must file various reports with the Missouri Ethics Committee for the duration of the committee's existence. Committees must file a statement of organization, disclosure reports which itemize receipts, expenditures, and indebtedness incurred by the committee, and a termination statement upon dissolution.

Committees shall maintain detailed and accurate records and accounts. Disclosure reports shall be filed within thirty days after the statement of organization is filed. Subsequent reports shall be filed every six months.

CINDY KADELC

120101	Prefiled	
010902	S First Read	S48
011602	Second Read and Referred S Financial & Governmental Organizations, Veterans' Affairs & Elections Comm.	S102
020402	Hearing Conducted S Financial & Governmental Org.,	

Veterans' Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 0767

SENATE SPONSOR Steelman

3207S.01I

SB 767 - This act would allow the University of Missouri-Rolla campus to sponsor charter schools in St. Louis City and Kansas City Missouri School District.
DONALD THALHUBER

120101 Prefiled

010902 S First Read

S48

011602 Second Read and Referred S Education Committee

S102

013002 Hearing Conducted S Education Committee-Consent

021102 Voted Do Pass S Education Committee

EFFECTIVE : August 28, 2002

SB 0768

SENATE SPONSOR Wiggins

2916L.01I

SB 768 - This act authorizes the conveyance of certain state property to the Children's Mercy Hospital.
ERIN MOTLEY

120101 Prefiled

010902 S First Read

S48

011602 Second Read and Referred S Local Government &
Economic Development Committee

S102

012902 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0769

SENATE SPONSOR Russell

3131S.01I

SB 769 - This act limits the amount of tax credits which may be redeemed through any tax credit program to that amount appropriated for each tax credit program in any given fiscal year of the state.
JEFF CRAVER

120101 Prefiled

010902 S First Read

S48

011602 Second Read and Referred S Ways & Means Committee

S102

020502 Hearing Cancelled S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0770

SENATE SPONSOR Russell

2762S.01I

SB 770 This act provides that a telecommunications company may charge a customer for Internet access service upon receipt of a signed statement from the customer for such service. The Public Service Commission may promulgate rules to enforce the act.

This act is identical to SB 190 (2001).
CINDY KADLEC

120101 Prefiled

010902 S First Read

S48-49

011602 Second Read and Referred S Commerce & Environment
Committee

S102

EFFECTIVE : August 28, 2002

SB 0771

SENATE SPONSOR Russell

2758S.01I

SB 771 - This act excludes boats under 24 feet with an electric trolling motor as their only means of propulsion from licensure requirements.

CINDY KADLEC

120101 Prefiled

010902 S First Read

S49

011602 Second Read and Referred S Transportation Committee

S102

EFFECTIVE : August 28, 2002

SB 0772

SENATE SPONSOR Goode

2860S.01I

SB 772 - This act establishes the "Live Near Your Work" (LNYW) program which is designed to encourage people to relocate their residence to areas of relative decline, so as to reverse poor economic trends in those areas. The program attempts to achieve this goal by providing economic assistance to people who purchase and reside in property located in economically declining areas which are close in proximity to their employment. The employer, the state, and the local government provide equal financial contributions to each participating employee.

A local government, such as a city or county, must initiate the program in their geographic area. The local government identifies neighborhoods or other areas of pervasive economic decline and recruits a local employer or employers to participate in the program.

Any eligible employee of a participating employer may apply for a grant pursuant to the LNYW program provisions. Eligible employees must purchase and reside in a property within the designated area in order to receive the program grant. Other conditions may also apply to grant recipients, including maintaining residence in the property for at least one year. In the event applicable requirements are not met by the grant recipient, the grant moneys may have to be returned.

Each program grant awarded is in the total amount of \$3,000 which consists of \$1,000 each from the Department of Economic Development (DED), the local governmental unit operating the LNYW program, and the recipient's participating employer. The grant money is paid at the time the employee/home buyer closes on the purchase and the funds are directed specifically to defray closing and down payment costs of the home purchase. As the DED does not provide direct oversight over local LNYW programs, the State Auditor may audit any such program which receives a grant contribution from the DED.

ALAN KELLY

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Insurance & Housing S102
Committee
012902 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0773

SENATE SPONSOR Goode

3150S.01I

SB 773 This act exempts from taxation certain personal property leased to the state or to any political subdivision or to any tax-exempt organization, provided that such property is regularly and exclusively used for religious, educational or charitable purposes.

JEFF CRAVER

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Ways & Means Committee S102
012902 Hearing Conducted S Ways & Means Committee
021202 Voted Do Pass S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0774

SENATE SPONSOR Goode

2674S.01I

SB 774 - This act establishes a 65 mile per hour speed limit for trucks over 24,000 pounds on the rural interstates and freeways. The current speed limit for all vehicles is 70 miles per hour on rural interstates and freeways. The act also establishes a 60 mph hour speed limit for trucks on rural expressways and a 55 mph speed limit for trucks on urban interstate highways, freeways and expressways. The current speed limit for all vehicles is 70 miles per hour on rural interstates and freeways, 65 mph on rural expressways, and 60 mph on urban interstate highways, respectively. An operator of a truck who violates the speed limit by more than 5 mph will be fined an additional fine of \$50 per mile over that limit.

This act is similar to SB 138 (2001).
STEPHEN WITTE

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Transportation Committee S102
012202 Hearing Conducted S Transportation Committee

EFFECTIVE : August 28, 2002

SB 0775

SENATE SPONSOR House

2885S.02P

SB 775 - This act designates the Missouri River bridge connecting St. Louis and St. Charles counties as the "American Military Veterans Bridge".
STEPHEN WITTE

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Transportation Committee S102
012202 Hearing Conducted S Transportation Committee-Consent
021202 Voted Do Pass S Transportation Committee-Consent
021802 Reported From S Transportation Committee to S298
Floor - Consent
022702 S Third Read and Passed - Consent S383
022802 H First Read

EFFECTIVE : August 28, 2002

****SB 0776****

SCS SB 776

SENATE SPONSOR House

3211S.02P

SCS/SB 776 - This act allows members of the Missouri Higher Education Savings Program Board to designate a proxy that enjoys full voting privileges. Further, said proxies shall be considered members of the board for the purpose of establishing a quorum. This act requires confidentiality concerning all personally identifiable information of participants in the savings program.

DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S49
011602	Second Read and Referred S Financial & Governmental Organizations Committee	S102
012802	Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee-Consent	
012802	SCS Voted Do Pass S Financial & Governmental Org., Vets' Affairs & Elections Com.-Consent (3211S.02C)	
012902	Reported From S Financial & Governmental Org., Vet. Affairs, & Elections Com. to Floor w/SCS - Consent	S175
021402	SCS S adopted	S285
021402	S Third Read and Passed - Consent	S285
021802	H First Read	H302
021902	H Second Read	H310

EFFECTIVE : August 28, 2002

****SB 0777****

SENATE SPONSOR Yeckel

3036S.01I

SB 777 - This act waives a portion of the supersedeas appeal bond requirements relating to exemplary or punitive damages, under certain conditions.

The act is identical to SB 516 (2001).
SARAH MORROW

120101	Prefiled	
010902	S First Read	S49
011602	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S102
012302	Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 0778

SENATE SPONSOR Yeckel

3033S.02I

SB 778 - This act allows a tax deduction to those who contribute to medical savings accounts. It provides that any person who is eligible for a federal tax deduction for contributions made to medical savings accounts will also be allowed a state tax deduction. Eligible persons, however, may not take both a federal and a state tax deduction for such contributions. The maximum deduction allowed is \$2,000 per individual and \$5,000 per household and there is no limit on the number of participating policies in Missouri. The Department of Revenue will administer the program.

This act is substantially similar to SB 805 (2000).
JEFF CRAVER

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Ways & Means Committee S102
021202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0779

SCS SB 779

SENATE SPONSOR Yeckel

3032S.01I

SCS/SB 779 - This act revises various provisions of the Sunshine Law relating to public hospitals. The act provides that the governing body of a public hospital and any related organization may close portions of records and meetings pertaining to specified matters, such as payment amounts and payment methodologies regarding contracts with health carriers, discussion of new health services, and physician contractual compensation. Any closed records shall be disclosed upon subpoena.

This act is similar to HB 442 (2001).
JIM ERTLE

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Financial & Governmental S102
Org., Veterans Affairs & Elections Committee
021102 Hearing Conducted S Financial & Governmental Org.,
Veterans Affairs & Elections Committee
022502 SCS Voted Do Pass S Financial & Governmental Org.,
Veterans Affairs & Elections Committee (3032S.06C)

EFFECTIVE : August 28, 2002

SB 0780

SENATE SPONSOR Bland

2866S.01I

SB 780 This act exempts retail sales of food from state and local sales taxes. The act also reduces the amount allowed for an individual taxpayer's state income tax deduction from \$5,000 to \$3,300 for individual filers, and from \$10,000 to \$6,600 for combined returns. The act directs that the amount of state revenue generated from the reduction in the deductions is to be used by the state to reimburse counties and local political subdivisions for the loss in sales tax revenues on sales of food.

This act has a referendum clause.

This act is similar to SB 103 (2001).

JEFF CRAVER

120101 Prefiled

010902 S First Read

S49

011602 Second Read and Referred S Ways & Means Committee

S102

EFFECTIVE : Contingent

SB 0781

SENATE SPONSOR Bland

2878S.01I

SB 781 - This act prohibits manufacturers of concealable firearms or assault weapons, as defined in the act, from distributing such weapons unless they are equipped with a reusable child safety lock or firearm locking device.

This act is identical to SB 170 (2001).

SARAH MORROW

120101 Prefiled

010902 S First Read

S49

011602 Second Read and Referred S Civil & Criminal
Jurisprudence Committee

S102

012302 Hearing Scheduled But Not Heard S Civil & Criminal
Jurisprudence Committee

EFFECTIVE : Contingent

SB 0782

SENATE SPONSOR Bland

2893S.01I

SB 782 - This act authorizes an appropriation to the Missouri Housing Development Commission for grants to pay for operation and grant administration costs incurred by community

housing development organizations.

This act is identical to SB 159 (2001).
STEPHEN WITTE

120101	Prefiled	
010902	S First Read	S49
011602	Second Read and Referred S Insurance & Housing Committee	S102

EFFECTIVE : August 28, 2002

SB 0783

SCS SB 783

SENATE SPONSOR Steelman

3210S.01I

SCS/SB 783 - The act mandates that all public schools offer explicit systematic phonics instruction in grades kindergarten through three as a significant component of their reading program. Explicit systematic phonics is defined in the act.

The act also asserts that no teacher shall be certified (on and after July 1, 2005) to teach reading in public schools in grades kindergarten through three, either as a reading specialist or as a classroom teacher, unless that teacher has successfully completed instruction in explicit systematic phonics at the university or college level.

DONALD THALHUBER

120101	Prefiled	
010902	S First Read	S49
011602	Second Read and Referred S Education Committee	S102
013002	Hearing Conducted S Education Committee	
021302	SCS Voted Do Pass S Education Committee (3210S.05C)	

EFFECTIVE : August 28, 2002

SB 0784

SENATE SPONSOR Russell

2862S.01I

SB 784 - This act would require conspicuous posting of notices for the application of pesticides, insecticides or herbicides in or near public buildings. Applications are required to be conducted, when possible during nonworking hours to limit the number of employees present during application.

This act is identical to HB 941 (2001).
CINDY KADLEC

120101	Prefiled	
010902	S First Read	S49

011602 Second Read and Referred S Commerce & Environment S102
Committee

EFFECTIVE : August 28, 2002

SB 0785

SENATE SPONSOR Goode

3072S.01I

SB 785 - Under this act, the fee imposed on recorded instruments to assist the homeless is increased from \$3 to \$5. This act also allows any county governing body to establish a program to provide assistance to homeless persons. Under current law, only St. Louis County, St. Charles County, and Jackson County are authorized to establish a fund for the purpose of assisting homeless families. If the governing body of the county chooses to establish a program to assist homeless persons, then \$3 of the \$5-fee charged will be used by that county to finance the homeless program. The remaining \$2 will be credited to the Missouri Housing Trust Fund. If the governing body of the county does not establish a program to assist the homeless, then the entire \$5 will be credited to the Missouri Housing Trust Fund.

This act is identical to SB 118 (2001).
STEPHEN WITTE

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Insurance & Housing S102
Committee
012902 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0786

SENATE SPONSOR Goode

2975S.01I

SB 786 - This act allows architects, engineers, and land surveyors, whether individuals or corporations, who do not hold a certificate pursuant to Chapter 327, RSMo, to enter into contracts to design and build projects. The person or corporation cannot hold itself out as being able to perform those services and the actual work must be performed by persons or corporations holding a certificate to provide the services.

This act is similar to SB 229 (2001) and to SCS/HB 288 (2001).
JIM ERTLE

120101 Prefiled
010902 S First Read S49
011602 Second Read and Referred S Labor & Industrial S102

Relations Committee
 012202 Hearing Conducted S Labor & Industrial Relations
 Committee
 020702 Voted Do Pass S Labor & Industrial Relations
 Committee-Consent
 021902 Reported From S Labor & Industrial Relations S312
 Committee to Floor - Consent
 030402 S Consent Calendar (2/19)

EFFECTIVE : August 28, 2002

SB 0787

SENATE SPONSOR Yeckel

3039S.01I

SB 787 - This act authorizes a county to adopt an ordinance or order which allows taxpayers to obtain a discount for prepayment of property taxes. The amount of the discount is intended to reflect the savings achieved by the county by receiving and investing the funds earlier.

If such an ordinance or order is adopted by the county, a taxpayer may prepay all or a portion of his or her estimated property taxes. Prepayments of the full estimated amount shall receive the following discounts: a full payment of the estimated tax by March 31st is discounted by 5%; a full payment of the estimated tax by June 30th is discounted by 4%; and a full payment of the estimated tax by September 30th is discounted by 3%. Partial advance payments receive the following discounts: a payment of one-fourth of the estimated tax by March 31st is discounted by 5%; a second payment of one-fourth of the estimated tax by June 30th is discounted by 4%; and a third payment of one-fourth of the estimated tax by September 30th is discounted by 3%. The act does not require mortgage companies or financial institutions to prepay property taxes from escrow accounts.

The act has a nonseverability clause.
 JEFF CRAVER

120101 Prefiled
 010902 S First Read S49
 011602 Second Read and Referred S Ways & Means Committee S102
 012902 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0788

SENATE SPONSOR Yeckel

3037S.01I

SB 788 - This act revises the distribution of riverboat gaming proceeds. Currently, any gaming proceeds in excess of the amount transferred to the School District Bond Fund is transferred to the State School Moneys Fund and used to fund the

basic state school aid formula.

The act revises the distribution to place the riverboat gaming proceeds which now go to the State School Moneys Fund to the "Year 2000 Classroom Fund", which is created by the act. The change is implemented over a five-year period beginning in FY 2003, with 20% increases each year in the portion transferred to the Year 2000 Classroom Fund, until 100% of such funds are transferred in FY 2007. For FY 2008 and thereafter, the distribution reverts to transferring all such funds to the State School Moneys Fund. Transfers to the School District Bond Fund are not affected by this act.

This act is identical to SB 475 (2001).
JEFF CRAVER

120101	Prefiled	
010902	S First Read	S49-50
011602	Second Read and Referred S Ways & Means Committee	S103
020502	Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 0789

SENATE SPONSOR Bland

2872S.01I

SB 789 - Currently, peace officers are required to report certain information concerning each stop of a driver of a motor vehicle for a violation of a traffic law or ordinance, including the racial identity of the person stopped, the violations alleged, the circumstances surrounding any resulting search and whether any arrest was made. This act requires such information for each stop of a motor vehicle, regardless of the purpose of the stop.

This act is identical to SB 144 (2001).
SARAH MORROW

120101	Prefiled	
010902	S First Read	S50
011602	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S103
012302	Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

****SB 0790****

SENATE SPONSOR Bland

2889S.01I

SB 270 - This act establishes state funded scholarships for the incidental fees and other required fees at any public college or university in the state for certain students.

Student eligibility qualifications include residency, successful completion of a core curriculum, high school graduation with a minimum 2.5 GPA, extracurricular activity involvement, a composite score on the ACT of at least 18 on the 1989 version or its equivalent and certain financial needs. Students from families with annual adjusted gross incomes of less than \$25,000 are eligible for a full scholarship, students from families with annual adjusted gross incomes of between \$25,000 and \$35,000 are eligible for partial scholarships on a sliding scale, and students whose families have an annual adjusted gross income of more than \$35,000 are not eligible without a showing of hardship because of large medical bills.

The act sets requirements for a student to maintain the scholarship, including participation in a work study program. The Coordinating Board for Higher Education is designated to administer the program and make necessary rules and regulations.

The scholarship program shall be funded by a one percent per annum earnings tax on the salaries, wages, commissions and other compensation of nonresidents and on the net profits of associations, businesses, and other activities conducted by nonresidents. Organizations exempt from the earnings tax include religious, charitable, scientific or educational associations or corporations, civic groups organized to promote the social welfare and clubs organized for pleasure, recreation, or other nonprofit purposes. Moneys from the earnings tax shall be deposited in the newly-created "General Assembly Scholarship Program Fund". The Department of Revenue shall establish rules and regulations to collect and enforce the earnings tax.

The provisions of this act shall become effective January 1, 2003.

This act is similar to SB 155 (2001).
DON THALHUBER

120101 Prefiled

010902 S First Read

S50

011602 Second Read and Referred S Ways & Means Committee

S103

EFFECTIVE : August 28, 2002

SB 0791

SENATE SPONSOR Bland

2882S.01I

SB 791 - This act establishes a pilot program of urban early compulsory school attendance in the Kansas City Missouri School District. In that district, the compulsory attendance age would be lowered to age 5 years. The program establishes the same parental responsibilities, process for exceptions and penalties as are currently provided statewide for compulsory attendance of children ages 7 to 16 years. The school board shall report to the Commissioner of Education, no later than December 1, 2004, on the effectiveness of the pilot program.

This act is identical to SB 146 (2001).
DONALD THALHUBER

120101 Prefiled
010902 S First Read S50
011602 Second Read and Referred S Education Committee S103
022002 Hearing Scheduled But Not Heard S Education Committee
022702 Hearing Cancelled S Education Committee

EFFECTIVE : August 28, 2002

SB 0792

SENATE SPONSOR Bland

2900S.01I

SB 792 - This act prohibits health carriers from changing their drug formulary except at the beginning of the policy anniversary date. The health carrier may add new prescription drugs to its formulary. The health carrier may not increase an enrollee's co-payment or other out-of-pocket expenses except at the beginning of the policy annual anniversary date.

This act is similar to SB 161 (2001).
STEPHEN WITTE

120101 Prefiled
010902 S First Read S50
011602 Second Read and Referred S Insurance & Housing S103
Committee

EFFECTIVE : August 28, 2002

SB 0793

SENATE SPONSOR Bland

2932S.01I

SB 793 - This act modifies the Grandparents as Foster Parents Program. This bill returns the Program to that which was passed in SB 387 in 1999.

Section 453.325 requires the Division of Family Services to establish the "Grandparents as Foster Parents Program". A grandparent age 50 or over may participate if he or she is the legal guardian of a grandchild and if he or she participates in the training available through the Division. If all requirements are satisfied, the Program will provide the following benefits:

Reimbursement based on the current foster care payment schedule;

Foster parent training, parenting skills training, childhood immunizations, and other similar health screens;

Counseling for the child and the grandparent;

- Support services, including respite care, child care, and transportation;

Medicaid services to the child; and

Ancillary services, such as child care, respite, transportation, clothing allowances, but not direct financial payments to the participants.

Grandparents who are either under 50 years of age or who choose not to participate in the Program may apply to the Division for foster care reimbursement and assistance.

ERIN MOTLEY

120101 Prefiled

010902 S First Read

S50

011602 Second Read and Referred S Aging, Families & Mental Health Committee

S103

EFFECTIVE : August 28, 2002

SB 0794

SENATE SPONSOR Bland

2883S.01I

SB 794 - This act allows any school district to create after school and summer educational programs in the subjects of art, science and mathematics for at-risk youth.

This act is similar to SB 153 (2001).
DONALD THALHUBER

120101 Prefiled
 010902 S First Read S50
 011602 Second Read and Referred S Education Committee S103
 022702 Hearing Conducted S Education Committee
 022702 Voted Do Pass S Education Committee

EFFECTIVE : August 28, 2002

SB 0795

SENATE SPONSOR Schneider

2945S.01I

SB 795 - The act provides new definitions regarding emergency communications. Counties may establish an emergency communications commission composed of seven members. Such counties may levy an additional property tax or sales tax, upon voter approval in order to operate the system. All moneys collected must be deposited in the Emergency Communications System Fund. Obligations by the county may be paid out of the fund or by the issuance of bonds.

This act is similar to HB 280 (2001).
 JIM ERTLE

SCA 1 - REMOVES THE WORD "PRESENT" FROM THE PHRASE "BY A MAJORITY VOTE OF ITS MEMBERS"

120301 Prefiled
 010902 S First Read S50
 011602 Second Read and Referred S Local Government & Economic Development Committee S103
 020502 Hearing Conducted S Local Government & Economic Development Committee-Consent
 022502 Voted Do Pass (w/SCA 1) S Local Government & Economic Development Committee-Consent (2945S01.01S)
 022602 Reported From S Local Government & Economic Development Committee to Floor w/SCA 1 - Consent S374
 030402 S Consent Calendar w/SCA 1 (2/26)

EFFECTIVE : August 28, 2002

SB 0796

SENATE SPONSOR Mathewson

2929S.02I

SB 796 - This act increases the fees collected by non-Department of Revenue offices for biennial licenses issued and for six year licenses. The fees for licenses renewed biennially are increased from \$4.00 to \$5.00 beginning August 28, 2002. Beginning July 1, 2003, licenses renewed annually are increased from \$2.50 to \$3.50 and biennial licenses are increased from \$5.00 to \$7.50. Beginning July 1, 2003, fees for six-year

driver's licenses are increased from \$4 to \$5.
STEPHEN WITTE

SCA 1 - REQUIRES ALL DEPT. OF REVENUE BRANCH OFFICES TO COLLECT
THE SAME FEE CHARGED BY FEE OFFICES

120301 Prefiled
010902 S First Read S50
011602 Second Read and Referred S Transportation Committee S103
012202 Hearing Conducted S Transportation Committee
020502 Voted Do Pass (w/SCA 1) S Transportation
Committee (2929S02.02S)

EFFECTIVE : August 28, 2002

SB 0797

SENATE SPONSOR Westfall

2895S.02I

SB 797 - This act allows a municipality in Dallas, Polk or
Greene County to use condemnation in order to construct or
acquire natural gas service. Any city bringing a condemnation
proceeding under this section is subject to Section 71.525, RSMo,
which prohibits condemnation of public utilities except for
specific instances.

This act is identical to SCS/SB 278 (2001).
CINDY KADLEC

120401 Prefiled
010902 S First Read S50
011602 Second Read and Referred S Local Government & S103
Economic Development Committee
020502 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0798

SENATE SPONSOR Westfall

2780S.01P

SB 798 - This act allows U.S. Congressional members to get
two sets of specialized license plates. Current law provides
only one set of U.S. Congressional plates.
STEPHEN WITTE

120401 Prefiled
010902 S First Read S50
011602 Second Read and Referred S Transportation Committee S103
012202 Hearing Conducted S Transportation Committee-Consent
013002 Voted Do Pass S Transportation Committee-Consent

020402	Reported From S Transportation Committee to Floor - Consent	S202
021802	S Third Read and Passed - Consent	S296
021902	H First Read	H315-316
022002	H Second Read	H322

EFFECTIVE : August 28, 2002

SB 0799

SENATE SPONSOR Westfall

2776S.01I

SB 799 - This act adds the Departments of Agriculture,
Revenue and Economic Development to the merit system.

This act is identical to SB 492 (2001).
CINDY KADLEC

120401	Prefiled	
010902	S First Read	S50
011602	Second Read and Referred S Financial & Governmental Organizations Committee	S103
022502	Hearing Conducted S Financial & Governmental Organizations Committee	

EFFECTIVE : August 28, 2002

SB 0800

SENATE SPONSOR DePasco

2620S.01I

SB 800 - Under current law, unclassified felonies are
subject to a 3-year statute of limitations, while Class A
felonies have no statute of limitations and can, thus, be
prosecuted at any after the crime has occurred. This act removes
the statute of limitations for certain specified unclassified
felonies; namely, rape, sodomy and armed criminal action.
SARAH MORROW

120501	Prefiled	
010902	S First Read	S50
011602	Second Read and Referred S Judiciary Committee	S103

EFFECTIVE : August 28, 2002

SB 0801

SENATE SPONSOR DePasco

2621S.01I

SB 801 - This act requires the Department of Revenue to
reinstate a person's driving privileges if the circuit court
finds in favor of the driver. The reinstatement of the driving

privileges, however, does not constitute a waiver of the Department's right to appeal.

STEPHEN WITTE

120501 Prefiled
010902 S First Read S50
011702 Second Read and Referred S Civil & Criminal S112
Jurisprudence Committee
013002 Hearing Scheduled But Not Heard S Civil & Criminal
Jurisprudence Committee

EFFECTIVE : August 28, 2002

SB 0802

SENATE SPONSOR DePasco

2623S.01I

SB 802 - This act criminalizes fraudulent use of a credit or debit device for purposes of obtaining a paid property tax receipt to get vehicle license tags. The crime is a Class D felony if the value of the property taxes is \$150 or more, otherwise the crime is a Class A misdemeanor.

JEFF CRAVER

120501 Prefiled
010902 S First Read S50
011702 Second Read and Referred S Civil & Criminal S112
Jurisprudence Committee
013002 Hearing Conducted S Civil & Criminal Jurisprudence
Committee

EFFECTIVE : August 28, 2002

SB 0803

SENATE SPONSOR Dougherty

2741S.01I

SB 803 - This act broadens the definition of "genetic information" and "genetic testing". Under this act, no insurer may deny coverage to an individual on the basis of the individual's genetic information. This act applies to applications for coverage made on or after January 1, 2001. Under this act, an employer may not obtain genetic information of an employee or prospective employee nor shall an employer require the collection of a DNA sample of an employee or prospective employee. This act also broadens the scope of relief for a person harmed by genetic testing to include civil damages.

This act is identical to SB 412 (2001).
STEPHEN WITTE

120501 Prefiled

010902 S First Read S50
 011702 Second Read and Referred S Insurance & Housing S112
 Committee

EFFECTIVE : August 28, 2002

 SB 0804

SCS SB 804

SENATE SPONSOR DePasco

3070S.03P

SCS/SB 804 - This act authorizes the Governor to convey 13
 distinct property interests held by the Department of Mental
 Health to Kansas City.

The act also provides that the Office of Administration
 shall determine fair market value for the conveyance of the
 parcels of land.

JIM ERTLE

120501 Prefiled
 010902 S First Read S50
 011702 Second Read and Referred S Local Government & S112
 Economic Development Committee
 012902 Hearing Conducted S Local Government & Economic
 Development Committee-Consent
 013002 SCS Voted Do Pass S Local Government & Economic
 Development Committee-Consent (3070S.03C)
 020402 Reported From S Local Government & Economic S202
 Development Committee to Floor w/SCS - Consent
 021402 SCS S adopted S287
 021402 S Third Read and Passed - Consent S287
 021802 H First Read H302
 021902 H Second Read H310

EFFECTIVE : August 28, 2002

 SB 0805

SENATE SPONSOR DePasco

3071S.01I

SB 805 - This act expands the commercial zone around Kansas
 City from 12 miles to 15 miles for truck weight limitation
 purposes.

This act is identical to SB 31 (2001).

STEPHEN WITTE

120501 Prefiled
 010902 S First Read S50-51
 011702 Second Read and Referred S Local Government & S112
 Economic Development Committee
 012902 Hearing Conducted S Local Government & Economic
 Development Committee

EFFECTIVE : August 28, 2002

SB 0806

SENATE SPONSOR Caskey

3252S.01I

SB 806 - This act requires counties to deposit a percentage of their ad valorem property tax collections (one-half of one percent, not to exceed \$100,000/year) into a county assessment fund to support installation, operation and maintenance of a geographic information system (GIS) as approved by the county governing body, beginning on January 1, 2003.

This act is similar to SCS/SBs 347 & 487 (2001).
JEFF CRAVER

120601 Prefiled
010902 S First Read S51
011702 Second Read and Referred S Local Government & S112
Economic Development Committee
020502 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0807

SENATE SPONSOR Klarich

3324S.01I

SB 807 - This act creates the crime of Eluding a Law Enforcement Official. The crime consists of the following elements: operating a vehicle after receiving a light or siren, or after being directed to stop the vehicle by a peace officer who has reasonable suspicion of a violation and purposefully increasing the speed of a vehicle or turning off lights for purposes of eluding a peace officer; or purposefully attempting to elude in any manner.

The new crime is defined as a Class A misdemeanor, unless the defendant knowingly eludes by operating a motor vehicle in a manner which presents a substantial risk of injury to another person, in which case the crime is a Class D felony.
SARA MORROW

120601 Prefiled
010902 S First Read S51
011702 Second Read and Referred S Civil & Criminal S112
Jurisprudence Committee
013002 Hearing Conducted S Civil & Criminal Jurisprudence
Committee

EFFECTIVE : August 28, 2002

SB 0808

SENATE SPONSOR Gross

2668S.01I

SB 808 - This act allows individual income taxpayers to claim a tax credit against their state income tax liability for up to \$150 of their property tax liability. The credit can be taken for the 2002 tax year and thereafter.

This act is similar to SB 213 (2001).
JEFF CRAVER

121001 Prefiled

010902 S First Read

S51

011702 Second Read and Referred S Ways & Means Committee

S112

EFFECTIVE : August 28, 2002

SB 0809

SENATE SPONSOR Gross

2730S.01I

SB 809 - This act exempts from state and local sales taxes all amounts paid or charged for admission to a motion picture theater.

This act is identical to SB 567 (2001).
JEFF CRAVER

121001 Prefiled

010902 S First Read

S51

011702 Second Read and Referred S Ways & Means Committee

S112

021202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0810

SCS SB 810

SENATE SPONSOR Dougherty

2809S.05C

SCS/SB 810 - This act expands the Utilicare program for elderly, disabled and other qualifying individuals.

Currently, Sections 660.100 through 660.136, RSMo, establish the Utilicare program to provide financial assistance for the heating and cooling of elderly, disabled and qualifying households. This act modifies these two sections by changing the definition of "qualified individual household" and, thus, expanding program eligibility. Eligibility will be based on a household income of less than or equal to 150 percent, rather than 110 percent, of the current federal poverty level or 60 percent of the state median income (Sections 660.100, 660.105).

Current law requires the Department of Social Services to coordinate all federal heating assistance programs along with the Utilicare program. This act requires the Department to coordinate all federal programs into the Utilicare program (Section 660.110).

Current law allows a payment of \$150 to each eligible household from the Utilicare fund for heating and cooling. This act increases that amount to \$600. Language limiting program expenditures is also deleted (Section 660.115). Section 660.120 is repealed.

Currently, funds may be used to pay for reconnecting or maintaining service of eligible households. New eligibility language is again added for qualified households. Language limiting program expenditures is also deleted (Section 660.122).

Section 660.135, RSMo, specifies the amount of appropriations allowed for the program at five million dollars and includes a cost of living adjustment allowance. The Department may currently combine funds with the Department of Natural Resources' low-income weatherization assistance program.

The law established the "Utilicare Stabilization Fund". New language provides that funds may come from any source, including federal funds under the Community Opportunities Accountability and Training and Educational Services Act. Existing language regarding the investment of such funds is removed and new language requires all funds to be used for Utilicare and LIHEAP (Section 660.136).

SARAH MORROW

121001	Prefiled	
010902	S First Read	S51
011702	Second Read and Referred S Commerce & Environment Committee	S112
012902	Hearing Conducted S Commerce & Environment Committee-Consent	
021402	SCS Voted Do Pass S Commerce & Environment Committee-Consent	(2809S.05C)
021902	Reported From S Commerce & Environment Committee to Floor w/SCS - Consent	S312
022102	Removed from S Consent Calendar	S337
030502	Hearing Scheduled S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 0811

SENATE SPONSOR Dougherty

2745S.01I

SB 811 - This act requires that a minimum level of salary schedule credit be offered to public school teachers who change employment from one Missouri school district to another as

specified in the act. Beginning with the 2002-2003 school year, teachers who have been employed for one year or more shall be offered credit for each year of service up to 5 years, with annual increases thereafter through the 2007-2008 school year. School districts may offer credit in excess of the schedule.

The act also specifies that moneys necessary to fund this section shall be appropriated from the state lottery fund in the event the courts declare that Section 16 of Article X of the Missouri Constitution applies to any provision of Section 168.090, RSMo (Section 168.095).

This act is similar to SB 483 (2001).
DONALD THALHUBER

121001 Prefiled
010902 S First Read S51
011702 Second Read and Referred S Education Committee S112
021302 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0812

SENATE SPONSOR Russell

3407S.01P

SB 812 - This act requires all executive orders issued after January 1, 2003, to be published in the Missouri Register.
STEPHEN WITTE

121101 Prefiled
010902 S First Read S51
011702 Second Read and Referred S Financial & Governmental S112
Organizations Committee
021102 Hearing Conducted, S Financial & Governmental Org.
Veterans' Affairs & Elections Committee - Consent
021102 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee-Consent
021202 Reported From S Financial & Governmental Org., Vet. S258
Affairs & Elections Committee to Floor - Consent
022602 S Third Read and Passed - Consent S363
022702 H First Read

EFFECTIVE : August 28, 2002

SB 0813

SENATE SPONSOR Mathewson

3395L.01P

SB 813 - This act modifies appropriation procedures for community college districts. In addition to funds for operating purposes, each community college district would be eligible to receive an annual appropriation, exclusive of any capital

appropriations, for the cost of maintenance and repair of facilities and grounds, as well as the purchase of equipment and furniture. The act also allows capital appropriations to be excluded from the rule that states that these annual appropriations shall not exceed ten percent of the state appropriations to community college districts for operating purposes during the most recently completed fiscal year.
DONALD THALHUBER

121101	Prefiled	
010902	S First Read	S51
011702	Second Read and Referred S Education Committee	S112
013002	Hearing Conducted S Education Committee-Consent	
013002	Voted Do Pass S Education Committee-Consent	
013102	Reported From S Education Committee to Floor-Consent	S192-193
021402	S Third Read and Passed - Consent	S286
021802	H First Read	H302
021902	H Second Read	H310

EFFECTIVE : August 28, 2002

SB 0814

SENATE SPONSOR Childers

3270S.01I

SB 814 - This act directs the Director of Revenue to credit a person's driver's license for the period of suspension a person serves in another state.
STEPHEN WITTE

121101	Prefiled	
010902	S First Read	S51
011702	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S112

EFFECTIVE : August 28, 2002

SB 0815

SCS SB 815

SENATE SPONSOR Childers

2506S.07I

SCS/SB 815 - This act modifies funding for fire protection. The Fire Safety Fund is created and will consist of any monies remaining in the Fire Education Fund. The fund will be invested by the state treasurer in a manner provided by law. The Fire Safety Fund will receive annual transfers of .5% of the amount of premium taxes collected. The Fire Safety Fund will be divided such that 40% of the money will go to the fire department grants fund and 20% of the money will be spent on fire education programs. The remaining funds will be used at the discretion of the Missouri Fire Safety Commission and will be used to fund the five fire consultants. No more than 5% of the fund may be used for administrative purposes.

The Fire Safety Commission is created. The members will include the State Fire Marshall, the State Forester and five members appointed by the Governor with the advice and consent to the Senate. No more than half of the members shall be from a single political party and no more than one member shall be from a single Congressional district. A maximum of five FTE fire consultants will be employed by the Division of Fire Safety and work in regions across the state as determined by the Commission. The fire consultants will work with local fire departments to improve fire protection. Funding for the fire consultants will come from the Fire Safety Fund.

The Fire Safety Grants Fund is established and will consist of 40% of the transfers made to the Fire Safety Fund. Grants may be made from this account to fund requests for fire departments, associations or districts serving an area with a population of less than 10,000. The Fire Safety Commission shall administer the grant program and is authorized to promulgate rules to implement the grant program.

CINDY KADLEC

121101	Prefiled	
010902	S First Read	S51
011702	Second Read and Referred S Insurance & Housing Committee	S112
012202	Hearing Conducted S Insurance & Housing Committee	
022702	SCS Voted Do Pass S Insurance & Housing Committee	(2506S.10C)

EFFECTIVE : August 28, 2002

SB 0816

SENATE SPONSOR Gross

2719S.01I

SB 816 - This act details information to be included in physician abortion reports.

Section 188.015, RSMo, is modified to include a definition for the Department of Health and language allowing interpretation of the definitions is removed. Currently, Section 188.052, RSMo, requires a physician to submit an abortion report for each abortion he or she performs. New language specifies that the report shall include, but not be limited to, the following:

Information required by federal reports and organizations, such as the Centers for Disease Control and Prevention;
Information regarding the type of procedure used to perform the abortion; and
Specific reasons the woman sought the abortion.

In addition, a physician must currently submit an individual complication report for post-abortion care. The Department must publish an annual statistical report. New language requires the

report to include data on abortions or induced and post-abortion care. The report must contain the gestational age by weekly increments at which abortions are performed. The report must not include any information that would allow the identification of a patient, physician, or hospital or abortion facility.

Currently, Section 188.070, RSMo, provides for a misdemeanor for violation of confidentiality. New language increases the penalty to a Class D felony if any person who knowingly violates the confidentiality of records, reports, or documents maintained by the abortion facility or Department of Health. A new Section 191.655 is also added to allow an action for breach of medical record confidentiality, if not otherwise provided for. Damages, court costs, attorney's fees, and other relief are allowed for negligent, willful, intentional, or reckless violation of such confidentiality.

This act is identical to SB 477 (2001).
ERIN MOTLEY

121101 Prefiled
010902 S First Read S51
011702 Second Read and Referred S Public Health & Welfare S112
Committee
022702 Hearing Conducted S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 0817

SCS SBs 817, 978 & 700
SENATE SPONSOR Gross

3455S.05C

SCS/SBs 817, 978 & 700 - This act revises the dram shop liability statute. The act provides that a cause of action may be brought against a person licensed to sell intoxicating liquor by the drink when it is proven by clear and convincing evidence that the seller knew or should have known that intoxicating liquor was sold to a person under 21 or was knowingly served to a visibly intoxicated person. A "visibly intoxicated person" is shown by the person's impairment is shown by significantly uncoordinated physical action or significant physical dysfunction. A person's blood alcohol content will not constitute prima facie evidence to establish "visible intoxication". The person who became intoxicated may not sustain such a lawsuit.

A seller will have an affirmative defense if proof of age is demanded and the drivers license or official state personal identification card appearing to be genuine is shown. Sellers shall have the right of full indemnification for damages against the intoxicated person.

CINDY KADLEC

121101 Prefiled

010902 S First Read S51
 011702 Second Read and Referred S Pensions & General Laws S112
 Committee
 012302 Hearing Conducted S Pensions & General Laws Committee
 020702 SCS Voted Do Pass (SCS SBs 817, 978 & 700) S Pensions
 & General Laws Committee (3455S.05C)
 021202 Reported From S Pensions & General Laws Committee to S258
 Floor w/SCS
 030402 009 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0818
 SCS SBs 721, 757, 818 & 930
 SENATE SPONSOR Westfall

3312S.01I

121201 Prefiled
 010902 S First Read S51
 011702 Second Read and Referred S Transportation Committee S112
 012902 Hearing Conducted S Transportation Committee
 013002 Bill Combined (SCS SBs 721, 757, 818 & 930) S
 Transportation Committee

EFFECTIVE : August 28, 2002

SB 0819
 SENATE SPONSOR Bentley

3212S.01I

SB 819 - This act raises the age limit for the death penalty
 from 16 to 18.
 SARAH MORROW

121201 Prefiled
 010902 S First Read S51
 011702 Second Read and Referred S Judiciary Committee S112
 012902 Hearing Conducted S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 0820
 SENATE SPONSOR Bentley

3290S.01I

SB 820 - This act allows foster parents to receive a
 dependency exemption on their state income tax returns. Section
 143.161 currently describes who is entitled to a dependency
 exemption. A new subsection is added to waive the fifty percent
 support threshold for foster parents if any foster child has
 lived within the home for at least ten months of the year.

This act is identical to SB 45 (2001).
 ERIN MOTLEY

121201 Prefiled
 010902 S First Read S51
 011702 Second Read and Referred S Ways & Means Committee S112
 021202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0821

SCS SB 821

SENATE SPONSOR Dougherty

2966S.01I

SCS/SB 821 - This act allows the Division of Design and Construction to contract for guaranteed energy cost savings. Contractors must be selected based on experience, capability, past performance and proximity of the firm. The contract must otherwise be in accordance with Section 8.231, RSMo.
 CINDY KADLEC

121201 Prefiled
 010902 S First Read
 011702 Second Read and Referred S Commerce & Environment Committee
 012902 Hearing Conducted S Commerce & Environment Committee
 020702 SCS Voted Do Pass S Commerce and Environment Committee (2966S.03C)
 022102 Committee Vote Reconsidered S Commerce & Environment Committee
 022602 Hearing Conducted S Commerce and Environment Committee-Consent
 022802 SCS Voted Do Pass S Commerce & Environment Committee-Consent (2966S.04C)

EFFECTIVE : August 28, 2002

SB 0822

SENATE SPONSOR Dougherty

2631S.01I

SB 822 - This act modifies the mandated prostate examination provision of the law by requiring coverage for prostatescint imaging for a nonsymptomatic man who has an above normal prostate membrane antigen expression.

This act is identical to SB 588 (2001).
 ERIN MOTLEY

121201 Prefiled
 010902 S First Read S52
 011702 Second Read and Referred S Insurance & Housing Committee S112
 021202 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0823

SENATE SPONSOR Cauthorn

3334S.01I

SB 823 - This act exempts from a senior (age 65 and over) individual taxpayer's state adjusted gross income the amount of annuity, pension and retirement allowances provided to the taxpayer during the tax year. The exemption makes those amounts no longer subject to state income tax.

This act takes effect for tax years beginning on or after January 1, 2003.

This act is similar to SB 403 (2001).
JEFF CRAVER

121201 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Ways & Means Committee S112
021202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : January 1, 2003

SB 0824
SCS SBs 688, 663, 691, 716, 759, 824 & 955
SENATE SPONSOR Cauthorn

3335S.01I

121201 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Ways & Means Committee S112
012202 Hearing Conducted S Ways & Means Committee
020502 Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824 & 955) S Ways & Means Committee

EFFECTIVE : January 1, 2003

SB 0825

SENATE SPONSOR Schneider

3394S.01I

SB 825 - This act creates a commission of the Administrative Law Judges of the Missouri Division of Workers Compensation. For each Division office that employs more than one Administrative Law Judge (ALJ), the office shall be headed by a chief ALJ who shall supervise the office, assign judges and ensure decisional independence of each judge, establish standards and training programs and coordinate continuing education programs, effective January 1, 2003.

JIM ERTLE

121301 Prefiled
 010902 S First Read S52
 011702 Second Read and Referred S Judiciary Committee S112
 022602 Hearing Conducted S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 0826

SENATE SPONSOR Gross

3460S.01I

SB 826 This act allows the holder of a bad check to send a notice and written demand for payment by regular mail that is supported by an affidavit of service by mailing. Notice would then be deemed conclusive three days following the date the affidavit is executed. This act allows the thirty days to begin running three days after the affidavit was executed. Currently, the only way a holder of a bad check could send notice and written demand for payment is either by certified or registered mail.

SARAH MORROW

121301 Prefiled
 010902 S First Read S52
 011702 Second Read and Referred S Pensions & General Laws S112
 Committee
 012302 Hearing Scheduled But Not Heard S Pensions & General
 Laws Committee
 013002 Hearing Cancelled S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0827

SENATE SPONSOR Dougherty

2795S.03I

SB 827 - This act requires health insurance companies to provide coverage for routine patient care costs incurred as the result of clinical trials undertaken to treat cancer or other life-threatening illnesses. Entities providing clinical trial treatment must have sufficient expertise and training to treat a sufficient number of patients. There must be equal to or superior non-investigational treatments alternatives available before providing clinical trial treatment. Clinical trial coverage shall include coverage for drugs and devices approved by the FDA, whether or not the FDA has approved the drug or device for the patient's particular condition.

The clinical trials will only be covered if they are approved or funded by the following entities:

- 1) One of the National Institutes of Health (NIH);
- 2) An NIH Cooperative Group of Center;
- 3) The FDA in the form of an investigational new drug

application;

- 4) The federal Department of Veteran's Affairs of Defense;
- 5) A Missouri institutional review board which has a multiple project assurance contract approved by the Office of Protection for the Research Risks of the NIH;
- 6) Research entities that meet the criteria for NIH Center support grant eligibility; or
- 7) A panel of qualified experts in clinical research.

Every June 1st, health insurers must submit reports on its coverage of clinical trials during the previous year to the Director of Insurance. The Director shall submit an annual summary report to the Speaker of the House and the Pro Tem of the Senate. Reports shall be available to the public upon request.
STEPHEN WITTE

121301 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Insurance & Housing S112
Committee
021202 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0828

SCS SBs 923, 828, 876, 694 & 736
SENATE SPONSOR Dougherty

2830L.02I

121301 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Aging, Families & Mental S112
Health Committee
020502 Hearing Conducted S Aging, Families & Mental
Health Committee
021202 Bill Combined (SCS SBs 923, 828, 876, 694 & 736)
S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0829

SENATE SPONSOR Dougherty

3337S.01I

SB 829 - This act gives the Department of Health and Senior Services authority to receive and investigate written complaints of indoor air quality made by an employee of a public school. The Department may investigate, determine the origin of the problem and make recommendations on mitigation of the problem.
CINDY KADLEC

121301 Prefiled
010902 S First Read S52

011702 Second Read and Referred S Commerce & Environment S112
Committee

EFFECTIVE : August 28, 2002

SB 0830

SENATE SPONSOR House

2468S.02I

SCS/SB 830 - This act authorizes an adopted person over the age of 30 to obtain a copy of his or her original birth certificate and provides that such access shall be provided unless a written prohibition exists against the release of records. If the state registrar does not have the person's records, the registrar shall certify this within 30 days. The adopted person may then request such records from any circuit court, and the court shall provide copies of any such records in its possession within 60 days.

ERIN MOTLEY

121401 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Aging, Families & Mental S112
Health Committee
021902 Hearing Conducted S Aging, Families & Mental Health
Committee
022102 SCS Voted Do Pass S Aging, Families & Mental Health
Committee (2468S.05C)

EFFECTIVE : August 28, 2002

SB 0831

SENATE SPONSOR Loudon

3489S.01P

SB 831 - This act establishes December 15 as "Bill of Rights Day" in Missouri.

MARTY DREWEL

121401 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Financial & Governmental S112
Organizations Committee
021102 Hearing Conducted S Financial & Governmental Org.
Veterans' Affairs & Elections Committee-Consent
021102 Voted Do Pass S Financial & Governmental Org.,
Veterans' Affairs & Elections Committee-Consent
021202 Reported From S Financial & Governmental Org., Vet. S258
Affairs & Elections Committee to Floor - Consent
022602 S Third Read and Passed - Consent S362
022702 H First Read

EFFECTIVE : August 28, 2002

SB 0832

SENATE SPONSOR Schneider

3458S.01I

SB 832 - This act allows an Administrative Law Judge to appoint an impartial physician to examine, at the request of the State, upon a finding that there is no other adequate medical evidence available and necessary to Second Injury Fund Claims. The physician's fee and other reasonable costs may be assessed by the administrative law judge against any party and becomes immediately payable.

The act also allows interest to run 15 days after an award except as otherwise modified upon review or appeal, and modifies the statute of limitations on Second Injury Fund claims, making it consistent with other workers' compensation claims.

This act is identical to SB 496 (2001).
JIM ERTLE

121701	Prefiled	
010902	S First Read	S52
011702	Second Read and Referred S Judiciary Committee	S112
012202	Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 0833

SENATE SPONSOR Schneider

3466S.01I

SB 833 - This act requires certain departments to notify the Attorney General's (AG) office before entering into certain contracts. New sections 620.012 and 620.013 are created to require the Departments of Economic Development and Social Services, respectively, to notify the AG's office of any contracts involving payments over \$100,000. Upon receipt of the notification, the AG's office must review and approve or deny the contract within ten days. If the AG does not approve, recommendations shall be provided as to additional provisions necessary to protect the state's legal interest. If the AG does not respond within ten days to thirty days, depending on the type of contract, then the contract is deemed approved.
ERIN MOTLEY

121701	Prefiled	
010902	S First Read	S52
011702	Second Read and Referred S Judiciary Committee	S112
022602	Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 0834

SCS SB 834

SENATE SPONSOR Sims

3512S.04C

SB 834 - This act allows the Supervisor of Liquor Control to issue a retail license to sell intoxicating liquor between the hours of 11:00 a.m. and midnight on Sunday to any establishment located in an international airport and owned or leased and operated by an airline. This license will cost \$200 in addition to all other fees required by law. City and county regulations and fees will also apply to the license.

This act is identical to HB 1065 (2002).
STEPHEN WITTE

121701 Prefiled
010902 S First Read S52
011702 Second Read and Referred S Commerce & Environment S112
Committee
021202 Hearing Conducted S Commerce & Environment
Committee-Consent
022102 SCS Voted Do Pass S Commerce & Environment
Committee-Consent (3512S.04C)
022502 Reported From S Commerce & Environment Committee to S353
Floor - Consent w/SCS
030402 S Consent Calendar w/SCS (2/25)

EFFECTIVE : August 28, 2002

SB 0835

SENATE SPONSOR Bland

3323S.01I

SB 835 - This act modifies the law relating to the rights of persons with service animals.

Definitions are provided relating to service animals (Section 209.200). Persons are prohibited from refusing to rent a dwelling because a service animal will reside there. Reasonable modifications should be made, but no physical modifications are necessary to accommodate the animal. Extra charges may not be required and landlords may require proof that an animal is a service animal. No restriction on property or a real estate transaction will be enforceable if it prohibits service animals (Section 209.202).

Discrimination by an employer against a person with a disability is prohibited if it involves that person's use of a service animal (Section 209.204).

Persons or places of lodging are prohibited from requiring additional charges or denying equal services to a person using a service animal. Service animals must be restrained with a harness or leash and evidence of service animal status must be

provided. Any person who violates this section may be subject to criminal prosecution or a complaint with the Human Rights Commission (Section 209.206).

Public transportation operations are prohibited from refusing service or charging additional fees to a person using a service animal. Violators may be subject to prosecution or a Commission complaint (Section 209.208).

Motor vehicle drivers and persons using service animals must both take necessary safety precautions. Any driver failing to do so will be liable for actual damages. Any person who intentionally causes an accident or injury to a person using a service animal or animal itself will be guilty of a Class B misdemeanor (Section 209.210).

Section 209.212 contains the following provisions for violations against service animals, but does not include lawful acts of humane societies, animal control or shelters:

1. Intentional destruction or injury, unless for humane purposes is a Class C felony.
2. Intentional deprivation or fraud is a Class A misdemeanor or theft/possession of stolen property.
3. Negligent or malicious killing or injury will entail civil liability to the user for \$1000 plus fees.
4. Willful or malicious injury is a Class C felony.
5. Sale or transfer of a stolen animal is a Class C felony.
6. Willful or negligent injury or destruction will entail civil liability for value of animal and related costs.

Any person misrepresenting an animal as a service animal is guilty of a Class B misdemeanor (Section 209.214).

The owner of a service animal will be liable for any damages caused by the animal. Owners must keep service animals restrained while in use or be subject to civil liability for any damages. Service animals must be identifiable by their restraint method or other identifier (Section 209.216).

The Human Rights Commission does not have jurisdiction regarding the violation of Sections 209.160 or 209.212, which will be within the jurisdiction of the County Prosecutor. The Commission will have jurisdiction over the remaining sections. Upon a showing that a complaint has been filed with the Commission, a prosecutor may withdraw any pending action on the same violations (Section 209.218).

ERIN MOTLEY

011702 Second Read and Referred S Aging, Families & Mental Health Committee S112
 021902 Hearing Conducted S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0836

SCS SB 836

SENATE SPONSOR Gross

3450S.03C

SCS/SB 836 - This act incorporates the federal Mobile Telecommunications Sourcing Act into Missouri law, and provides consumer remedies for erroneous tax charges.
 CINDY KADLEC

121701 Prefiled
 010902 S First Read S52
 011702 Second Read and Referred S Pensions & General Laws Committee S112
 013002 Hearing Conducted S Pensions & General Laws Committee
 013102 SCS Voted Do Pass S Pensions and General Laws Committee (3450S.03C)
 020402 Reported From S Pensions & General Laws Committee to Floor w/SCS S202
 030402 004 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0837

SCS SBs 837, 866, 972 & 990

SENATE SPONSOR Cauthorn

3336S.09C

SCS/SBs 837, 866, 972 & 990 - This act excludes ethanol from the requirement that oxygenates be labeled.

This act allows tax credits from the Agricultural Product Utilization Contributor Tax Credit or the New Generation Cooperative Incentive Tax Credit to be claimed either as a credit against the tax or the estimated quarterly tax. And allows available tax credits to include "eligible new generation processing entities".

This act creates the "Missouri Qualified Biodiesel Producer Incentive Fund", which provides incentives for qualified biodiesel producers.

SARAH MORROW

121701 Prefiled
 010902 S First Read S52
 011602 Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee S103
 012402 Hearing Conducted S Agriculture, Conservation, Parks

& Tourism Committee
 013102 SCS Voted Do Pass S Agriculture, Conservation, Parks
 & Tourism Committee (3336S.02C)
 020702 Committee Vote Reconsidered S Agriculture,
 Conservation, Parks & Tourism Committee
 020702 SCS Voted Do Pass (SCS SBs 837, et al) S Agriculture,
 Conservation, Parks & Tourism Committee (3336S.09C)
 021202 Reported From S Agriculture, Conservation, Parks & S259
 Tourism Committee to Floor w/SCS
 030402 010 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0838

SENATE SPONSOR Caskey

3289S.02I

SB 838 - This act mandates insurance coverage for children's hearing aids. This mandated coverage will be required in all health policies issued or renewed after January 1, 2003. The required coverage shall not be subject to greater deductibles or copayments that exceeds 20% of the actual covered service costs. Insurers are prohibited from requesting hearing acuity information from the insureds. The mandated coverage does not apply to certain types of policies such as supplemental insurance policies or specified disease policies. The act describes what type of hearing aids are covered. Policies subject to this act must provide replacement hearing aids for the child at least every 3 years. Hearing aids, prescriptions and consumable supplies must be reimbursed at the usual and customary charges of the licensed professionals. A health insurer or health benefit plan subject to this mandate may limit the benefits payable for hearing aids to \$2,500 per hearing aid for each ear with a hearing loss. An insured may choose a hearing aid higher than the benefit payable and may pay the difference between the price of the hearing aid and the benefit payable.

STEPHEN WITTE

121801 Prefiled
 010902 S First Read S52
 011702 Second Read and Referred S Insurance & Housing S112
 Committee
 021202 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0839

SENATE SPONSOR Goode

3340S.03I

SB 839 - This act regulates high-cost home loans and establishes certain lender reporting requirements. The act prohibits specific practices with respect to high-cost home loans, including prepayment penalties, issuing high-cost loans

stipulating negative amortization, loan flipping, making misleading statements about a residential home loan transaction, and compensating or intimidating appraisers to influence their judgment with regard to the value of the real estate.

ATTORNEY GENERAL'S POWERS - This act deletes a portion of current law which prohibits the Attorney General from moving forward with a unfair practice charge against a company under the supervision of the Department of Insurance, director of the Division of Credit Unions or the Division of Finance. Under this act, the Attorney General's office will be able to proceed with charges against those companies.

PROHIBITED PREDATORY LENDING PRACTICES - Under this act, no prepayment penalties are allowed with respect to high cost home loans. Lenders are prohibited from engaging in the practice of negative amortization. Lenders are prohibited from engaging in the practice known as loan flipping. Lenders are prohibited from encouraging default on an existing loan in the connection with the closing of a consumer home loan. Lenders must reasonably believe that borrowers can repay the loan based on current and expected income, debt, and other financial resources other than the borrower's equity in his or her home. A borrower shall be presumed to be able to make payments under the loan if the borrower's total monthly debts do not exceed 50% of the borrower's monthly gross income. Lenders may not charge a fee for an unprovided service or misrepresent the amount charged by a third party service. Lenders may not make misleading statements with respect to a residential loan transaction regarding the borrower's ability to qualify. Lenders may not compensate or intimidate an appraiser regarding the value of real estate. Lenders may not finance certain forms of insurance through the home loan or for debt cancellation. High-cost loans in which blanks are left to be filled in after contracts are signed are unenforceable.

CONTRACT LANGUAGE REQUIREMENTS - This act requires the lender to provide a copy of the loan in a different language if the discussions leading to the loan were in a different language.

PROHIBITED HIGH-COST LOAN CONTRACT TERMS AND PRACTICES - High-cost loans may not contain scheduled payments which are more than twice as large as the average of the earlier scheduled payments. High-cost loans can not contain terms which require more than two periodic payments are consolidated and paid in advance from the loan proceeds. High-cost loans can not contain provisions which increase the interest rate after default. High-cost loans may not contain provisions which allow the lender to increase the indebtedness at his or her discretion. Lenders are prohibited from charging borrowers fees to modify, renew or amend high-cost loans or to defer payments under the terms of the loan. Lenders are prohibited from making high-cost loans without first receiving certification from HUD that the borrower has received loan counseling. High-cost loans may not contain mandatory arbitration clauses. Lenders are prohibited from paying home-improvement contractors from the high-cost loan unless the instrument is both payable to the borrower and contractor, or

through a third-party escrow agent.

GOOD FAITH - Lenders who attempt to evade the high-cost loan prohibitions by structuring the loan as an open-ended account transaction or some other transaction are still subject to the act. Lenders acting in good faith who fail to comply with Section 408.719 may evade prosecution if they notify the borrower of the compliance failure and make appropriate restitution.

PENALTIES AND REMEDIES - Lenders who violate this act will be liable to the borrower for actual damages, statutory damages equal to the finance charges in the agreement plus 10% of the amount financed, punitive damages for an intentional or reckless violation of the act, and reasonable attorney fees and costs.

Borrowers may be granted injunctive relief. If the lender intentionally violated this act, the loan is void rendering the lender incapable of collecting on the loan and the borrower may recover any payments under the agreement. The borrower also has the right to rescind the agreement against a party foreclosing on the loan.

UNLAWFUL TRADE PRACTICE - Violations of this act are deemed to be unlawful trade practices and may be prosecuted by the Attorney General's office.

INVESTMENT PROHIBITIONS - Lenders are prohibited from making investments which are backed by loans violating the act.

REPORTING REQUIREMENTS - Lenders which are exempt from federal reporting requirements because of the amount of loans they originated the proceeding year are required to report similar information to the Division of Finance. Lenders must report to the Division of Finance the average and median interest rates of mortgage loans they originate grouped by income levels, gender and racial categories. The reporting requirements become effective January 1, 2004.

The rest of the act is effective January 1, 2003. This act is similar to HB 181 (2001).

STEPHEN WITTE

121801	Prefiled	
010902	S First Read	S53
011702	Second Read and Referred S Financial & Governmental Organizations Committee	S112
030402	Hearing Scheduled S Financial & Governmental Organizaitons Committee	

EFFECTIVE : January 1, 2003

SB 0840

SCS SB 840

SENATE SPONSOR Gross

3397S.02C

SB 840 - This act revises the statute of limitations and adds economic loss damages for home improvements. The ten-year statute of limitations remains the same. Currently, the time period begins to run at completion of the improvement. "Completion" is not defined in the statute.

This act changes the starting date of the time limit to "substantial completion" and sets forth a definition of substantial completion. The act also adds economic loss to the list of damages restricted by the ten-year time limit.

This act requires the plaintiff, in an action against a architect, engineer or surveyor, to file an affidavit with the court stating that the plaintiff obtained the written opinion of a legally qualified like licensed professional. The statement made by the licensed professional should state that the defendant licensed professional failed to use such care as a reasonably prudent and careful licensed professional would have under similar circumstances. The affidavit should be filed within ninety-five days of the filing of the petition. The case may be dismissed if the plaintiff or his attorney fails to file such affidavit. This act does not apply to actions filed in small claims court.

This act is similar to SCS/SBs 253 & 260.
CINDY KADLEC

121801 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Pensions & General Laws S112
Committee
012302 Hearing Conducted S Pensions & General Laws Committee
013102 SCS Voted Do Pass S Pensions and General Laws
Committee (3397S.02C)
020402 Reported From S Pensions & General Laws Committee to S203
Floor w/SCS
030402 005 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0841

SENATE SPONSOR Klarich

3509S.01I

SB 841 - This act requires health carriers to provide chiropractic care as part of basic health care services. Covered enrolles who wish to receive such care shall have direct access to a chiropractic physician within the provider network. The enrollee shall have the right to obtain clinically necessary and appropriate follow-up care. Health carrier gatekeepers shall not

intentionally misinform an enrollee about the availability of chiropractic services under the enrollee's plan. Chiropractic services provided by a chiropractor shall be subject to reasonable deductibles, copayments and other benefit limits, but such limits shall not function to direct treatment in a manner which unfairly discriminates against the chiropractor.
STEPHEN WITTE

121901 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Insurance & Housing S112
Committee
021202 Hearing Conducted S Insurance & Housing Committee
021902 Voted Do Pass S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0842

SENATE SPONSOR Klarich

3452S.01I

SB 842 - This act requires managed care organizations to provide chiropractic benefits to enrollees. A covered enrollee may utilize chiropractic services without discrimination relative to access, fees, deductibles, copayments, and benefit limits. This act prohibits a managed care organization from prohibiting a chiropractic doctor from providing care on an elective, self-pay, fee-for-service basis.
STEPHEN WITTE

121901 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Insurance & Housing S113
Committee
021202 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0843

SCS SBs 843 & 658
SENATE SPONSOR Stoll

3266L.03C

SCS/SBs 843 & 658 - This act requires mobile home park landlords to provide tenants who own their homes 180 days notice when the landlord requires them to move due to a change in use. During this period, the landlord shall not increase the rent except for a rent increase based upon increased property taxes.

Under this act, a manufactured home dealer or manufacturer may have his or her license suspended or revoked for failing to provide notice that the Public Service Commission does not regulate setup of used manufactured homes, to a purchaser of a used manufactured home (Section 700.100).

Under this act, a landowner shall have a lien against an abandoned manufactured home for unpaid rent. The process for enforcing the lien on unpaid rent is modified under the act. The landowner must provide the manufactured home owner notice before enforcing the lien. The landowner must give the home owner opportunity to redeem the home by paying all unpaid rent. The notice must also advise the home owner of his or her legal rights and that the home owner may contest the lien filing by filing a petition to that affect in the county circuit court in which the home is located. If the home owner does not redeem the home within 30 days of the notice or the home owner does not contest the lien within 10 days of receiving the notice, the title to the home will be transferred to the land owner. The land owner must apply for a certificate of title with the Department of Revenue. If the Director of the Department of Revenue is satisfied with the contents of the application, an original certificate of title to the manufactured home will be issued to the land owner.

The manufactured homeowner may, within 10 days of the mailing of the notice, contest the real property owner's lien in the home. If the owner contests the lien in Circuit Court, he or she will have to post a bond for the unpaid rent in order to have the home released. Once the bond is posted, the court will direct the land owner to release the home to the home owner. The court will also determine whether unpaid rent is due. The court may direct that the rent be paid from the posted bond or grant the landowner a security interest in the home.

If a manufactured home is abandoned on a landlord's property which is subject to another lien that is in default, the landlord must give notice to the manufactured home owner and the party holding the lien. The notice must contain a statement that if the rent is not paid within 30 days from the mailing of the notice and the lien is not contested, the real property owner will have a lien against the home which will superior to the other party's perfected lien. The homeowner and the perfected lienholder shall not remove the home from the property until the landlord is paid for past due rent. The perfected lienholder is not entitled to a certificate of title from the Department of Revenue until the lienholder has paid all rent it is obligated to pay under this act (the rent which accrues 30 days after the notice until the home is removed from the property).

STEPHEN WITTE

121901	Prefiled	
010902	S First Read	S53
011702	Second Read and Referred S Insurance & Housing Committee	S113
012202	Hearing Conducted S Insurance & Housing Committee	
021902	SCS Voted Do Pass (SCS SBs 843 & 658) S Insurance & Housing Committee (3266S.03C)	
022502	Reported From S Insurance & Housing Committee to Floor w/SCS	S354
030402	017 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 0844

SENATE SPONSOR Loudon

3120S.01I

SB 844 - This act prohibits reassessment of previously assessed real property and improvements until such time as there is a change in ownership of the property.
JEFF CRAVER

121901 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Ways & Means Committee S113
012202 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 0845

SENATE SPONSOR Russell

3614S.01I

SB 845 - This act exempts from public inspection certain public records and other information furnished by a municipal utility to the Public Service Commission ("Commission"). Upon receiving a request for release of such records or information, the municipal utility may, in certain circumstances, petition the Commission for an expedited protective order.

This act contains a penalty provision.
ERIC ROSENKOETTER

122001 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Commerce & Environment S113
Committee

EFFECTIVE : August 28, 2002

SB 0846

SENATE SPONSOR Singleton

3382S.01I

122001 Prefiled
010902 S First Read S53
011002 BILL WITHDRAWN S69

EFFECTIVE : August 28, 2002

SB 0847

SENATE SPONSOR Singleton

3404S.01I

SB 847 - This act allows public schools to offer American Sign Language (ASL) classes for foreign language credit. Such schools must give academic credit for ASL courses if credit is offered for other foreign language classes and must allow it to satisfy any foreign language requirements at the school. Credit may be earned by completing a course or by demonstrating an appropriate level of proficiency in ASL. The Missouri Commission for the Deaf will provide assistance in developing ASL courses when necessary.

ERIN MOTLEY

122001 Prefiled

010902 S First Read

S53

011002 BILL WITHDRAWN

S69

EFFECTIVE : August 28, 2002

SB 0848

SENATE SPONSOR Singleton

3416S.01I

SB 848 - This act allows refusal, suspension, or revocation of certain professional licenses due to student loan default.

Currently the Missouri State Board of Education may refuse, suspend, or revoke a teaching certification for certain reasons. This act allows the Board to do so upon proof that a person is in default on the repayment of a student loan guaranteed by the Department of Higher Education if the person has not made arrangements to repay. The Board may not refuse, suspend, or revoke based only on a failure to make satisfactory arrangements (Section 168.071).

A new section is created to require the Department of Higher Education to provide notice of any person in default on school loans. Notice must be given to certain departments within sixty days of determination. Sixty days after passage of this act, the Department must provide names of those currently in default to all such departments. The Department must also, however, provide the names of those who have made arrangements to repay. The Department must create a procedure for determination of default by rule and may garnish state payments to persons in default (Section 173.117).

Another new section prohibits the issuance of a license required by Chapter 375, RSMo, to any person in default who has not made satisfactory arrangements to repay. A license may not be refused if a person has made satisfactory arrangements (Section 375.091).

Current law lists reasons the Director of the Department of Insurance may revoke, refuse, or suspend an insurance producer license. This act allows the Director to refuse to issue or renew the license of an insurance agent or broker if that person is in default and has not made arrangements to repay. Refusal will not be allowed if such arrangements are made (Section 375.141).

The law currently outlines reasons an attorney may be removed or suspended from practice. New language adds bad faith avoidance of repayment of a loan as a reason (Section 484.190).

A new section is created to prohibit the Board of Law Examiners from allowing a person to take the Bar exam, admit a person to the Bar, or accept enrollment fees from a person if he or she is in default, unless proof of satisfactory arrangement is shown. It will be considered professional misconduct for a person to avoid repayment of a loan in bad faith if such loan is guaranteed by Higher Education. The discharge of a loan due to bankruptcy will not be considered bad faith (Section 484.280).

A new section requires the Director of the Division of Professional Registration to notify its boards and commissions of members who are in default, unless satisfactory arrangements have been made. The Director must maintain indicators of loan status in the Division's registry. Boards and Commissions are prohibited from renewing or granting licenses to those persons in default, unless satisfactory arrangements have been made (Section 620.143).

This act is identical to HB 1071 (2002).
ERIN MOTLEY

122001 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Financial & Governmental S113
Committee
030402 Hearing Scheduled S Financial & Governmental
Committee

EFFECTIVE : multiple effective dates

SB 0849

SENATE SPONSOR DePasco

3564S.01I

SB 849 - This act creates the crime of "enticement of a child" when a person uses words, action, electronic mail, or the Internet in attempting to persuade any person less than sixteen years of age to leave home or school or persuade a child to enter an enclosed area to conceal the child from public view for the purposes of engaging in lewd, illicit, or criminal conduct with the child. The penalty for enticement of a child is a Class A misdemeanor. If the person has either pled guilty or been found guilty of violating this section, Section 568.045, 568.050, or

568.060, RSMo, or Chapter 566, RSMo, the violation becomes a Class D felony.

This act is identical to HB 1227 (2002).
SARAH MORROW

122001 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Civil & Criminal S113
Jurisprudence Committee
013002 Hearing Conducted S Civil & Criminal Jurisprudence
Committee

EFFECTIVE : August 28, 2002

SB 0850

SENATE SPONSOR House

3582S.01I

SB 850 - This act modifies the regulation of telemarketers. Section 407.1095, RSMo, currently defines terms relating to telemarketing. The term "telephone solicitation" is revised by removing the following exemptions:

Business relationships within the past 180 days;
Entities regulated by federal agencies; and
Referrals, professionals setting up appointments, or other calls from persons working out of the home.

This act is similar to SB 548 and contains an emergency clause.
ERIC ROSENKOETTER

122001 Prefiled
010902 S First Read S53
011702 Second Read and Referred S Commerce & Environment S113
Committee
022602 Hearing Conducted S Commerce & Environment
Committee (Continued from 2/19/02)

EFFECTIVE : Emergency Clause

SB 0851

SCS SB 851

SENATE SPONSOR Westfall

3067S.02I

SCS/SB 851 - This act makes various changes to Missouri's billboard law.

COMPLIANCE WITH FEDERAL LAW - Current state law applies to federal primaries and interstates and does not specifically cover former primary or interstate highways. Federal law now specifically requires states to regulate any federal aid primary

or interstate or highway which was a federal aid primary or interstate as of June 1, 1991 (section 226.540).

LIGHTING REGULATIONS - This act updates specifically allows Trivision, projection and changeable message signs to be subject to MoDOT lighting regulations.

CUTOUTS, EXTENSION, AND STACKING - This act allows cutouts and extensions on nonconforming signs and makes existing stacked signs legal nonconforming (section 226.540(2)(a)).

ZONED AREAS - This act requires that commercially zoned areas have a commercial business within 600 feet before outdoor advertising is permitted (section 226.540(6)). This act requires businesses to have the presence of an owner or employee on the premises for at least 20 hours per week to be considered a valid business when determining whether a property is commercial or industrial.

PERMIT FEES - This act increases original permit fee to erect a billboard from \$28.50 to \$200 and increases biennial inspection fees to \$50 on August 28, 2002, \$75 on August 28, 2003, and \$100 on August 28, 2004. This act also encourages the commission to adopt a renewal system in which all permits of a particular highway are renewed in the same month.

REMOVAL OF BILLBOARDS - This act allows for the non-compensated removal of billboards for failing to pay fees over 12 months (section 226.580). This act increases the amount of time to cure a billboard violation from 30 to 60 days and requires actual notice of a violation before the Department of Transportation can remove a sign.

VEGETATION PERMITS - This act requires vegetation permits to be issued according to current MoDOT rules and regulations. The act also allows certain utility companies to remove and trim vegetation without a permit.

This act contains an emergency clause for certain sections.

This act is similar to SB 247 (2001).

STEPHEN WITTE

122001 Prefiled
010902 S First Read S53
012102 Second Read and Referred S Transportation Committee S124
012902 Hearing Conducted S Transportation Committee
020502 SCS Voted Do Pass S Transportation Committee
(3067S.03C)

EFFECTIVE : Emergency Clause

SB 0852

SENATE SPONSOR Bland

3530S.01I

SB 852 - This act requires insurance companies to offer coverage for weight reduction counseling services for persons who are 50 pounds or more overweight and have been diagnosed by a doctor that such excess weight is or will create health problems.
STEPHEN WITTE

122101 Prefiled

010902 S First Read

S53

012102 Second Read and Referred S Insurance & Housing
Committee

S124

EFFECTIVE : August 28, 2002

SB 0853

SENATE SPONSOR Stoll

3607S.01I

SB 853 - This act establishes the "Collaborative for Applied Experiences in Science" (CAES) program, for the purpose of increasing the statewide potential scientific and technical workforce by identifying, recruiting, and retaining talented in-state and resident out-of-state undergraduates. To achieve this end, CAES will:

- Develop a summer employment program emphasizing the development of research and technical skills in the fields of science, mathematics, computer science, and engineering;
 - Provide mechanisms for retaining high potential students;
 - Introduce students to the potential career opportunities within the state;
 - Facilitate employer access to a highly select talent pool;
- and
- Keep collegiate-level students from Missouri who attend national and regional universities informed about career opportunities in the state.

The Division of Job Development and Training within the Department of Economic Development (in potential cooperation with state, local, public or private agencies) will establish appropriate allocations from their respective budgets to be made for the operation of the CAES program. Funding may come from, but is not limited to, the federal Workforce Investment Act, the one-eighth of one cent sales tax as authorized by sections 43(a) and 43(b) of article IV of the Missouri Constitution, and other discretionary funds.

DONALD THALHUBER

122101 Prefiled
 010902 S First Read S53
 012102 Second Read and Referred S Labor & Industrial S124
 Relations Committee
 012902 Hearing Conducted S Labor & Industrial Relations
 Committee

EFFECTIVE : August 28, 2002

SB 0854

SENATE SPONSOR Gross

2601S.03I

SCS/SB 854 - This act creates provisions relating to terrorism. The Joint Committee on Terrorism, Bioterrorism and Homeland Security is created. The Joint Committee will consist of seven members each from the House and Senate. Duties of the Committee are provided. The Committee must file a report annually, beginning on January 15, 2003, with the General Assembly. The Joint Committee will expire on December 31, 2007.

This act adds an exemption to Sunshine Law, allowing closure of meetings and records regarding specific information on certain terrorism readiness issues. However, information regarding costs of security measures shall not be considered closed.

This act requires the chief executive office of a hospital to develop a written preparedness plan.

This act creates felonies for the possession of and unlawful use of weapons of mass destruction, biological terrorism, destruction of public resources, threatening to use weapons of mass destruction, possession of biological agents, and solicitation of support for an act of terrorism.
 CINDY KADLEC

122101 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Pensions & General Laws S124
 Committee
 013002 Hearing Conducted S Pensions & General Laws Committee
 020702 SCS Voted Do Pass S Pensions & General Laws
 Committee (2601S.07C)

EFFECTIVE : August 28, 2002

****SB 0855****SCS SBs 969, 673 & 855
SENATE SPONSOR Caskey

3581S.01I

122801 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Civil & Criminal S124
 Jurisprudence Committee
 013002 Hearing Conducted S Civil & Criminal Jurisprudence
 Committee
 021302 Bill Combined (SCS SBs 969, 673 & 855) S Civil &
 Criminal Jurisprudence Committee

EFFECTIVE : August 28, 2002

****SB 0856****

SENATE SPONSOR Russell

3622S.01P

SB 856 - This act establishes a new enterprise zone for
 Wright County and for the City of Carl Junction in Jasper County.
 JEFF CRAVER

122801 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Local Government & S124
 Economic Development Committee
 012902 Hearing Conducted S Local Government & Economic
 Development Committee
 013002 Voted Do Pass S Local Government & Economic
 Development Committee
 013102 Reported From S Local Government & Economic S192
 Development Committee to Floor
 021902 SA 1 S offered & adopted (Singleton)
 021902 Perfected, as amended
 022002 Reported Truly Perfected S Rules Committee S325
 022002 Referred S Budget Control Committee S325
 030402 002 S Calendar S Bills for Third Reading (IN BC)

EFFECTIVE : August 28, 2002

****SB 0857****

SENATE SPONSOR Dougherty

3626S.01I

SB 857 - This act creates a price gouging law. During a
 declared state of emergency, a person commits price gouging if he
 or she charges an excessive price for necessities in connection
 with an advertised price or sale. A person suspected of price
 gouging has an affirmative defense if he or she can provide
 written documentation that the price of the necessity was
 increased due to an increase in the cost to obtain the necessity;

and the price increase was beyond the person's control.

A person engaging in price gouging is liable for three times the amount unfairly received in the transaction.

SARAH MORROW

122801 Prefiled
010902 S First Read S54
012102 Second Read and Referred S Pensions & General Laws S124
Committee
013002 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0858

SENATE SPONSOR Dougherty

3451S.01I

SB 858 - This act provides metropolitan school districts (the Board of St. Louis Public Schools) the power to raise the compulsory attendance age to seventeen, whereas in all other school districts the compulsory attendance age is sixteen. Such a resolution changing the compulsory attendance age can only take effect after the school year during which the resolution is passed. The act also allows school boards to raise the mandatory age for part-time attendance from fifteen to sixteen.

The act also exempts the parents of home school students above the age of sixteen in the city of St. Louis from the requirements that specify hours of instruction and maintaining certain records (i.e. written record, academic samples, evaluations). Further, the act allows home school educators of students over sixteen in the city of St. Louis to only supply a written statement that the pupil is attending home school as a defense against any prosecution for educational neglect or violation of the compulsory attendance law.

DONALD THALHUBER

122801 Prefiled
010902 S First Read S54
012102 Second Read and Referred Education Committee S124
021302 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0859

SENATE SPONSOR Russell

3615S.01I

SB 859 - This act exempts dependents of active military personnel from the residency requirement of the A+ Schools program.

DONALD THALHUBER

010202 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Education Committee S124
 020602 Hearing Conducted S Education Committee-Consent
 022702 Voted Do Pass S Education Committee-Consent

EFFECTIVE : August 28, 2002

SB 0860

SENATE SPONSOR Rohrbach

3588L.01P

SB 860 - This act changes the name of the "Missouri
 Commission for the Deaf" to the "Missouri Commission for the Deaf
 and Hard of Hearing" in the statutes.

ERIN MOTLEY

010202 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Pensions & General Laws S124
 Committee
 013002 Hearing Conducted S Pensions & General Laws
 Committee-Consent
 013102 Voted Do Pass S Pensions & General Laws Comm-Consent
 020402 Reported From S Pensions & General Laws Committee to S202
 Floor - Consent
 021902 S Third Read and Passed - Consent S314
 022102 H First Read H347
 022502 H Second Read H356

EFFECTIVE : August 28, 2002

SB 0861

SENATE SPONSOR Rohrbach

3587L.01I

SB 861 - This act modifies the definition of "American Sign
 Language" to include that it is the native language of many deaf
 Missourians.

ERIN MOTLEY

010202 Prefiled
 010902 S First Read S54
 012102 Second Read and Referred S Pensions & General Laws S124
 Committee
 013002 Hearing Conducted S Pensions & General Laws
 Committee-Consent

EFFECTIVE : August 28, 2002

SB 0862

SENATE SPONSOR DePasco

3617S.01I

SB 862 - Under this act, a Home Builders Licensure Board is created to license and regulate home builders. After January 1, 2002, each home builder will have to be licensed by this agency in order to engage in the home building industry. Certain builders are exempted from obtaining a license (people who build their own house or those who manufacture mobile homes for instance).

The Board, by filing a complaint with the Administrative Hearing Commission, may revoke or suspend the license of any licensee who, in the opinion of the Board, has committed fraud in obtaining a license, or is guilty of gross negligence, incompetence, or misconduct in the practice of residential home building. Filing false information for the purpose of obtaining a license is a criminal offense. In addition to disciplinary action, the Board may impose administrative penalties for violations of the home builders licensure law and the rules and regulations of the Board. Building officials or other authorities charged with the duty of issuing building permits shall not issue such permits unless the home builder is licensed. If a home builder without a license builds a home, such builder will be guilty of a Class C misdemeanor. An unlicensed home builder may not maintain an action at law or in equity against a home buyer for compensation.

This act establishes a special fund so that home buyers can collect damages caused by the home builder. This fund is subsidized by the home builders when they apply for a license. After a home buyer has successfully sued a home builder in court, the buyer can collect the unpaid judgment from the fund.

This act is identical to SB 210 (2001).
STEPHEN WITTE

010202 Prefiled
010902 S First Read S54
012102 Second Read and Referred S Insurance & Housing S124
Committee
021202 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

SB 0863

SENATE SPONSOR Gross

2667S.01I

SB 863 - This act revises school aid for school districts which are paid based upon the district's 1992-93 per eligible pupil payment amount rather than the payment amount calculated under the current formula (including some portion of Line 14

payment) because the 1992-93 payment amount is greater. Such districts are generally referred to as "hold harmless" districts. This act would cause the hold harmless per eligible pupil payment amount to be adjusted, relative to the 1992-1993 school year amount, by the cumulative consumer price index (CPI) increase from the 2000-01 school year to the current year.

This act is similar to SB 68 from 2001.
DONALD THALHUBER

010202	Prefiled	
010902	S First Read	S54
012102	Second Read and Referred S Education Committee	S124
021302	Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0864

SENATE SPONSOR Gross

2731S.01I

SB 864 - This act provides that A+ Schools grants may be used by students attending four-year public and private colleges and universities. The reimbursement for students attending four-year institutions shall not exceed the cost of books plus the statewide average tuition and fee charges at the in-district rate at Missouri public community colleges for the previous year as determined by the Coordinating Board for Higher Education.

This act is identical to SB 614 (2001).
DONALD THALHUBER

010202	Prefiled	
010902	S First Read	S54
012102	Second Read and Referred S Education Committee	S124
022702	Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0865

SENATE SPONSOR Foster

2887S.02P

SB 865 - This act extends the date for subsequent referendums for boll weevil eradication assessments from five years to ten years.
CINDY KADLEC

010202	Prefiled	
010902	S First Read	S54
012102	Second Read and Referred S Agriculture, Conservation, S124 Parks & Tourism Committee	

012402 Hearing Conducted S Agriculture, Conservation, Parks
& Tourism Committee
013102 Voted Do Pass S Agriculture, Conservation, Parks &
Tourism Committee-Consent
020402 Reported From S Agriculture, Conservation, Parks & S202
Tourism Committee to Floor - Consent
021902 S Third Read and Passed - Consent S307
022002 H First Read H326
022102 H Second Read H333

EFFECTIVE : August 28, 2002

****SB 0866****

SCS SBs 837, 866, 972 & 990
SENATE SPONSOR Cauthorn

3569S.01I

010202 Prefiled
010902 S First Read S54
012102 Second Read and Referred S Agriculture, Conservation, S124
Parks & Tourism Committee
012402 Hearing Conducted S Agriculture, Conservation, Parks
& Tourism Committee
020702 Bill Combined (SCS SBs 837, 866, 972 & 990) S
Agriculture, Conservation, Parks & Tourism Committee

EFFECTIVE : August 28, 2002

****SB 0867****

SCS SBs 970, 968, 921, 867, 868 & 738
SENATE SPONSOR Cauthorn

3578S.01I

010202 Prefiled
010902 S First Read S54
012102 Second Read and Referred S Transportation Committee S124
012902 Hearing Conducted S Transportation Committee
013002 Bill Combined (SCS SBs 970, 968, 921, 867, 868 & 738)
S Transportation Committee

EFFECTIVE : Emergency Clause

****SB 0868****

SCS SBs 970, 968, 921, 867, 868 & 738
SENATE SPONSOR Cauthorn

3575S.01I

010202 Prefiled
010902 S First Read S54
012102 Second Read and Referred S Transportation Committee S124
012902 Hearing Conducted S Transportation Committee
013002 Bill Combined (SCS SBs 970, 968, 921, 867, 868 & 738)
S Transportation Committee

EFFECTIVE : August 28, 2002

SB 0869

SENATE SPONSOR Cauthorn

3574S.01I

SB 869 - This act repeals a provision which allows the Marion County Circuit Court to appoint the District I Clerk of the Circuit Court if the offices of Circuit Clerk and Recorder of Deeds are separated.

CINDY KADLEC

010202 Prefiled

010902 S First Read

S54

012102 Second Read and Referred S Local Government &
Economic Development Committee

S124

020502 Hearing Conducted S Local Government & Economic
Development Committee021202 Voted Do Pass S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0870

SENATE SPONSOR Goode

3608S.01I

SB 870 - This act increases the penalties for violations of the Natural Gas Pipeline Safety Act to be in line with the current federal penalties which are \$25,000 per violation with a maximum of \$500,000 per related series of violations .

This act is similar to SB 150 (2001), SB 745(2000) and HB 1326 (2000).

CINDY KADLEC

010302 Prefiled

010902 S First Read

S54-55

012102 Second Read and Referred S Commerce & Environment
Committee

S124

EFFECTIVE : August 28, 2002

SB 0871

SCS SBs 741, 929 & 871

SENATE SPONSOR Dougherty

3623S.01I

010302 Prefiled

010902 S First Read

S55

012102 Second Read and Referred S Public Health & Welfare
Committee

S124

021302 Hearing Conducted S Public Health & Welfare Committee
 022002 Bills Combined (SCS SBs 741, 929 & 871) S Public
 Health & Welfare Committee (2805S.04C)

EFFECTIVE : August 28, 2002

 SB 0872

SENATE SPONSOR Dougherty

2750S.01I

SB 872 - This act would create the Consumer Clean Energy Act. Retail electric suppliers are required to comply with and notify all retail customers quarterly that they will supply net generation meters to customer-generators and that the rates for the sale of energy must be the same for customer-generators and other customers. The method by which retail electric suppliers are required to calculate the net energy measurement for customer-generators is specified.

At the beginning of each year, any unused kilowatt-hour credit accumulated by customer-generators will be credited to low-income customers.

Local distribution companies which are retail electric suppliers will not be required to provide net metering service for additional customer-generators when the generating capacity of customer-generators is at least 1% of the companies average forecasted peak demand. Retail electric suppliers must maintain and make available to the public certain information regarding the total generating capacity of customer-generators.

Net metering units must meet certain standards. The retail electric supplier may not require a customer-generator to meet further requirements if the net metering unit has met the standards. Applications for by a customer-generator for interconnection must be responded to within 30 days and if it is approved connection must be completed within 15 days.

The Public Service Commission in consultation with the Department of Natural Resources will promulgate rules to ensure that simplified contracts will be used for interconnection.

This act is similar to SB 529 (2001).
 CINDY KADLEC

010302 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Commerce & Environment S124
 Committee
 021902 Hearing Conducted S Commerce & Environment Committee

EFFECTIVE : August 28, 2002

SB 0873

SENATE SPONSOR House

3670S.01I

SB 873 - This act establishes the "Challenge Scholarship" program to be administered by the coordinating board for higher education. The program entitles eligible students (not currently receiving A+ grants) to receive scholarships in order to attend any private or public institution of higher learning in Missouri for two years.

The act also requires that any appropriation increases to higher education institutions shall be solely based on that institution's enrollment of full-time students, plus the full-time equivalent of part-time students, plus adjustments for inflation. The act also specifies that unless the Challenge Scholarship and A+ schools programs are fully funded in any fiscal year, there will be no increase in appropriations to public higher education, with the exception of inflation adjustments.

DONALD THALHUBER

010402 Prefiled

010902 S First Read

S55

012102 Second Read and Referred S Education Committee

S124

020602 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0874

SENATE SPONSOR Bentley

3580S.01I

SB 874 - The act prescribes that local school districts must coordinate with existing public, private, and private not-for-profit agencies in the planning process to design the service delivery system for special education services. Currently, such coordination is allowed, but not mandated. Further, the act requires that when a child (who is currently receiving instruction from a DESE-approved program not run by the school district) reaches the age of three, the team preparing the child's individualized education program shall give preference to keeping the child in the existing program for the remainder of that school term. This retention is predicated on the team concluding that the child would not be better served in the school district's program.

DONALD THALHUBER

010402 Prefiled

010902 S First Read

S55

012102 Second Read and Referred S Education Committee

S124

020602 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0875

SENATE SPONSOR Gross

2669S.01I

SCS/SB 875 - This act expands the crime of possession of child pornography to include controlling the material, if the person knows or has reason to know the minor is a participant. This act also replaces "child" with "minor".

This act makes it a Class D felony for possession of child pornography, unless the person has been found or pleaded guilty to an offense under Chapter 566 RSMo, in which case this becomes a Class C felony.

SARAH MORROW

010402 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Civil & Criminal S124
 Jurisprudence Committee
 013002 Hearing Conducted S Civil & Criminal Jurisprudence
 Committee
 020602 SCS Voted Do Pass S Civil & Criminal Jurisprudence
 Committee (2669S.03C)

EFFECTIVE : August 28, 2002

SB 0876SCS SBs 923, 828, 876, 694 & 736
SENATE SPONSOR Sims

2509S.01I

010702 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Aging, Families & Mental S124
 Health Committee
 020502 Hearing Conducted S Aging, Families & Mental
 Health Committee
 021202 Bill Combined (SCS SBs 923, 828, 876, 694 & 736)
 S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0877

SENATE SPONSOR Sims

3669S.01I

SB 877 - This act moves the Missouri Board of Nursing Home Administrators from the Department of Social Services to the Division of Professional Registration within the Department of Economic Development. In addition, members will now be appointed by the Governor with the advice and consent of the Senate.

ERIN MOTLEY

010702 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Aging, Families & Mental S124
 Health Committee
 012902 Hearing Cancelled S Aging, Families & Mental Health
 Committee

EFFECTIVE : August 28, 2002

SB 0878

SENATE SPONSOR Sims

3194S.01I

SB 878 - This act modifies the law relating to the rights of persons with service animals.

Definitions are provided relating to service animals (Section 209.200). Persons are prohibited from refusing to rent a dwelling because a service animal will reside there. Reasonable modifications should be made, but no physical modifications are necessary to accommodate the animal. Extra charges may not be required and landlords may require proof that an animal is a service animal. No restriction on property or a real estate transaction will be enforceable if it prohibits service animals (Section 209.202).

Discrimination by an employer against a person with a disability is prohibited if it involves that person's use of a service animal (Section 209.204).

Persons or places of lodging are prohibited from requiring additional charges or denying equal services to a person using a service animal. Service animals must be restrained with a harness or leash and evidence of service animal status must be provided. Any person who violates this section may be subject to criminal prosecution or a complaint with the Human Rights Commission (Section 209.206).

Public transportation operations are prohibited from refusing service or charging additional fees to a person using a service animal. Violators may be subject to prosecution or a Commission complaint (Section 209.208).

Motor vehicle drivers and persons using service animals must both take necessary safety precautions. Any driver failing to do so will be liable for actual damages. Any person who intentionally causes an accident or injury to a person using a service animal or animal itself will be guilty of a Class B misdemeanor (Section 209.210).

Section 209.212 contains the following provisions for violations against service animals, but does not include lawful acts of humane societies, animal control or shelters:

1. Intentional destruction or injury, unless for humane

purposes is a Class C felony.

2. Intentional deprivation or frauds is a Class A misdemeanor or theft/possession of stolen property.

3. Negligent or malicious killing or injury will entail civil liability to the user for \$1000 + fees.

4. Willful or malicious injury is a Class C felony.

5. Sale or transfer of a stolen animal is a Class C felony.

6. Willful or negligent injury or destruction will entail civil liability for value of animal and related costs.

Any person misrepresenting an animal as a service animal is guilty of a Class B misdemeanor (Section 209.214).

The owner of a service animal will be liable for any damages caused by the animal. Owners must keep service animals restrained while in use or be subject to civil liability for any damages. Service animals must be identifiable by their restraint method or other identifier (Section 209.216).

The Human Rights Commission does not have jurisdiction regarding the violation of Sections 209.160 or 209.212, which will be within the jurisdiction of the county prosecutor. The Commission will have jurisdiction over the remaining sections. Upon a showing that a complaint has been filed with the Commission, a prosecutor may withdraw any pending action on the same violations (Section 209.218).

ERIN MOTLEY

010702 Prefiled

010902 S First Read

S55

012102 Second Read and Referred S Aging, Families & Mental Health Committee

S124

021902 Hearing Conducted S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 0879

SENATE SPONSOR Steelman

3668S.01I

SB 879 - This act removes the religious and medical exemption limitations from childhood vaccination requirements. Currently, Section 167.181, RSMo, allows a parent to claim his or her child is exempt from immunization requirements due to religious beliefs or medical contraindications. This act removes those limitations and allows a parent to simply object in writing. New language requires the Department of Health and Senior Services, school districts, and other public entities to inform the public of available exemptions. In addition, this act changes all references to the term "immunization" to "vaccination".

ERIN MOTLEY

010702 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Public Health & Welfare S124
 Committee

EFFECTIVE : August 28, 2002

SB 0880

SENATE SPONSOR Steelman

3726S.01I

SB 880 - This act creates science education programs at the University of Missouri-Rolla (UMR). A new Section 172.880 establishes the Missouri Engineering and Science Academy for high school students with a high ability and interest in math and science. The Academy curriculum will be developed by UMR faculty and the program will be managed and funded through UMR.

A new Section 172.883 establishes a science summer program at UMR for in-service science teachers to enhance their understanding of the impact of natural resource development and land use changes in Missouri. The act specifies program goals. The program will be taught, managed and funded by UMR. Participation in the program can be included in a teacher's Career Ladder development plan, if approved by the school board.

This act is substantially similar to SB 108 (2001).
 ERIN MOTLEY

010702 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Education Committee S124
 022702 Hearing Cancelled S Education Committee

EFFECTIVE : August 28, 2002

SB 0881

SCS SB 881

SENATE SPONSOR Steelman

3339S.02C

SB 881 - This act creates the Environmental Hearing Commission which shall be located in Jefferson City. The Environmental Hearing Commission will consist of three Commissioners who are appointed by the Governor with the advice and consent of the Senate. The Commissioners shall have staggered terms of six years with no limitation on the number of terms to which they may be appointed. The Commissioners shall be attorneys licensed to practice in the Missouri with an interest and knowledge of environmental law. Commissioners will be compensated \$91,636 per year.

The Environmental Hearing Commission will hear appeals of findings of the Director of the Department of Natural Resources (DNR), the Hazardous Waste Management Commission, the State Soil

and Water Districts Commission, the Petroleum Storage Tank Insurance Fund Board, the Land Reclamation Commission, the Safe Drinking Water Commission, the Air Conservation Commission and the Clean Water Commission. Timing for filing appeals with and hearing by the Environmental Hearing Commission is provided. The Environmental Hearing Commission may promulgate rules and regulations to provide for electronic filing of documents. Matters heard by the Environmental Hearing Commission will be governed by the provisions of Chapter 536, RSMo.

The Environmental Hearing Commission may stay or suspend any action of the subject entities. All final decisions by the Environmental Hearing Commission will be subject to judicial review. In all matters heard by the Environmental Hearing Commission the burden of proof shall be on DNR or the Commission initially making the finding or decision. However, in appeals involving the denial of a permit, license or registration, the burden of proof shall be on the applicant.
CINDY KADLEC

010702	Prefiled	
010902	S First Read	S55
012102	Second Read and Referred S Commerce & Environment Committee	S124
012902	Hearing Conducted S Commerce & Environment Committee	
013102	SCS Voted Do Pass S Commerce & Environment Committee (3339S.02C)	
013102	Reported From S Commerce & Environment Committee to Floor w/SCS	S192
022602	SS for SCS S offered (Steelman) (3339S.09F)	S372
022602	SA 1 to SS for SCS S offered & adopted (Childers)	S372
022602	SA 2 to SS for SCS S offered & adopted (Caskey)	S372
022602	SA 3 to SS for SCS S offered & adopted (Goode)	S372
022602	SA 4 to SS for SCS S offered & defeated (Goode)	S372-373
022602	Bill Placed on Informal Calendar	S373
030402	S Inf Calendar S Bills for Perfection	

EFFECTIVE : August 28, 2002

SB 0882

SENATE SPONSOR Sims

3561S.01I

SCS/SB 882 - This act changes the name of the "Missouri Commission for the Deaf" to the "Missouri Commission for the Deaf and Hard of Hearing" in the statutes.

The Missouri Commission for the Deaf and Hard of Hearing Fund is created. The state Treasurer must approve all expenditures for the purchase of goods and services by the Commission.

The Commission allows evaluators of the Missouri Interpreter Certification System (MICS) to be compensated for their services and be reimbursed by the Commission. The Commission is allowed

to award certificates for MICS if an interpreter is nationally certified. National certifications will be recognized for licensure concurrent with the MICS.

CINDY KADLEC

010702 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Pensions & General Laws S124
 Committee
 013002 Hearing Conducted S Pensions & General Laws Committee
 013102 SCS Voted Do Pass S Pensions and General Laws
 Committee (3561S.04C)
 020702 Committee Vote Reconsidered S Pensions & General
 Laws Committee
 020702 SCS Voted Do Pass S Pensions and General Laws
 Committee (3516S.05C)

EFFECTIVE : August 28, 2002

 SB 0883

SENATE SPONSOR DePasco

3760S.02I

SB 883 - This act creates a one dollar check-off for the Workers Memorial fund to be put on each tax return filed after January 1, 2003. Taxpayers will be able to donate one or more dollars of a refund claimed to the fund. Taxpayers can also send a check or other negotiable instrument designated to the fund with their tax return.

JEFF CRAVER

010802 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Ways & Means Committee S125
 021902 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

 SB 0884

SCS SB 884

SENATE SPONSOR DePasco

3555S.02C

SCS/SB 884 - This act limits fees to be charged in payday loans to fifteen dollars per one hundred dollars of principal for the first thirty days and three percent per month for any loan extended beyond thirty days. A return check fee may be charged where cash is advanced in exchange for a personal check.

A payday lender cannot have two outstanding loans to the same person at any one time. One payday loan cannot be repaid by the proceeds of another payday loan from the same lender.

JIM ERTLE

010802 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Financial & Governmental S125
 Organizations, Veterans Affairs & Elections Committee
 020402 Hearing Conducted S Financial & Governmental
 Organizations, Veterans Affairs & Elections Committee
 022102 SCS Voted Do Pass S Financial & Governmental
 Org., Vets. Affairs & Elections Com. (3555S.02C)
 022502 Reported From S Financial & Governmental Organization S354
 Veterans Affairs & Elections Committee to Floor w/SCS
 030402 022 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0885

SCS SB 885

SENATE SPONSOR Bentley

2656S.03P

SCS/SB 885 - This act authorizes the City of Springfield, in cooperation with the Director of the Department of Economic Development, to designate one satellite zone within the City. The Director must approve the City's overall plan for enterprise zone and satellite zone use prior to the designation.

This act is similar to SB 626 (2001).
 JIM ERTLE

010802 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Local Government & S125
 Economic Development Committee
 012902 Hearing Conducted S Local Government & Economic
 Development Committee
 020502 SCS Voted Do Pass S Local Government & Economic
 Development Committee-Consent (2656S.03C)
 021202 Reported From S Local Government & Economic S257
 Development Committee to Floor w/SCS - Consent
 022102 SCS S adopted S331
 022102 S Third Read and Passed - Consent S331
 022502 H First Read H361

EFFECTIVE : August 28, 2002

SB 0886

SENATE SPONSOR Bentley

3779S.01I

SB 886 - This act modifies Section 392.410, RSMo, by exempting from restriction the ability of political subdivisions to provide certain telecommunication providers with services or facilities on a nondiscriminatory, competitively-neutral basis, and at a price which covers cost, including imputed costs.

CINDY KADLEC

010802 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Commerce & Environment S125
 Committee
 020502 Hearing Conducted S Commerce & Environment
 Committee-Consent
 020702 Voted Do Pass (w/SCA 1) S Commerce & Environment
 Committee (3779S01.01S)

EFFECTIVE : August 28, 2002

 SB 0887

SENATE SPONSOR Sims

3751S.01I

SB 887 - This act requires municipalities to provide additional notice about industrial development projects.

Current law provides definitions related to industrial development projects. New definitions are given for "revenue bonds" and "taxing district" (Section 100.010).

Current law requires any municipality which desires an industrial development project to prepare plans. This act requires the municipality to prepare a written plan first that sets forth the activities the municipality will undertake. Any plan involving the issuance of revenue bonds or conveyance of a property interest to the municipality must be approved by a majority of its governing body. Prior to approval, the municipality must supply each taxing district with a copy of the plan and must accept comments (Section 100.040).

Under current law, certain information must be included in the plan. After approval by majority vote in Section 100.040, this act requires the municipality to approve a specific plan by ordinance that is consistent with that which was approved by vote. Additional information must be included in any plan involving the issuance of revenue bonds or the conveyance of property to the municipality (Section 100.050).

A new section lists specific requirements for projects involving the issuance of revenue bonds or property conveyance to a municipality. The governing body must provide written hearing notices to taxing districts, written statements of impact on property, hold public hearings, and give notice of changes to the plan. The notice of hearing must be given within 15 days before the hearing and must include specific information. Notice of the plan must be provided to taxing districts at least 30 days before the public hearing and comments must be solicited (Section 100.162).

Current law requires municipalities to file a report with the Department of Economic Development. This act requires municipalities to include a list of any property purchased with bond proceeds in the report. If a municipality undertakes a

project involving the issuance of revenue bonds or conveyance of property, then it must provide a report to affected taxing districts (Section 100.105).

ERIN MOTLEY

010802 Prefiled
 010902 S First Read S55
 012102 Second Read and Referred S Local Government & S125
 Economic Development Committee
 012902 Hearing Conducted S Local Government & Economic
 Development Committee
 020502 Voted Do Pass S Local Government & Economic
 Development Committee

EFFECTIVE : August 28, 2002

 SB 0888

SENATE SPONSOR Gross

3495S.02I

SB 888 - This act requires the Public Service Commission to specify ratemaking principles in advance of construction of electric generating facilities of greater than 300 MW. The PSC will not be limited to traditional ratemaking principles or cost recovery mechanisms. The ratemaking principles must be determined in a contested case proceeding. After the entry of the order specifying the ratemaking principles, the utility will have the option to construct, lease or withdraw its application for a certificate. The principles will not be binding on subsequent rate cases. The Department of Natural Resources is also required to approve or deny permit applications within 180 days of receipt.

CINDY KADLEC

010802 Prefiled
 010902 S First Read S56
 012102 Second Read and Referred S Commerce & Environment S125
 Committee

EFFECTIVE : August 28, 2002

 SB 0889

SENATE SPONSOR Dougherty

3765S.01I

SB 889 - The act provides administrators in a metropolitan school district the option of coming out of retirement while not relinquishing their retirement benefits for up to four years. This same option is currently available to teachers in metropolitan school districts, as well as administrators and teachers in metropolitan charter schools.

DONALD THALHUBER

010802 Prefiled
 010902 S First Read S56
 012102 Second Read and Referred S Education Committee S125
 030602 Hearing Scheduled S Education Committee

EFFECTIVE : August 28, 2002

SB 0890

SENATE SPONSOR Kenney

3783S.02I

SB 890 - The School Building Revolving Fund is eliminated and the School Building Construction and Renovation Fund is created. Moneys in the Fund would be used, in equal portions, to fund school construction and school renovation.

To be eligible for a grant, a district must apply to the Department of Elementary and Secondary Education, must meet all criteria for state aid (meets or exceeds minimum school calendar, maintains proper records of attendance, personnel and finance, levies at least a \$1.25 tax rate and computes attendance properly under law) and must not be experiencing financial stress.

Priority of construction grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster;
- b) districts with at least 12% enrollment growth in the last 3 years;
- c) districts with 9% growth in the last 3 years;
- d) districts with 6% growth in the last 3 years;
- e) overcrowded districts; and
- f) districts with certain particular building needs.

Priority of renovation grants is given to the following categories, in decreasing order:

- a) districts with uninsured replacement costs from disaster or hazardous waste cleanup;
- b) districts renovating buildings which are at least 35 years old; and
- c) districts renovating buildings less than 35 years old.

Once a district has received a grant, it shall not be eligible for a new grant from the Fund unless all eligible applications from districts which have yet to receive a grant are funded.

Local matching funds are required to receive a state grant. The local match requirement is 50% for the least wealthy of districts, 75% for the most wealthy of districts and the match percentages for the remaining districts are uniformly spaced across the range from 50% to 75%.

Maximum total state costs per pupil for new construction are \$8,000 for high school, \$7,000 for middle school and \$6,000 for elementary school. Maximum total state costs per pupil for

renovation are \$5,600 for high school, \$4,900 for middle school and \$4,200 for elementary school. A school may spend more than the maximum state grant amount plus local match by adding additional local funds.

State grant funds shall not be used for lease purchases. State grant funds shall be used only for capital expenditures, and shall not be used to retire debt. If a project costs less than the projected amount, the state's share of the remaining funds shall be returned to the state and placed in the Fund.

Upon completion of a project, the district shall submit a report to the Department, and the Department may require an audit. State funds not expended as allowed by this act must be repaid to the state.

All school buildings constructed or renovated with grants under this act shall remain the property and responsibility of the school district.

This act is identical to SS/SB 242 (2001).
DONALD THALHUBER

010902 S First Read	S56
012102 Second Read and Referred S Education Committee	S125
020602 Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0891

SENATE SPONSOR Kenney

3740S.01P

SB 891 - This act amends a technical error created in HB 202 from the 2001 legislative session regarding ownership requirements for members of a transportation development district.

STEPHEN WITTE

010902 S First Read	S56
012102 Second Read and Referred S Transportation Committee	S125
012902 Hearing Conducted S Transportation Committee-Consent	
013002 Voted Do Pass S Transportation Committee-Consent	
020402 Reported From S Transportation Committee to Floor - Consent	S202
021802 S Third Read and Passed - Consent	S296
021902 H First Read	H316
022002 H Second Read	H322

EFFECTIVE : August 28, 2002

SB 0892

SCS SB 892

SENATE SPONSOR Kenney

3739S.02C

SCS/SB 892 - This act adds interment, entombment and inurnment cemetery services to the list of items that may be pre-purchased from a cemetery, subject to the cemetery owner meeting certain requirements regarding the deposit thirty percent of funds from the sale of services into a segregated account and the use of funds in the segregated account (Section 214.387). A definition of "cemetery services" is created (Section 214.270). The act shall apply only to agreements for pre-purchased services entered into after August 28, 2002.

CINDY KADLEC

010902	S First Read	S57
012102	Second Read and Referred S Commerce & Environment Committee	
021202	Hearing Conducted S Commerce & Environment Committee	
022102	SCS Voted Do Pass S Commerce & Environment Committee (3739S.02C)	
022802	Reported From S Commerce & Environment Committee to Floor w/SCS	
030402	032 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 0893

SENATE SPONSOR Rohrbach

3778S.01P

SB 893 - This act states that no life insurance company may "own" (current law states invest in) investments in excess of certain limitations based upon an annual statement filed with the Department of Insurance.

STEPHEN WITTE

010902	S First Read	S57
012102	Second Read and Referred S Insurance & Housing Committee	S125
012902	Hearing Conducted S Insurance & Housing Committee-Consent	
013102	Voted Do Pass S Insurance & Housing Committee-Consent	
020402	Reported From S Insurance & Housing Committee to Floor - Consent	S202
021402	S Third Read and Passed - Consent	S286-287
021802	H First Read	H303
021902	H Second Read	H310

EFFECTIVE : August 28, 2002

****SB 0894****SCS SBs 894, 975 & 927
SENATE SPONSOR Kinder

3680S.04C

SCS/SBs 894, 975 & 927 - This act creates a state and local sales tax holiday for items of clothing (costing no more than \$100 each), school supplies (costing no more than \$50 per purchase) and personal computers (costing no more than \$2000 each) sold during two three-day periods in August, 2002 and 2003. The state will reimburse all local tax revenues lost in calendar year 2002 and individual political subdivisions may, by ordinance, opt their local sales taxes out of the holiday exemption beginning in calendar year 2003. A joint legislative committee is created to study and review the effect of the sales tax holiday and to report their findings and recommendations to the General Assembly by January 8, 2004.

The act has an emergency clause and a sunset date of July 1, 2004.

JEFF CRAVER

010902 S First Read	S57
012102 Second Read and Referred S Ways & Means Committee	S125
012902 Hearing Conducted S Ways & Means Committee	
020502 SCS Voted Do Pass (SCS SBs 894, 975 & 927) S Ways & Means Committee	(3680S.04C)
021302 Reported From S Ways & Means Committee to Floor w/SCS	S273
030402 012 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : Emergency Clause

****SB 0895****

SENATE SPONSOR Yeckel

3624S.02P

SB 895 - This act makes a number of changes related to financial institutions and services involving financial institutions. Certain out-of-state bonds are now acceptable (Section 30.270). Articles of agreement involving a bank shall include additional information shareholder rights (Section 362.020). Banks, savings and loan associations and state savings banks are granted new powers currently permitted for national banks, federal savings and loan association and federal savings banks (Section 362.111).

Changes are made to the procedure used by a bank to become a trust company (Section 362.117). Restrictions regarding the amount of unimpaired capital lent by a bank and investment in the stock of a private corporation are amended (Section 362.170). The act changes procedures for the actions of a board of directors of a bank when immediate action is required (Section 362.275). The act makes changes to the power of a bank to appoint officers (Section 362.335).

Charges for late payment in motor vehicle installment contracts are amended (Section 365.100). New types of insurance may be sold by credit insurance agents (Section 375.065). The act also changes the perfection rights for liens on manufactured homes (Section 400.9-303 and section 700.350.5). The changes in Section 400.9-303 and Section 700.350.5 are to be considered remedial in nature.

The act changes the type and amount of fees that can be charged in small loans (Section 408.140).

The act creates a new section relating to the rights of garnishees holding property as joint tenants with rights of survivorship (Section 525.075).

JIM ERTLE

010902	S First Read	S57
012102	Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S125
012802	Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	
012802	Voted Do Pass S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	
013102	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor	S192
021902	SA 1 S offered & adopted (Gibbons)	S315
021902	SA 2 S offered (Caskey)	S315-316
021902	SSA 1 for SA 2 S offered & adopted (Klarich)	S316
021902	SA 3 S offered & withdrawn (Jacob)	S316
021902	SA 4 S offered & defeated (Jacob)	S316
021902	Bill Placed on Informal Calendar	S316
022102	SA 5 S offered & adopted (Schneider)	S334-337
022102	Bill Placed on Informal Calendar	S337
022502	SA 6 S offered & defeated (Goode)	S348-351
022502	Bill Placed on Informal Calendar	S351
022602	SA 7 S offered & defeated (Schneider)	S363-365
022602	SA 8 S offered & defeated (Schneider)	S365-366
022602	Perfected, as amended	S367
022702	Reported Truly Perfected S Rules Committee	S384
030402	004 S Calendar S Bills for Third Reading	

EFFECTIVE : August 28, 2002

SB 0896

SENATE SPONSOR Yeckel

3449S.02P

SB 896 - This act allows temporary practice in this state by accountants from an outside state whose work in this state is incidental to their regular representation of a client.

The higher competency requirements for supervising attest services are separated from the requirements for supervising review and compilation services by the act. The requirement of a

peer review of an accountant's license is also limited by the act to accounting firms, as is the issuance of review and compilation services.

The act allows the board to act by rule to permit licensed accountant's to perform certain services on a contingency fee basis.

JEFF CRAVER

010902	S First Read	S57
011402	Second Read and Referred S Financial & Governmental Org., Veterans' Affairs and Elections Committee	S81
012102	Hearing Conducted S Financial & Governmental Org., Veterans' Affairs and Elections Committee-Consent	
012102	Voted Do Pass S Financial & Governmental Org., Veterans' Affairs and Elections Committee-Consent	
012802	Reported From S Financial & Gov. Org. Veterans' Affairs & Elections Committee to Floor - Consent	S160
021302	S Third Read and Passed - Consent	S275
021402	H First Read	H293
021802	H Second Read	H300

EFFECTIVE : August 28, 2002

SB 0897

SENATE SPONSOR Dougherty

3775S.01I

SB 897 - This act creates the Urban Flight Scholarship Program, which consists of one hundred new full-ride scholarships for students enrolled in Missouri metropolitan or urban school districts with high at-risk student populations, as shall be defined by the Department of Elementary and Secondary Education. Recipients of the scholarship will make a commitment to teach in Missouri at an elementary or secondary public school in a metropolitan or urban school district with a high at-risk student population for two years for every one year they garnered a scholarship. If the scholarship recipient fails to uphold this contract, the scholarship shall be considered a loan with 9 1/2% interest.

Seventy-five percent of the Urban Flight Scholarship Program will be financed by the state and twenty-five percent will be supported by donations from businesses. Any donating business firm shall receive a tax credit equal to fifty percent of the amount of the donation.

DONALD THALHUBER

010902	S First Read	S57
012102	Second Read and Referred S Education Committee	S125
030602	Hearing Scheduled S Education Committee	

EFFECTIVE : August 28, 2002

****SB 0898****

SENATE SPONSOR Dougherty

3704S.01I

SB 898 - The act increases from 100 to 200 the number of one-year, renewable \$2,000 scholarships for minority students. The act also increases the scholarship amount (from \$2,000 to \$3,000) if the student is entering the special education field.

The act is identical to HB 1351 (2002).
DONALD THALHUBER

010902 S First Read	S57
012102 Second Read and Referred S Education Committee	S125

EFFECTIVE : August 28, 2002

****SB 0899****

SENATE SPONSOR Dougherty

3757S.01I

SB 899 - This act expands the tax credit for sponsorship and mentoring programs to include a business dropout abatement pilot program. This program allows businesses to support educational efforts and work related programs for "at risk" students. The amount which may be claimed by a single taxpayer is limited to the lesser of \$5,000 per eligible student or the amount of net expenditures which the taxpayer makes for a student's participation in the program.

The Department of Elementary & Secondary Education shall establish rules, guidelines and criteria for approved programs. The programs are to be established by school districts and businesses.

This act is similar to SB 574 (2001).
JEFF CRAVER

010902 S First Read	S57
012102 Second Read and Referred S Ways & Means Committee	S125

EFFECTIVE : August 28, 2002

****SB 0900****

SCS SB 900

SENATE SPONSOR Goode

3470S.07C

SCS/SB 900 - This act creates a mechanism for school districts to aggregate purchases natural gas through a not-for-profit school association. During the first year participation is limited to public schools and thereafter to all schools or school districts for elementary and secondary education.

Missouri gas corporations are required to file a set of small volume transportation schedules or tariffs applicable to public school districts by August 1, 2002. Minimum requirements for the schedules filed with the Public Service Commission are established. Provisions for the review of this experimental program are provided. Reports regarding progress in the program are to be filed annually with the Generally Assembly beginning in 2003.

This act contains an emergency clause and will terminate on June 1, 2005.

CINDY KADLEC

010902	S First Read	S57
012102	Second Read and Referred S Commerce & Environment Committee	S125
012902	Hearing Conducted S Commerce & Environment Committee	
013102	SCS Voted Do Pass S Commerce and Environment Committee (3470S.07C)	
022502	Reported From S Commerce & Environment Committee to Floor w/SCS	S355
030402	029 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : Emergency Clause

SB 0901

SENATE SPONSOR Goode

3684S.03I

SB 901 - This act increases the "maximum upper limit" income thresholds by five thousand dollars in the years 2003, 2005 and 2007. The act also removes outdated language from Section 135.030, RSMo.

JEFF CRAVER

010902	S First Read	S57
012102	Second Read and Referred S Ways & Means Committee	S125
012202	Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 0902

SCS SB 902

SENATE SPONSOR Goode

3721S.02I

SCS/SB 902 - This act will enable senior citizens sixty-two years or older to delay paying property taxes on their residences. The taxes plus interest, must be paid when the owner dies or sells the property, moves, or the property changes ownership. The income limit to qualify for the deferral is thirty-two thousand dollars. Beyond that amount, the amount the owner can defer is phased out at a rate of fifty cents per dollar made over thirty-two thousand dollars, until their income reaches

twice this limit.

A senior citizen who has qualified for and deferred his or her property tax in a prior year who for some reason fails to defer a property tax due in a subsequent year can apply for a refund, if done so in a timely manner.

If a senior citizen's income exceeds the limit of thirty-two thousand dollars, but not twice that limit, that portion of tax which they are not able to defer which resulted from an increase in their property tax beginning in the calendar year after their sixty second birthday will be eligible for deferral. However, this provision of the act is not retroactive and seniors currently over the age of sixty-two who qualify may defer the increased amount based on their property tax level beginning in the calendar year after the passage of this act.

The act establishes eligibility criteria for the taxpayer and the property for participating in the deferral.

All deferrals of tax will result in a lien to be held by the Department of Revenue against the property of the taxpayer. The lien will be for the amount of the property tax as estimated by the Department of Revenue plus interest to accrue at six percent per annum.

JEFF CRAVER

010902 S First Read	S57
012102 Second Read and Referred S Ways & Means Committee	S125
012202 Hearing Conducted S Ways & Means Committee	
020502 SCS Voted Do Pass S Ways & Means Committee(3721S.07C)	

EFFECTIVE : August 28, 2002

SB 0903

SENATE SPONSOR Klindt

3723S.03I

SB 903 - This act increases the membership of the Northwest Missouri State University's Board of Regents from seven to nine. The act leaves intact the current six-member board appointed from within the district where the University is situated, while allowing the Governor to appoint two additional members from anywhere in the state, so long as they are not from the same congressional district.

DONALD THALHUBER

010902 S First Read	S57
012102 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S125
020402 Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee	
020702 Voted Do Pass S Financial & Governmental Organ., Veterans' Affairs & Elections Committee-Consent	

021202 Reported From S Financial & Governmental Org., Vet. S258
 Affairs & Elections Committee to Floor - Consent
 021402 Removed from S Consent Calendar S288

EFFECTIVE : August 28, 2002

SB 0904

SENATE SPONSOR Klindt

3701S.01I

SB 904 - This act exempts religious, charitable, and
 nonprofit organizations from food inspection if the food is sold
 at a religious or charitable function or activity.
 ERIN MOTLEY

010902 S First Read S57
 012102 Second Read and Referred S Public Health & Welfare S125
 Committee
 022702 Hearing Conducted S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 0905

SENATE SPONSOR Klindt

2659S.01I

SB 905 - This act requires the Governor to submit a budget
 on a two-year cycle to coincide with the beginning of each
 General Assembly. During the second year, the General Assembly
 shall review programs of the various state departments and may
 grant emergency and supplemental appropriations recommended or
 requested by the Governor. It will also evaluate the performance
 objectives and performance measures used by the state
 departments.

The act establishes an advisory committee composed of the
 Budget Director and the chairs of the Senate Appropriations and
 House Budget committees. The committee shall set and revise
 budget estimates every six months, and provide a quarterly and an
 annual report comparing revenues projected and received. The
 committee may contract for appropriate economic analyses.

This act is identical to SB 594 (2001).
 JIM ERTLE

010902 S First Read S57
 012102 Second Read and Referred S Financial & Governmental S125
 Organizations, Veterans Affairs & Elections Committee
 020402 Hearing Conducted S Financial & Governmental Org.,
 Veterans Affairs & Elections Committee
 021102 Voted Do Pass S Financial & Governmental Org.,
 Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 0906

SENATE SPONSOR House

3675S.01I

SB 906 - This act increases the current admission fee imposed on each person embarking upon an excursion gambling boat from \$2 to \$4. The additional \$2 fee will be credited to the "Public Transit Subaccount Fund". The funds deposited in this account shall be used for public transit purposes, with 10% of such funds to be used by the Division of Mental Retardation and Developmental Disabilities for transportation services.

This act is contingent upon a constitutional amendment being passed.

STEPHEN WITTE

010902 S First Read	S57-58
012102 Second Read and Referred S Transportation Committee	S125
020502 Hearing Conducted S Transportation Committee	

EFFECTIVE : Contingent

SB 0907SCS SBs 915, 710 & 907
SENATE SPONSOR House

3610S.02I

010902 S First Read	S58
012102 Second Read and Referred S Transportation Committee	S125
020502 Hearing Conducted S Transportation Committee	
021202 Bill Combined (SCS SBs 915, 710 & 907) S Transportation Committee	

EFFECTIVE : Referendum Clause

SB 0908

SENATE SPONSOR Gibbons

3759S.01I

SB 908 - This act repeals the corporation franchise tax for tax years beginning after January 1, 2002.

The act is similar to SB 65 (2001).

JEFF CRAVER

010902 S First Read	S58
012102 Second Read and Referred S Ways & Means Committee	S125
020502 Hearing Conducted S Ways & Means Committee	
022602 Motion to Report out Do Pass - FAILED S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 0909

SENATE SPONSOR Gibbons

2646S.01I

SB 909 - This act expands the shift of the burden of proof from the taxpayer to the Department of Revenue by shifting the burden to the Department in cases involving claims of tax exemptions or credits. The act also removes the exemption from the burden-of-proof shift currently imposed on corporations, trusts, or partnerships with a net worth in excess of \$7 million or with 500 or more employees.

This act is identical to SB 621 (2001).
JEFF CRAVER

010902 S First Read	S58
012102 Second Read and Referred S Ways & Means Committee	S125

EFFECTIVE : August 28, 2002

SB 0910

SENATE SPONSOR Gibbons

2636S.01I

SB 910 - This act authorizes the Department of Revenue (DOR) and the Administrative Hearing Commission (AHC) to abate all or part of the tax liability of a taxpayer in certain situations, including those situations in which:

1. The taxpayer fails to collect, account for or pay a tax which others in the same industry or occupation also failed to pay, perhaps due to miscommunication between DOR and a specific industry or profession about the taxability of a certain event or transaction;
2. The taxpayer does not have sufficient ability to pay the entire amount of the tax due; or
3. Collection of the tax would undermine compliance with the tax laws.

The act directs that in situations where DOR or the AHC grant this type of relief to a taxpayer, the application of the tax at issue shall be prospective for that taxpayer, such that the taxability of the event or transaction begins after the DOR or AHC decision on the issue. In order to qualify for whole or partial abatement, a taxpayer must agree to several conditions set forth in the act, such as paying his or her own attorney fees and expenses. The taxpayer has a right to rely upon agreements made by the Department of Revenue pursuant to the act.
JEFF CRAVER

010902 S First Read

S58

012102 Second Read and Referred S Ways & Means Committee S125
012902 Hearing Conducted S Ways & Means Committee
021202 Voted Do Pass S Ways & Means Committee
022802 Reported From S Ways & Means Committee to Floor
030402 033 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0911

SENATE SPONSOR Foster

3533S.01I

SB 911 - This act allows owners in private building contracts to retain a portion of payment due to a contractor in order to ensure the proper performance of the contract. Such retainage shall not exceed five percent of the payment due pursuant to the contract or agreement unless the contractor's performance is not in accordance with the contract, in which case the owner may retain additional sums in any amount. Contractors may tender substitute security to an owner, after which the contractor may receive cash payments of retainage already withheld or may avoid withholding of retainage. Subcontractors may likewise tender substitute security to the contractor and either recover or avoid withheld retainage. Acceptable substitute security shall include CDs from a bank within Missouri, a retainage bond, or an irrevocable and unconditional letter of credit from a Missouri bank.

A contractor may not withhold retainage from subcontractor in a percentage greater than their own retainage unless the performance is not in accordance with the subcontract. Upon a release of retainage, contractors are to promptly pay subcontractors their ratable share of the retainage released.

If a subcontractor's performance is satisfactorily completed, the subcontractor may be released prior to substantial completion of the entire project. Within 30 days of reaching substantial completion, all retainage must be released by the owner less 150% of the cost of remaining items to complete. Thereafter the contractor must pay subcontractors within 7 days. Substantial completion is defined as the earlier of the issuance of a certificate of completion; the date an occupancy permit is issued; or the date the owner begins or could have begun use of the project for its intended purpose.

If retainage is withheld wrongfully a court may award interest on the amount at 1 1/2% per month plus attorney's fees. This act will apply to certain contracts entered after August 28, 2002. Agreements formed after August 28, 2002, will be unenforceable to the extent that their provisions conflict with this act.

This act is similar to SB 482(2001).
CINDY KADLEC

010902 S First Read S59
 012402 Second Read and Referred S Pensions & General Laws S152
 Committee
 021302 Hearing Conducted S Pensions & General Laws Committee
 022002 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0912

SCS SB 912

SENATE SPONSOR Mathewson

3571S.02C

SCS/SB 912 - This act allows resorts located in Miller, Morgan and Camden counties to apply for a special permit from the Supervisor of Liquor Control to remain open and sell liquor by the drink until 3:00 a.m. each day of the week and to open at 11:00 a.m. on Sunday.

The applicant must have had gross sales of \$100,000 or more in the preceding year and must be a resort. A resort is defined as "any establishment having at least seventy-five rooms for the overnight accommodation of transient guests, having at least three thousand square feet of meeting space and having a restaurant located on the premises".

Any resort holding a special permit must ensure that only overnight guests of the resort are sold liquor between 1:30 a.m. and 3:00 a.m.

This act is similar to SB 311 (2001).
 JIM ERTL

011002 S First Read S69
 012402 Second Read and Referred S Local Government & S152
 Economic Development Committee
 021202 Hearing Conducted S Local Government & Economic
 Development Committee
 021202 SCS Voted Do Pass S Local Government & Economic
 Development Committee (3571S.02C)
 022602 Reported From S Local Government & Economic S368
 Development Committee to Floor w/SCS
 030402 031 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0913

SENATE SPONSOR Rohrbach

3090L.02I

SB 913 - This act creates the crime of "Promoting or Providing a Mexican Poker Contest" if the person intends to charge admission or increase attendance, charges money for individuals to compete in the contest or charges rent for property to be used for a contest.

Promoting or providing a Mexican poker contest is a misdemeanor.

SARAH MORROW

011002 S First Read S69
012402 Second Read and Referred S Pensions & General Laws S152
Committee
020602 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0914

SENATE SPONSOR Jacob

3780S.02I

SB 914 - This act repeals the \$500 gaming loss limit for a period of three years beginning January 1, 2003. The repeal of the loss limit will expire on December 31, 2005.

The moneys generated by the repeal of the loss limit shall be used to fund: (1) the Missouri College Guarantee Fund; (2) the Higher Education Academic Scholarship Program; and (3) school districts pursuant to the Foundation Formula.

One year following the repeal, and the subsequent year, the Gaming Commission must deliver a report to the General Assembly. The report shall include the impact of the repeal on state revenue, compulsive gamblers, and state tourism.

This act also increases the admission fee on gambling boats from \$2 to \$3. The additional dollar will be used to fund: (1) the Missouri College Guarantee Fund; (2) the Higher Education Academic Scholarship Program; and (3) school districts pursuant to the Foundation Formula.

Under this act, the Higher Education Academic Scholarship Program (also known as "Bright Flight") scholarship amount is increased from \$2,000 per year to \$3,000 per year.

Portions of this act are similar to SB 402 (2001).
STEPHEN WITTE

011002 S First Read S69
012402 Second Read and Referred S Education Committee S152
022002 Hearing Conducted S Education Committee

EFFECTIVE : August 28, 2002

SB 0915

SCS SBs 915, 710 & 907
SENATE SPONSOR Westfall

3541S.05C

SCS/SBs 915, 710 & 907 - This act raises various fees to fund transportation projects and imposes a 5-year moratorium on the closing of state maintenance sheds.

MOTOR FUEL TAX - The act repeals the gas tax sunset clause and increases the tax by 6 cents.

SALES TAX - The act raises the general sales tax by 3/8 percent. Twenty percent of the revenue derived from the 3/8 sales tax shall be credited to the state transportation fund for multimodal purposes. The remainder of the sales tax would be credited to general revenue to replace moneys diverted from other agencies and the loss of motor vehicle sales tax revenues which currently go to the general revenue fund.

AGENCY DIVERSION - The act eliminates revenues that currently go to other agencies from the state highways and transportation department fund. The Highway Patrol and the Division of Motor Carrier and Railroad Safety will continue to receive funding from this fund. This section will take effect the first fiscal year following voter approval of the act.

MOTOR VEHICLE SALES TAX - Under current law, half of the sales tax on motor vehicles goes to fund transportation projects and the other half is deposited in the general revenue fund. This act diverts the portion going to general revenue to the state road fund.

REFERENDUM - This act must be submitted to a vote of the people on the first Tuesday of August 2002. If approved this act will become effective on January 1, 2003. Additional revenues not subject to Hancock restrictions. This act also requires another election in 2012 to determine whether voters want the new taxes to continue. If not, the rates will return to the level existing on January 1, 2002.

STEPHEN WITTE

011002	S First Read	S69-70
012402	Second Read and Referred S Transportation Committee	S152
020502	Hearing Conducted S Transportation Committee	
021202	SCS Voted Do Pass (SCS SBs 915, 710 & 907) S Transportation Committee (3541S.05C)	
022502	Reported From S Transportation Committee to Floor w/SCS	S355
030402	026 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : Referendum Clause

SB 0916

SCS SB 916

SENATE SPONSOR Dougherty

3797S.02C

SB 916 - This act removes the sunset clause from Section 488.445, RSMo, and allows counties to pass ordinances to impose fees on the issue of marriage licenses and surcharges upon civil cases. Currently, this statute required ordinances to be passed before January 1, 2001.

The fees collected from these fees will be deposited in a special fund to provide financial assistance to domestic violence shelters.

Similar provisions are contained in the introduced version of SB 267 (2001).

SARAH MORROW

011002	S First Read	S70
012402	Second Read and Referred S Judiciary Committee	S152
021902	Hearing Conducted S Judiciary Committee-Consent	
021902	SCS Voted Do Pass S Judiciary Committee - Consent (3797S.02C)	
022502	Reported From S Judiciary Committee to Floor w/SCS - Consent	S353
030402	S Consent Calendar w/SCS (2/25)	

EFFECTIVE : August 28, 2002

SB 0917

SENATE SPONSOR Dougherty

3801S.01I

SB 917 - This act allows the Division of Family Services to request license-exempt foster care facilities to provide reasons in support of the claimed exemption. Currently, Section 210.516, RSMo, states that the Division shall not require such information from foster homes, residential care facilities, or child placing agencies. This act allows the Division to do so.

ERIN MOTLEY

011002	S First Read	S70
012402	Second Read and Referred S Aging, Families & Mental Health Committee	S152
020502	Hearing Conducted S Aging, Families & Mental Health Committee	

EFFECTIVE : August 28, 2002

****SB 0918****

SCS SB 918

SENATE SPONSOR Klarich

3550S.02P

SCS/SB 918 - This act excludes a properly displayed United States flag from regulation by state statute or city, town or village ordinance. A properly displayed flag is one that contains no additional design or embellishment and is displayed consistent with federal law, pursuant to the normally accepted guidelines for the display of the U.S. flag.

JIM ERTLE

011002	S First Read	S70
012402	Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S152
021102	Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	
021102	SCS Voted Do Pass S Financial & Governmental Org., Vets Affairs & Elections Com.-Consent (3550S.02C)	
021202	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor w/SCS-Consent	S258
022602	SCS S adopted	S362
022602	S Third Read and Passed - Consent	S362
022702	H First Read	

EFFECTIVE : August 28, 2002

****SB 0919****

SENATE SPONSOR Klarich

3722S.01I

SB 919 - This act requires used motor vehicle dealers to attend a six-hour educational seminar in order to obtain or renew a used motor vehicle dealer's license. The educational seminar will be sponsored by a nonprofit corporation which presents seminars focusing on the enhancement of knowledge and competence of used motor vehicle dealers.

STEPHEN WITTE

011002	S First Read	S70
012402	Second Read and Referred S Commerce & Environment Committee	S152
021902	Hearing Conducted S Commerce & Environment Committee-Consent	

EFFECTIVE : August 28, 2002

SB 0920

SENATE SPONSOR Caskey

3837S.01I

SB 920 - Currently, Rehabilitation Services for the Blind is located within the Division of Family Services. This act creates the Division of Rehabilitation Services for the Blind within the Department of Social Services. Other sections are included in the act in order to make references uniform throughout the statutes.

ERIN MOTLEY

SCA 1 - CLARIFIES THE TERM "DIVISION" TO BE THE DIVISION OF FAMILY SERVCIES

011402 S First Read	S78
012402 Second Read and Referred S Pensions & General Laws Committee	S152
020602 Hearing Conducted S Pensions & General Laws Committee	
022002 Voted Do Pass (w/SCA 1) S Pensions & General Laws Committee	(3837S01.01S)

EFFECTIVE : August 28, 2002

SB 0921

SCS SBs 970, 968, 921, 867, 868 & 738

SENATE SPONSOR Sims

3845S.01I

011402 S First Read	S78
012402 Second Read and Referred S Transportation Committee	S152
012902 Hearing Conducted S Transportation Committee	
013002 Bill Combined (SCS SBs 970, 968, 921, 867, 868 & 738) S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 0922

SENATE SPONSOR Sims

3938S.01I

SB 922 - This act prohibits the possession of a firearm where a child is capable of gaining access to it. This act will be known as the "Children's Firearm Access Prevention Act". A new Section 210.005 is created to prohibit any person from keeping a loaded firearm or unloaded firearm with ammunition on his or her premises if:

- That person knows a child is capable of gaining access to the firearm without permission; and

- That person fails to take steps to prevent such access.

This act does not apply if:

- A secure gun storage or safety device is used;
- The person is a peace officer or member of the military and the child gains access during the performance of that person's duties;
- The child does so in an act of self defense or defense of another;
- The person has no reason to expect a child will be present on the premises;
- The child obtains the firearm as the result of unlawful entry;
- The child was hunting, sporting, or doing an otherwise lawful activity with a person over eighteen; or
- The child gained the firearm while engaged in an agricultural enterprise.

Violators of this section will be subject to criminal penalties not to exceed \$500 per violation.

ERIN MOTLEY

011402 S First Read	S78
012402 Second Read & Referred S Civil & Criminal Jurisprudence Committee	S152
021302 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 0923

SCS SBs 923, 828, 876, 694 & 736

SENATE SPONSOR Sims

3862S.02C

SCS/SBs 923, 828, 876, 694 and 736 - This act modifies various provisions relating to foster care. A new section is created to outline the following rights:

- The state must treat foster parents, children, birth parents, and the child welfare team with courtesy, respect, and consideration;
- The state must provide foster parents with training and support, information, visits, and accessible respite care;
- Foster parents must keep information confidential, participate in pre-placement visits, and follow appropriate respite care procedures;
- Foster parents must be allowed to make daily decisions for the

child and plan visitation with the biological family;

- Foster parents must respect a child's culture, values, and needs and must administer discipline in a sensitive manner;
- The state must provide to foster parents information about a child's progress after leaving foster care, notice before a child is removed from a foster home, and first consideration for adoption;
- Foster parents must inform a caseworker of their interest in a child who has re-entered the system and of their desire to adopt; if they do not choose to adopt, they should encourage permanent placement; reasonable advance notice should be given if parents want to request removal;
- Foster parents must be informed in a timely manner of all court hearings and must have timely access to the child placement agency's appeals process. This portion is substantially similar to SB 828. (Section 210.566).

This act also allows foster parents to be automatically registered with the Family Care Safety Registry at no additional cost (Section 210.906). This portion is identical to SB 876.

Currently, the Division of Family Services makes reasonable efforts to prevent or eliminate the need for removal of the child from a home. This act does not require such effort when a child is abused by a person other than the parent and circumstances indicate the parent knew or should have known about it. Section 211.183, RSMo, currently defines "reasonable efforts" as reasonable diligence and care by the Division of Family Services to utilize all available resources to meet the needs of the juvenile and the family (Section 211.183). This portion is identical to SB 694.

Current law requires the Department of Mental Health to establish a placement program for affected individuals. New language allows the Department of Social Services or the court to refer a child to the Department of Mental Health for assessment. If the assessment indicates a mental disorder or addiction, then the Department shall not refuse appropriate care including residential treatment services to that child, if required (Section 630.605). This portion is identical to SB 736.

ERIN MOTLEY

011402	S First Read	S78
012402	Second Read and Referred S Aging, Families & Mental Health Committee	S152
020502	Hearing Conducted S Aging, Families & Mental Health Committee	
021202	SCS Voted Do Pass (SCS SBs 923, 828, 876, 694 & 736) S Aging, Families & Mental Health Comm. (3862S.02C)	
022502	Reported From S Aging, Families & Mental Health Committee to Floor w/SCS	S355
030402	027 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 0924

SCS SB 924

SENATE SPONSOR Sims

3901S.02C

SCS/SB 924 - This act regulates not-for-profit corporations providing dental services.

Current law allows the Dental Board to investigate dental offices along with their records, labs, and equipment for violations of the chapter. This act allows the Board to also investigate not-for-profit corporations licensed to practice dentistry (Section 332.051).

Section 332.071, RSMo, currently defines the practice of dentistry. This act adds to the definition the review of exam findings, x-rays, or other patient data in order to decide about the dental care of a patient (Section 332.071).

Current law prohibits any person from practicing dentistry without a license. This act prohibits corporations or entities from practicing without a license as well. Only 501(c)(3) corporations under Chapters 355 or 356, RSMo, will be allowed to practice dentistry. Such corporations must only provide dental services to Medicaid recipients and to those persons with income under 300 percent of the federal poverty level and such patients must make up 90 percent of the corporation's practice. They must only employ Missouri-licensed dentists, dental hygienists, and dental assistants. The corporation must be organized for health purposes only. No 501(c)(3) corporation under Chapter 355, RSMo, may interfere with a licensed dentist's professional judgment. Such corporations may apply for a license to practice dentistry in Missouri. Licensed corporations will be subject to all disciplinary and license approval procedures (Section 332.081).

Corporations and entities are added to current law which imposes a Class A misdemeanor on persons who practice without a license and allows injunctions or restraining orders to prevent further unauthorized practice.

This act is similar to HB 1420 (2002).
ERIN MOTLEY

011402	S First Read	S78-79
012402	Second Read and Referred S Public Health & Welfare Committee	S152
020602	Hearing Conducted S Public Health & Welfare Committee-Consent	
021302	SCS Voted Do Pass S Public Health & Welfare Committee-Consent	(3901.02C)
021802	Reported From S Public Health & Welfare Committee to Floor w/SCS - Consent	S299
022102	Removed from S Consent Calendar	S337

EFFECTIVE : August 28, 2002

SB 0925

SENATE SPONSOR Sims

3838S.01I

SB 925 - This act allows a law enforcement officer to enforce the seatbelt law if the officer is able to see the violation without stopping the vehicle.

STEPHEN WITTE

011402 S First Read	S79
012402 Second Read and Referred S Transportation Committee	S152
021202 Hearing Conducted S Transportation Committee	
021902 Voted Do Pass S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 0926

SENATE SPONSOR Kenney

3248S.02I

SB 926 - This act transfers many regulatory duties from the Department of Revenue to the Missouri Motor Vehicle Board within the Department of Economic Development Division of Professional Registration. The Missouri Motor Vehicle Board is created and is responsible for licensing of all manufacturers, motor vehicle dealers, salespersons, boat dealers, wholesale motor vehicle auctions, public motor vehicle auctions and wholesale motor vehicle dealers. The Board is composed of nine members one of whom will be a public member. Members of the board will be appointed by the Governor with the advice and consent of the Senate for staggered terms and will meet at least quarterly.

The Missouri Motor Vehicle Board is vested with rulemaking authority and the following powers: establishing qualifications for applications, examining and licensing applicants, establishing fees for licensure and renewal, discipline of licensees, investigating complaints, and establishing committees. The Missouri Motor Vehicle Board Fund is created and provisions for its use are established. Members of the Board will be immune from personal civil liability for acts performed in the scope of their official duties. The Board will employ an Executive Director who will be an attorney. The duties of the Executive Director are set forth in the act.

It shall be unlawful for persons to act as a dealer, manufacturer or salesperson without a license. Such violations may be reported to the county prosecuting attorney for investigation and prosecution. Licenses will be issued for either 12 or 24 months. The board will administer an examination for new licensees. Current licensees are grandfathered. Once licensed a dealer, manufacturer, or auction may not cease business unless they provide at least 30 days notice to the

Board. The Board may promulgate regulations concerning additional training.

This act sets requirements for applications and multi-location permits. Guidelines for the amounts of license and renewal fees are provided. Provisions relating to the issuance of Dealer license plates are revised. Dealers will be limited on the number of dealer plates they may have by the number of cars they have sold and the number of employees they have. It is unlawful to use or permit the use of a dealer's license plate on any vehicle for which there is no automobile liability insurance coverage.

Complaints will be heard by the administrative hearing commission and disciplinary actions, procedures and penalties are specified.

This act creates advertising standards for dealers.

All salespersons must have their license displayed at their place of employment. Procedures are provided if the salesperson changes employers. It shall be unlawful for salespersons to sell, or offer or attempt to sell motor vehicles except on behalf of a licensed dealers by whom they are employed.

Provisions are created for dealers to sell a motor vehicle "as is" in certain circumstances.
CINDY KADLEC

011402 S First Read	S79
012402 Second Read and Referred S Commerce & Environment Committee	S152
021202 Hearing Conducted S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 0927

SCS SBs 894, 975 & 927
SENATE SPONSOR Jacob

3514S.02I

011402 S First Read	S79
012102 Second Read and Referred S Ways & Means Committee	S125
012902 Hearing Conducted S Ways & Means Committee	
020502 Bill Combined (SCS SBs 894, 975 & 927) S Ways & Means Committee	

EFFECTIVE : July 1, 2002
TERM DATE : July 1, 2004

****SB 0928****SCS SBs 733 & 928
SENATE SPONSOR Jacob

2796S.01I

011402 S First Read	S79
012102 Second Read and Referred S Ways & Means Committee	S125
012902 Hearing Conducted S Ways & Means Committee	
021202 Bill Combined (SCS SBs 733 & 928) S Ways & Means Committee	

EFFECTIVE : August 28, 2002

****SB 0929****SCS SBs 741, 929 & 871
SENATE SPONSOR Stoll

3927S.01I

011402 S First Read	S79
012402 Second Read and Referred S Public Health & Welfare Committee	S152
021302 Hearing Conducted S Public Health & Welfare Committee	
022002 Bill Combined (SCS SBs 741, 929 & 871) S Public Health & Welfare Committee (2805S.04C)	

EFFECTIVE : August 28, 2002

****SB 0930****SCS SBs 721, 757, 818 & 930
SENATE SPONSOR Stoll

3904S.02I

011402 S First Read	S79
012402 Second Read and Referred S Transportation Committee	S152
012902 Hearing Conducted S Transportation Committee	
013002 Bill Combined (SCS SBs 721, 757, 818 & 930) S Transportation Committee	

EFFECTIVE : August 28, 2002

****SB 0931****SCS SB 931
SENATE SPONSOR Klarich

3681S.06P

SS/SCS/SB 931 - This act modifies and adds various provisions pertaining to business and commerce. A summary of the provisions follows:

COUNTY CIRCUIT CLERKS AND RECORDERS - (Section 59.040 and 59.042)
- Allows for the combination or separation of the offices of county circuit clerk and county recorder in third class counties, upon voter approval

DISSOLUTION OF DEADLOCKED LIMITED LIABILITY COMPANY - (Section 347.143) - This act provides for judicial dissolution of a limited liability company in the event the members are deadlocked.

PLEADING AND BURDEN OF PROOF - (Section 351.055)- This act provides that on a motion to dismiss, a person challenging an exculpation provision must plead facts with particularity and on a motion for summary judgement has the burden of proving the provision is inapplicable.

BONDHOLDER'S POWER TO VOTE - (Section 351.056) - This act provides that a corporation may confer the power to vote upon holders of bonds, debentures or other obligations.

ANNUAL CORPORATE REGISTRATION REPORTS - (Sections 351.120, 351.140, 351.145, 351.150 and 351.155) - This act revises the process for a corporation to file its annual report to the Secretary of State

STOCK OPTIONS - (Section 351.182) - This act provides that under certain circumstances, the board of directors may delegate to officers the right to grant stock options.

CORPORATE REQUIREMENTS - (Section 351.247) - Allows a corporation which has elected to not be governed by the close corporation provisions of Chapter 351 to modify, by shareholder agreement, various corporate requirements. This act does not affect corporations which have elected to operate pursuant to the close corporation provisions, and is retroactive.

RENUNCIATION OF BUSINESS OPPORTUNITIES - (Section 351.385) - This act allows a corporation to adopt a provision in its articles renouncing any interest in specified business opportunities.

DISPOSITION OF ASSETS - (Section 351.400) - This act provides for disposition of corporate assets on the terms and conditions determined by the board of directors, without shareholder approval.

ABANDONMENT OF MERGER OR CONSOLIDATION - (Section 351.431) - This act allows a corporation to abandon an approved merger or consolidation prior to the merger or consolidation becoming effective.

DEMAND FOR VALUE OF SHARES - (Section 351.455) - This act provides that a shareholder with voting shares who objects to a merger or consolidation has the right to appraisal if the objection is filed prior to the meeting of shareholders.

NOT-FOR-PROFIT CORPORATIONS - (Section 355.856) - This act revises the process for a not-for-profit corporation to file its annual registration report with the Secretary of State.

PROFESSIONAL CORPORATIONS - (Section 356.211) - This act revises the process for a professional corporation to file its annual registration report with the Secretary of State.

UNIFORM COMMERCIAL CODE, ARTICLE 9 - SECURED TRANSACTIONS

DEFINITIONS - (Section 400.9-102) - This act revises the definition of "chattel paper", deletes the definition of "notice" and limits the applicability of the definitions for "original debtor" and "proceeds."

SCOPE - (Section 400.9-109) - This act revises the applicability of UCC, Article 9 to areas covered by other statute statutes and certain other rights and transfers.

LIENS - (Section 400.9-303) - This act provides that Sections 700.350 to 700.390, govern the perfection, nonperfection and priority of liens relating to mobile homes.

PERFECTION OF SECURITY INTEREST SUBJECT TO STATE REGULATION - (Section 400.9-311) - This act limits the applicability of this section to certain property held as collateral.

PERFECTION OF SECURITY INTEREST BY DELIVERY - (Section 400.9-313) - This act provides that section 400.9-301, not section 400.8-301, shall govern the perfection of security interests of certificated securities taken by delivery.

PRIORITY OF CERTAIN LIENS - (Section 400.9-317) - This act revises the priority of certain security interests and agricultural liens.

FUTURE ADVANCES - (Section 400.9-323) - This act revises the priority of lien creditor where the security interest secures an advance.

ASSIGNMENT OR TRANSFER OF SECURITY INTEREST - (Sections 400.9-406, 400.9-407, 400.9-408, 400.9-409) - This act provides that certain rules regarding security interests shall also apply if the interests are assigned or transferred.

INDICATION OF COLLATERAL - (Section 400.9-504) - Technical change to ensure that a financing statement will be sufficient to indicate collateral it covers if it meets certain requirements.

FILING STATEMENTS - (Section 400.9-509) - This act provides that a debtor authorizes the filing of a finance statement by the acquisition of certain interests and liens.

TERMINATION STATEMENTS - (Section 400.9-513) - This act revises the process for the filing of certain termination statements.

FILING FEES - (Section 400.9-525) - This act provides that the Department of Revenue, not the Secretary of State, shall administer the "Uniform Commercial Code Transition Fee Trust Fund," revises the duties of Secretary of State with regard to the fund, and provides that the moneys in the fund shall be deemed non-state funds.

WAIVER OF DEFAULT RULES - (Section 400.9-602) - This act revises

the rules which may not be waived by certain debtors.

NOTIFICATION BEFORE DISPOSITION OF COLLATERAL - A technical change is made regarding parties to be sent notification (Section 400.9-611) and to the contents of the notification. (Section 400.9-613).

PROCEEDS OF DISPOSITION - (Section 400.9-615). An intersectional reference is added.

REMEDIES - (Section 400.9-628) - This act provides that a secured party which fails to comply with explanation requirements pursuant to Section 400.9-616 cannot be held liable for the remedy specified in Section 400.9-625(c)(2), relating to failure to comply with Article 9 provisions.

FORMER ARTICLE 9 RECORDS - (Section 400.9-710 - This act limits the records to be accepted by a local filing office and extends the date for each local filing office to maintain former Article 9 records.

FICTITIOUS CORPORATE NAME - (Section 417.210) - This act requires a corporation to make a declaration under penalty to the Secretary of State within five business days of beginning a business using a fictitious name. Current law required the corporation to submit a notarized statement.

CRIME OF MAKING A FALSE DECLARATION - (Section 575.060) - This act provides that the word "written" as used in this Section shall include filings submitted in electronic or other Secretary of State-approved formats.

JIM ERTLE

011402 S First Read	S79
012402 Second Read and Referred S Judiciary Committee	S152
012902 Hearing Conducted S Judiciary Committee	
012902 SCS Voted Do Pass S Judiciary Committee (3681S.05C)	
013102 Reported From S Judiciary Committee to Floor w/SCS	S192
021802 SS for SCS S offered (Klarich) (3681S.06F)	S297
021802 SA 1 to SS for SCS S offered & adopted (Rohrbach)	S297-298
021802 SS for SCS, as amended, S adopted	S298
021802 Perfected	S298
021902 Reported Truly Perfected S Rules Committee	S316
022002 S Third Read and Passed	S324
022102 H First Read	H347
022502 H Second Read	H356

EFFECTIVE : August 28, 2002

SB 0932

SENATE SPONSOR Klarich

3950S.01P

SB 932 - This act clarifies the notice due to a tenant when the landlord sells the rented property.

This act is identical to HB 353 (2001).
STEPHEN WITTE

011502 S First Read	S93
012402 Second Read and Referred S Judiciary Committee	S152
012902 Hearing Conducted S Judiciary Committee	
012902 Voted Do Pass S Judiciary Committee-Consent	
020402 Reported From S Judiciary Committee to Floor-Consent	S202
021902 S Third Read and Passed - Consent	S307-308
022002 H First Read	H327
022102 H Second Read	H333

EFFECTIVE : August 28, 2002

SB 0933

SENATE SPONSOR Yeckel

3800S.01I

SB 933 - This act requires amusement machine operators to obtain licenses from the Director of the Division of Professional Registration within the Department of Economic Development. Fees to obtain a license to operate amusement machines will be set by the Director at no more than \$1,500 for a 2-year license. License fees to operate amusement machines used specifically at carnivals, local or county fairs, or at the state fair will be set by the director. Persons operating amusement machines without a license will be fined \$100 for each machine found in their possession.

The act outlines the qualifications for an amusement machine operator license. Applicants must be at least 21 years of age, a Missouri resident for at least one year, and provide proof that they have paid Missouri sales tax on all previous business transactions conducted in this state. The residency requirement does not apply to operators of amusement machines at carnivals, circuses, local or county fairs, or at the state fair.

The rewards from amusement machines are defined as non-cash prizes, toys, items of merchandise, novelties, or a representation of value (tickets, coupons) redeemable for these items on the premises where the machine is played. The value of the award is limited to the greater of the cost of a single play or the wholesale value of five dollars. The rewards shall not be cash, gift certificates, alcohol or tobacco products.

The Director will require all licensed amusement machine operators to prominently display on their machines decals which

will contain the license number of the operator and any other information deemed necessary by the Director.

The act further authorizes the Director to make rules; issue warnings and probation; assess penalties; suspend and revoke licenses; prescribe forms, applications, and licenses; and conduct examinations.

The act allows any aggrieved party to appeal to the Administrative Hearing Commission.

The act creates within the Department the Amusement Machine Operator License Fund. All moneys collected will be deposited within the fund for the purpose of paying expenditures incurred by the Department.

DONALD THALHUBER

011502	S First Read	S93
012402	Second Read and Referred S Financial & Governmental Organizations, Veterans' Affairs & Elections Comm.	S152
021102	Hearing Conducted S Financial & Governmental Organizations, Veterans' Affairs & Elections Comm.	
022102	Voted Do Pass S Financial & Government Organizations, Veterans' Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 0934

SENATE SPONSOR Foster

3398S.02I

SB 934 - This act revises minimum teacher salaries and creates funding for the new minimum amounts. The current minimum salary provisions for teachers require salaries to be no less than \$18,000 for any full-time teacher and no less than \$24,000 for full-time teachers with a Master's degree and at least ten years of public school teaching experience. The current minimum salary provisions shall remain in effect.

The act creates a new, voluntary 5-level minimum salary program for teachers, funded by a separate appropriation from the Minimum Teacher's Salary Fund, as follows:

\$26,500 for 5 or less years' experience;
 \$31,500 for Master's (or higher) + 6-10 years or Bachelor's + 6-19 years);
 \$36,500 for Bachelors + 20 or Master's (or higher) + 11-19 years;
 \$41,500 for Master's (or higher) + 20-29 years;
 \$46,500 for Master's (or higher) + 30 or more years.

Eligibility requirements for state minimum salary payments under the new program are established as follows:

(a) Maintain an operating levy no lower than the rate for

the 2000-01 school year except as required under reassessment;

(b) No increase in a voluntary rollback;

(c) No illegal transfers for capital purposes;

(d) Employ all teachers under board policy and salary schedule;

(e) Place new teachers (with experience in other districts) on salary schedule using all of the new teacher's public school teaching experience;

(f) Pay returning teachers no less than they were paid the previous year (on an FTE basis).

State payments to a district will be reduced if the district's extra duty pay is more than 8.5% or if end-of-year operating balances are over 15%.

State minimum salary levels will be increased by \$1,000 when state cost decreases to 85% of the full funding amount of the first year's cost.

The Commissioner of Education shall report annually to the legislature on minimum salaries.

The State Board of Education shall promulgate rules to administer the program.

Expenditure of state minimum salary revenues shall not be counted toward compliance with teacher salary expenditure requirements under Section 165.016, RSMo.

State payments shall be funded from the Minimum Teacher's Salary Fund which is created. The fund will consist in moneys transferred from a \$1 increase in gaming boat boarding fees.

This act is similar to SB 480 (2001) and SB 748 (2000).
CINDY KADLEC

011502 S First Read	S93
012402 Second Read and Referred S Education Committee	S152
030602 Hearing Scheduled S Education Committee	

EFFECTIVE : August 28, 2002

SB 0935

SENATE SPONSOR Foster

3736S.02I

SB 935 - The act grants school districts the option of filing charges against a teacher for any matter other than the annulling of a written contract. Also, the act alters the process by which teachers' certificates of license may be revoked by adding a requirement for notice by first class mail to the last known address of the certificate holder. Further, the act modifies the provisions relating to appeal of a revocation by stating that a notice of intent to appeal must be filed within 30 days of the notice of revocation. Additionally, the act asserts

that when charges are filed by or at the request of a local board of education, such charges must be signed by that district's chief administrative officer or board president. Lastly, the act allows contested cases (or other matters) involving certificate holders to be informally resolved through consent agreement, settlement, or surrender of license.

DONALD THALHUBER

011502 S First Read	S93
012402 Second Read and Referred S Education Committee	S152
022002 Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0936

SENATE SPONSOR Foster

3542S.01I

SB 936 - This act changes provisions in the Safe Schools Act. The act expands the list of offenses for which a pupil may be prohibited from participating in regular programs of instruction to include any felony offense pursuant to Chapter 566, RSMo (sexual offenses) and Chapter 567, RSMo (prostitution).

DONALD THALHUBER

011502 S First Read	S93
012402 Second Read and Referred S Education Committee	S152
022702 Hearing Conducted S Education Committee-Consent	

EFFECTIVE : August 28, 2002

SB 0937

SENATE SPONSOR Foster

3686S.01I

SB 937 - This act amends Section 167.161, RSMo, allowing a school district to suspend a student who has been charged with, or adjudicated to have committed a felony criminal violation, regardless of whether that student is prosecuted as an adult or as a juvenile.

DONALD THALHUBER

011502 S First Read	S93
012402 Second Read and Referred S Education Committee	S152
022702 Hearing Conducted S Education Committee-Consent	

EFFECTIVE : August 28, 2002

SB 0938

SENATE SPONSOR Cauthorn

3819S.03I

SB 938 - This act allows fees to be collected from weapons licensing and be deposited into a separate interest-bearing fund known as the "County Sheriff's Revolving Fund".

This act sets out the requirements to apply for and obtain a permit to carry a concealed firearm. The permits are issued by the county sheriff and are valid for a period of three years from the date of issuance or renewal.

This act also authorizes the person to carry a concealed firearm throughout the state with the exception of certain places.

SARAH MORROW

011502 S First Read	S93
013102 Second Read and Referred S Judiciary Committee	S193
021202 Hearing Conducted S Judiciary Committee	
021902 Voted Do Pass S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 0939

SENATE SPONSOR Wiggins

3637L.01I

SB 939 - This act revises provisions relating to the Kansas City police retirement systems. This act allows members with at least 26 years of service to receive an optional distribution under a partial lump-sum option plan. Requirements to make the election are provided. The method for calculating the amount of the lump sum distribution is provided. If a member chooses a lump sum distribution the base pension amount will be reduced according to the provisions in the act.

CINDY KADLEC

011502 S First Read	S93
012402 Second Read and Referred S Pensions & General Laws Committee	S152
020602 Hearing Conducted S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

****SB 0940****

SENATE SPONSOR Wiggins

3948L.01I

SB 940 - This act limits fees to be charged in payday loans to fifteen dollars per one hundred dollars of principal for the first thirty days and three percent per month for any loan extended beyond thirty days. A return check fee may be charged where cash is advanced in exchange for a personal check.

A payday lender cannot have two outstanding loans to the same person at any one time. One payday loan cannot be repaid by the proceeds of another payday loan from the same lender.

JIM ERTLE

011502	S First Read	S93
012402	Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S152
020402	Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

****SB 0941****

SENATE SPONSOR DePasco

3994S.01I

SB 941 - This act allows a business owner with property located in a drainage district to appoint an individual to represent the business in matters involving the district, including voting and serving on the board of supervisors for the district.

The act also allows the secretary and treasurer of any district board to reside in an adjoining county.

This act is identical to HB 1085 (2002).

JIM ERTLE

011602	S First Read	S99
012402	Second Read and Referred S Commerce & Environment Committee	S152
021902	Hearing Conducted S Commerce & Environment Committee-Consent	
022102	Voted Do Pass S Commerce & Environment Comm.-Consent	
022502	Reported From S Commerce & Environment Committee to Floor - Consent	S354
030402	S Consent Calendar (2/25)	

EFFECTIVE : August 28, 2002

SB 0942

SENATE SPONSOR Schneider

2632S.04I

SB 942 - This act provides that appeals of Public Service Commission orders will be taken directly to the Court of Appeals rather than the Circuit Court. It also provides that an order may be stayed pending appeal and the circumstances under which that will occur.

CINDY KADLEC

011602 S First Read	S99
012402 Second Read and Referred S Judiciary Committee	S152
022602 Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 0943

SENATE SPONSOR Schneider

3491S.02I

SB 943 - This act requires the state to provide secondary health insurance coverage to public officials who are 65 or older. "Public officials" are defined as any member of the General Assembly, judges or judicial officers, or other persons holding an elected state governmental office. The act also includes those officials who are eligible for coverage under a state retirement program. Secondary health insurance coverage is defined as coverage issued to supplement an public official's primary coverage which provides reimbursement for benefits not provided by the public official's primary coverage or any other coverage in which benefits are secondary to the public official's primary benefits.

Participants in the Missouri Consolidated Health Care Plan (65 or older) who are Medicare eligible shall have their MCHCP premiums paid by the state without any contribution from the employee. If a public official does not elect coverage under the state plan, the state will pay for the person's Medicare supplement policy.

STEPHEN WITTE

011602 S First Read	S99
012402 Second Read and Referred S Insurance & Housing Committee	S152
020502 Hearing Scheduled But Not Heard S Insurance and Housing Committee	

EFFECTIVE : August 28, 2002

SB 0944

SENATE SPONSOR Goode

3951S.03I

SB 944 - This act increases the state sales tax by one quarter of one percent. The tax due by a corporation is increased by adding an additional twenty percent charge to the amount owed by a corporation.

The provisions of this act have effect for nine fiscal quarters, beginning on October 1, 2002.

All revenue generated by the act will fund the foundation formula.

This act has a referendum clause and a sunset provision.
JEFF CRAVER

011602	S First Read	S99
012402	Second Read and Referred S Education Committee	S153
022002	Hearing Conducted S Education Committee	

EFFECTIVE : Contingent
TERM DATE : December 31 2005

SB 0945

SCS SB 945

SENATE SPONSOR Stoll

3958S.02C

SCS/SB 945 - This act modifies the World War II medallion program by extending the time limit for application for the medal to July 1, 2003.

This act contains an emergency clause.
DONALD THALHUBER

011602	S First Read	S99
012402	Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S153
021102	Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	
021102	SCS Voted Do Pass S Financial & Governmental Org., Vets Affairs & Elections Com.-Consent (3958S.02C)	
021202	Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor w/SCS-Consent	S258
021402	Removed from S Consent Calendar	S287-288

EFFECTIVE : Contingent
TERM DATE : Jan. 1, 2003

SB 0946

SENATE SPONSOR Jacob

3515S.03I

SB 946 - This act makes several changes regarding speed limits, registration fees, diesel fuel taxes, and other fees as it pertains to large commercial vehicles.

REPEAL OF MOTOR FUEL TAX SUNSET/DIESEL FUEL TAX INCREASE - The act repeals the sunset clause on motor fuel tax and have added language which would impose an additional tax of 3 cents on diesel fuel (making the motor fuel tax on diesel 20 cents per gallon) (Section 142.803).

REGISTRATION FEES FOR BEYOND LOCAL TRUCKS - The act raises registration fees on beyond local commercial motor vehicles by approximately 30 percent (Section 301.057).

TRIP PERMITS - The act raises fee for trip permits from \$10 to \$14.50 (Section 301.265).

COMMERCIAL DRIVERS' LICENSES - The act raises the fee for issuing or renewing a commercial driver's license from \$40 to \$60. Raises the fee for a duplicate CDL from \$20 to \$30 (Section 302.735).

TRUCK SPEED LIMITS - The act limits trucks registered over 24,000 pounds to 65 mph on rural freeways and interstates. Down from 70 mph. A person operating a truck in excess of 65 mph shall be fined \$100 for every 5 miles in which the operator exceeds 65 mph. This fine is in addition to all other fines and court costs imposed for the speeding violation (Section 304.010).

DOCKET FEES - The act requires the Division of Motor Carrier and Railroad Safety to charge a docket fee of \$200 (Section 622.030).

This act is similar to SB 305 (2001).
STEPHEN WITTE

011602 S First Read	S99
012402 Second Read and Referred S Transportation Committee	S153
020502 Hearing Conducted S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 0947

SENATE SPONSOR Klindt

3773L.01I

SB 947 - The act extends to public community junior colleges the same access as school districts regarding participation in direct deposit agreements with the Health & Educational Facilities Authority.

DONALD THALHUBER

011602 S First Read	S99
012402 Second Read and Referred S Education Committee	S153
022702 Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0948

SCS SB 948

SENATE SPONSOR Cauthorn

3741S.01I

SCS/SB 948 - This act requires the disclosure of the transfer or use of human fetal parts.

This act defines "human fetal parts" as any deceased fetus or child who has been delivered by means of induced or spontaneous abortion or any tissue or organ of such fetus or child. "Valuable consideration" is also defined to include methods of payment or debt incurrence associated with the transfer of human fetal parts.

With the exception of those who receive human fetal parts by donations, this act prohibits any person or entity from transferring human fetal parts for valuable consideration without properly disclosing the information surrounding the transfer to the Department of Health and Senior Services. Reasonable shipping costs need not be disclosed. The act also prohibits the shipping of human fetal parts by any person or entity without full disclosure of the contents to the shipping carrier.

This act will not apply to the unpaid transfer of human fetal tissue by a family to a pathologist for testing or to the transfer of human fetal parts for burial or cremation. Any individual violating this section will be guilty of a Class A misdemeanor.

This act is similar to SB 581 and HB 564 (2001).
CINDY KADLEC

011602 S First Read	S99-100
012402 Second Read and Referred S Pensions & General Laws Committee	S153
020602 Hearing Conducted S Pensions & General Laws Committee	
021302 SCS Voted Do Pass S Pensions & General Laws Committee	(3741S.03C)

EFFECTIVE : August 28, 2002

SB 0949

SENATE SPONSOR Bentley

3885S.01I

SB 949 - This act raises the admission fee paid by excursion boat licensees for each person embarking on an excursion gambling boat from two dollars to four dollars. Three dollars of each admission fee would be deposited into the Gaming Commission Fund.

The section which governs the Gaming Commission Fund has not been revised. As a result, the proceeds from this proposed admission fee increase will be assigned to the Early Childhood Development, Education and Care Fund.
DONALD THALHUBER

011602 S First Read	S100
012402 Second Read and Referred S Education Committee	S153
021302 Hearing Conducted S Education Committee	

EFFECTIVE : August 28, 2002

SB 0950

SENATE SPONSOR Gibbons

2915S.01I

SB 950 - This act designates a strip of I-44 located within St. Louis County and Franklin County as the "Henry Shaw Ozark Corridor".
STEPHEN WITTE

011602 S First Read	S100
012402 Second Read and Referred S Transportation Committee	S153
021202 Hearing Conducted S Transportation Committee-Consent	
021902 Voted Do Pass S Transportation Committee-Consent	
022502 Reported From S Transportation Committee to Floor - Consent	S353
030402 S Consent Calendar (2/25)	

EFFECTIVE : August 28, 2002

SB 0951

SENATE SPONSOR Loudon

3198S.01I

SB 951 - This act allows parents to refuse to immunize their children without limitation.

Currently, Section 167.181, RSMo, allows a parent to exempt his or her school age child from immunization by providing written objection citing either medical contraindications or religious reasons. This act removes the limitation of religious objection and, thus, allows a parent to exempt a child through a

written objection only. It retains the medical contraindication objection.

Currently, Section 210.003, RSMo, allows a parent to exempt his or her day care age child from immunization by providing a written objection citing either medical contraindications or reasons as determined by the Department of Health and Senior Services. This act removes the provision for reasons to be determined by the Department of Health, thus allowing a parent to exempt a child through a written objection only. The medical contraindication objection is retained.

ERIN MOTLEY

011602	S First Read	S100
012402	Second Read and Referred S Public Health & Welfare Committee	S153
022702	Hearing Conducted S Public Health & Welfare Committee	

EFFECTIVE : August 28, 2002

SB 0952

SENATE SPONSOR Loudon

2360S.01I

SB 952 - This act requires the state to use the lowest qualified bid on state funded construction projects.

ERIC ROSENKOETTER

011602	S First Read	S100
012402	Second Read and Referred S Labor & Industrial Relations Committee	S153
020502	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 0953

SENATE SPONSOR Loudon

3844S.01I

SB 953 - This act repeals the transferability of the adoption tax credit and provisions related thereto.

JEFF CRAVER

011602	S First Read	S100
012102	Second Read and Referred S Ways & Means Committee	S125
021202	Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

****SB 0954****

SCS SB 954

SENATE SPONSOR Loudon

3782S.02C

SCS/SB 954 - This act expands the definition of "totally unemployed" in the context of employment security to include workers who have been suspended pending a final determination regarding alleged misconduct or employment status.

ERIC ROSENKOETTER

011602	S First Read	S100
012402	Second Read and Referred S Labor & Industrial Relations Committee	S153
020502	Hearing Conducted S Labor & Industrial Relations Committee	
021202	SCS Voted Do Pass S Labor & Industrial Relations Committee (3782S.02C)	
022802	Reported From S Labor & Industrial Relations Committee to Floor w/SCS	
030402	035 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

****SB 0955****

SCS SBs 688, 663, 691, 716, 759, 824 & 955

SENATE SPONSOR Loudon

3825S.02I

011602	S First Read	S100
012102	Second Read and Referred S Ways & Means Committee	S125
012202	Hearing Conducted S Ways & Means Committee	
020502	Bill Combined (SCS SBs 688, 663, 691, 716, 759, 824 & 955) S Ways & Means Committee	

EFFECTIVE : August 28, 2002

****SB 0956****

SCS SB 956

SENATE SPONSOR Loudon

3046S.01I

SCS/SB 956 - This act exempts insurers from filing rating plans with regard to inland marine risks which by regulation or general custom are not written according to manual rates or rating plans.

This act deletes Section 379.362 from the law which exempted commercial property insurance and commercial casualty insurance policies from certain provisions of the law which concern regulation by the department of policy language, policy provisions or the format of such policies, or the rates associated with such policies.

This act requires supporting actuarial data accompany every

commercial casualty insurance rate, rating plan, or rating system filing whenever requested by the director to determine whether rates are excessive, inadequate or unfairly discriminatory.

STEPHEN WITTE

011602	S First Read	S100
012402	Second Read and Referred S Insurance & Housing Committee	S153
012902	Hearing Conducted S Insurance & Housing Committee	
013102	SCS Voted Do Pass S Insurance & Housing Committee	(3046S.02C)

EFFECTIVE : August 28, 2002

SB 0957

SENATE SPONSOR Loudon

3903S.01I

SB 957 - This act allows those who are serving in Operation Enduring Freedom to obtain a special license denoting that fact after paying a \$15 fee in addition to regular registration fees.

This act is similar to HB 1320 (2002).
STEPHEN WITTE

011602	S First Read	S100
012402	Second Read and Referred S Transportation Committee	S153
021202	Hearing Conducted S Transportation Committee-Consent	

EFFECTIVE : August 28, 2002

SB 0958

SCS SBs 958 & 657

SENATE SPONSOR Kinder

3812S.03C

SCS/SBs 958 & 657 - This act establishes the compelling interest test as the burden the state has in restricting the free exercise of religion. No governmental authority may restrict a person's free exercise of religion unless the restriction is one of general applicability and furthers a compelling governmental interest in the least restrictive means.

The act is identical to SB 337 (2001).
CINDY KADLEC

011602	S First Read	S100
012102	Second Read and Referred S Judiciary Committee	S125
012202	Hearing Conducted S Judiciary Committee	
012202	SCS Voted Do Pass (SCS SBs 958 & 657) S Judiciary Committee	(3812S.03C)
012402	Reported From S Judiciary Committee to Floor w/SCS	S151
020502	Bill Placed on Informal Calendar	S209

030402 S Inf Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 0959

SCS SB 959

SENATE SPONSOR Kenney

3936S.02C

SCS/SB 959 - This act specifically applies the separate multistate income calculation set forth in subdivision 5 of subsection 2 of Section 143.451, RSMo, to investment fund service corporations and sub-chapter S corporations. That subdivision considers qualifying sales of such corporations to be considered wholly within Missouri only to the extent that the fund shareholders of the investment companies reside in Missouri.
CINDY KADLEC

011602 S First Read S100
012402 Second Read and Referred S Commerce & Environment S153
Committee
020502 Hearing Conducted S Commerce & Environment Committee
020702 SCS Voted Do Pass S Commerce & Environment
Committee (3936S.02C)
021102 Reported From S Commerce & Environment Committee to S248
Floor w/SCS
030402 008 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0960

SCS SB 960

SENATE SPONSOR Kenney

4000S.03C

SCS/SB 960 - This act creates the "God Bless America" license plate. Any person desiring such a plate shall pay \$10 to the WWII Memorial Fund. The person shall also pay an additional \$15 fee to the Department of Revenue in addition to regular registration fees.
STEPHEN WITTE

011602 S First Read S100
012402 Second Read and Referred S Transportation Committee S153
021202 Hearing Conducted S Transportation Committee-Consent
021902 SCS Voted Do Pass S Transportation
Committee-Consent (4000S.03C)
022502 Reported From S Transportation Committee to S353
Floor w/SCS - Consent
030402 S Consent Calendar w/SCS (2/25)

EFFECTIVE : August 28, 2002

SB 0961

SENATE SPONSOR Wiggins

3638L.01P

SB 961 - This act revises certain provisions relating to the police retirement systems in Kansas City to make the plans consistent with the provisions of Section 401(a) of the Internal Revenue Code.

CINDY KADLEC

011702	S First Read	S109
012402	Second Read and Referred S Pensions & General Laws Committee	S153
020602	Hearing Conducted S Pensions & General Laws Committee-Consent	
021302	Voted Do Pass S Pensions & General Laws Comm.-Consent	
021802	Reported From S Pensions & General Laws Committee to Floor - Consent	S299
022702	S Third Read and Passed - Consent	S388

EFFECTIVE : August 28, 2002

SB 0962

SENATE SPONSOR Wiggins

4041S.01I

SB 962 - This act allows Kansas City to designate Jackson County as the election authority that acts as the verification board to certify the election results within the city. Such designation shall be done by city ordinance. If designated, Jackson County shall then be responsible for notifying all verification boards within the city of Jackson County's designation. Within a specified time after an election, each verification board in Kansas City shall certify its election results to the Jackson County verification board. The Jackson County election authority shall announce the results of the election and certify the cumulative returns to the city.

JIM ERTL

011702	S First Read	S109
012402	Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S153
021802	Hearing Conducted S Financial & Governmental Org. Veterans Affairs & Elections Committee-Consent	
022102	Voted Do Pass S Financial & Governmental Organization Veterans Affairs & Elections Committee-Consent	
022602	Reported From S Financial & Governmental Organization Vet. Affairs & Elections Committee to Floor - Consent	S374
030402	S Consent Calendar (2/26)	

EFFECTIVE : August 28, 2002

SB 0963

SENATE SPONSOR DePasco

3915S.04I

SB 963 - This act suspends all statutory sales and use tax exemptions, with the exceptions of food and certain pharmaceuticals and related health care items.

The suspension affected by this act will take effect beginning July 1, 2003 and ending June 30, 2005.

This act has a referendum clause.
JEFF CRAVER

011702 S First Read S109
012402 Second Read and Referred S Ways & Means Committee S153
020502 Hearing Conducted S Ways & Means Committee

EFFECTIVE : Voter Approval

SB 0964

SENATE SPONSOR DePasco

3944S.01I

SB 964 - This act would allow cigarette retailers to make agreements with suppliers to participate in cigarette merchandising, advertising, display or promotion programs. The retailers would be allowed to receive compensation for their participation. The agreements may not require the retailer to allocate, restrict or limit their space for cigarettes or advertising.

CINDY KADLEC

011702 S First Read S109
012402 Second Read and Referred S Commerce & Environment Committee S153
030502 Hearing Scheduled S Commerce & Environment Committee

EFFECTIVE : August 28, 2002

SB 0965

SENATE SPONSOR Stoll

4071S.01I

SB 965 - This act authorizes the President of the State Board of Pharmacy to issue subpoenas duces tecum and require production of documents and records. The board may enforce its subpoenas in the Circuit Court of Cole County, the county of the investigation, hearing or proceeding, or any county where the records may be found.

Failure of a licensee to comply with a validly enforced

subpoena duces tecum shall be grounds for disciplinary action.
JIM ERTLE

011702	S First Read	S109
012402	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S153
020602	Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 0966

SCS SB 966
SENATE SPONSOR Kennedy

3978S.03C

SCS/SB 966 - This act allows for a special license plate bearing the St. Louis College of Pharmacy emblem. To obtain the plate, a person must get a use authorization statement (for a \$25 contribution) from the St. Louis College of Pharmacy and present the statement along with any other documents which may be required and payment of a \$15 fee in addition to the regular registration fees to the Department of Revenue. The fee for personalized license plates will not be required.

This act is identical to HB 156 (2001).
STEPHEN WITTE

011702	S First Read	S109
012402	Second Read and Referred S Transportation Committee	S153
021202	Hearing Conducted S Transportation Committee-Consent	
021902	SCS Voted Do Pass S Transportation Committee-Consent	(3978S.03C)
022502	Reported From S Transportation Committee to Floor w/SCS - Consent	S353
030402	S Consent Calendar w/SCS (2/25)	

EFFECTIVE : August 28, 2002

SB 0967

SCS SB 967
SENATE SPONSOR Kennedy

3947S.04C

SB 967 - This act allows spouses or dependents of deceased retired police officers and employees of the police department who receive a pension to purchase health, medical and life insurance at the rate the deceased would pay if he or she was living.

SARAH MORROW

011702	S First Read	S109
012402	Second Read and Referred S Insurance & Housing Committee	S153

020502 Hearing Conducted S Insurance & Housing
Committee-Consent

021902 SCS Voted Do Pass S Insurance & Housing
Committee-Consent (3947S.04C)

022502 Reported From S Insurance & Housing Committee to S353
Floor w/SCS - Consent

030402 S Consent Calendar w/SCS (2/25)

EFFECTIVE : August 28, 2002

****SB 0968****
SCS SBs 970, 968, 921, 867, 868 & 738
SENATE SPONSOR Westfall

4091S.01I

011702 S First Read S109

012402 Second Read and Referred S Transportation Committee S153

012902 Hearing Conducted S Transportation Committee

013002 Bill Combined (SCS SBs 970, 968, 921, 867, 868 & 738)
S Transportation Committee

EFFECTIVE : August 28, 2002

****SB 0969****
SCS SBs 969, 673 & 855
SENATE SPONSOR Westfall

3880S.07C

SCS/SBs 969, 673 & 855 - This act adds attempted forcible rape and attempted forcible sodomy as dangerous felonies to Missouri statutes.

This act allows parole boards to consider information listed on the juvenile sex offenders registry if the offender being considered for parole is less than twenty-one years old.

This act creates the Class C felony of sexual contact with an inmate. A person who is an employee of or assigned to work in any correctional facility who has sexual intercourse or deviate sexual intercourse with an inmate or resident of the facility is guilty of the crime.

This act requires persons required to register as sex offenders under current law to register with county officials within 10 days of moving to another county or being released from custody.

SARAH MORROW

011702 S First Read S109

012402 Second Read and Referred S Civil & Criminal
Jurisprudence Committee S153

013002 Hearing Conducted S Civil & Criminal Jurisprudence
Committee

021302 SCS Voted Do Pass (SCS SBs 969, 673 & 855) S Civil &
Criminal Jurisprudence Committee (3880S.06C)

022502 Reported From S Civil & Criminal Jurisprudence S354
Committee to Floor w/SCS
030402 019 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0970

SCS SBs 970, 968, 921, 867, 868 & 738
SENATE SPONSOR Westfall

3307S.06C

SCS/SBs 970, 968, 921, 867, 868 & 638 - This act removes the 2008 sunset on the 6-cent gas tax and eliminates the requirement that road projects be bid in sections not to exceed 10 miles (this provision is similar to that contained in SB 868). The act also authorizes MoDOT to enter into three pilot design-build projects within the next ten years (this provision is similar to SB 867).

This act removes the cap on the amount of aviation jet tax revenues which may be deposited in the Aviation Trust Fund. Current law only permits \$5 million of the aviation jet fuel tax revenues to be placed in the fund. This act also extends the sunset on the aviation jet fuel tax section to December 31, 2008. Under current law, the commission may match state funds at a 80% level and locals at a 20% level. This is changed to a 90/10 formula. This act also modifies the language regarding the deposit of unclaimed aviation fuel refunds. The current law states that "If any person fails to apply for a refund as provided in Chapter 142, RSMo, he makes a gift of his refund to the Aviation Trust Fund." The new language simply states that the refund amount will be deposited in such fund. This act also makes some technical changes by referring to the Missouri Department of Transportation Commission as simply the commission.

This act prohibits persons from transporting hazardous materials through highway tunnels. This act also prohibits parking vehicles containing hazardous materials within 300 feet of a highway tunnel unless allowed by federal regulations. Violation of this act is a Class B misdemeanor for the first offense, and a Class A misdemeanor for a second or subsequent offense.

This act also allows the Department of Transportation to contract with private individuals to mow and maintain the rights-of-way.
STEPHEN WITTE

011702 S First Read S109
012402 Second Read and Referred S Transportation Committee S153
012902 Hearing Conducted S Transportation Committee
013002 SCS Voted Do Pass (SCS SBs 970, 968, 921, 867,
868 & 738) S Transportation Committee (3307S.06C)
013102 Reported From S Transportation Committee to S191
Floor w/SCS
021802 Bill Placed on Informal Calendar S297

022702 SS for SCS S offered (Westfall) (3307S.08F) S384
 022702 SS for SS for SCS S offered (Westfall) (3307S.09F) S384-385
 022702 SA 1 to SS for SS for SCS S offered (Mathewson) S385
 022702 SA 1 to SS for SS for SCS S offered & adopted (Goode) S385
 022702 Bill Placed on Informal Calendar S385
 022702 SA 2 to SS for SS for SCS S offered & adopted (Sims) S389-390
 022702 SA 3 to SS for SS for SCS S offered & Ruled out of S390-393
 order (Gross)
 022702 SA 4 to SS for SS for SCS S offered (Jacob) S393-397
 022702 Motion to divide into 6 parts S397
 022702 Part I - SA 4 to SS for SS for SCS S defeated S397
 022702 Part II - SA 4 to SS for SS for SCS S defeated S398
 022702 Part III - SA 4 to SS for SS for SCS S defeated S398
 022702 Part IV - SA 4 to SS for SS for SCS S defeated S398
 022702 Part V - SA 4 to SS for SS for SCS S Ruled out of S398
 order S398
 022702 Part VI - SA 4 to SS for SS for SCS S defeated S398
 022702 SA 5 to SS for SS for SCS S offered (Singleton) S398-399
 022702 Bill Placed on Informal Calendar S399
 022802 SA 5 to SS for SS for SCS S defeated
 022802 SA 6 to SS for SS for SCS S offered (Childers)
 022802 Bill Placed on Informal Calendar
 030402 S Inf Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

 SB 0971

SENATE SPONSOR Klindt

3771S.03I

SCS/SB 971 - This act requires all regulations promulgated by the Department of Natural Resources, hazardous Waste Management Commission, State Soil and Water Districts Commission, Petroleum Storage Tank Insurance Fund Board, Land Reclamation Commission, Safe Drinking Water Commission, Air Conservation Commission, and Clean Water Commission to be based on sound science. The Department of Natural Resources is required to prepare a risk assessment and cost-benefit analysis for all rules promulgated by the referenced agencies.

The risk assessment and the cost-benefit analysis must include specific components which are covered in the act and must be developed using scientifically objective and unbiased standards. The assessments and analyses must be made available to the public via the Internet and DNR must allow for and respond to comments from the public. The assessment, analysis, testimony and comments must be considered by the department or the commission in promulgating the regulation. The failure of the department to conduct the risk assessment and the cost-benefit analysis will be considered grounds for vacating the regulation. The risk assessment is also required to be filed with the Joint Committee on Administrative Rules at the time the proposed rules are filed pursuant to §536.024 RSMo.

A provision is included to allow for the promulgation of regulations without conducting a risk assessment and a cost-

benefit analysis if the director believes that the action is immediately necessary to protect the public health and welfare. However, the director must justify these actions in writing and the Department would then have the responsibility to complete the risk assessment and cost-benefit analysis within 45 days.

In proceedings challenging rules promulgated by the Department of Natural Resources, hazardous Waste Management Commission, State Soil and Water Districts Commission, Petroleum Storage Tank Insurance Fund Board, Land Reclamation Commission, Safe Drinking Water Commission, and Clean Water Commission the burden of proof shifts to the department or commission promulgating the rule to prove that the rule is necessary to prevent specific circumstances of conditions causing harm to human health and the environment.
CINDY KADLEC

011702 S First Read S109
012402 Second Read and Referred S Commerce & Environment S153
Committee
020502 Hearing Conducted S Commerce & Environment Committee
021402 SCS Voted Do Pass S Commerce & Environment
Committee (3771S.04C)

EFFECTIVE : August 28, 2002

SB 0972

SCS SBs 837, 866, 972 & 990
SENATE SPONSOR Klindt

4096S.01I

011702 S First Read S109
012402 Second Read and Referred S Agriculture, Conservation, S153
Parks & Tourism Committee
013102 Hearing Conducted S Agriculture, Conservation,
Parks & Tourism Committee
020702 Bill Combined (SCS SBs 837, 866, 972 & 990) S
Agriculture, Conservation, Parks & Tourism Committee

EFFECTIVE : August 28, 2002

SB 0973

SENATE SPONSOR Klindt

4095S.01I

SB 973 - This act creates the "Missouri Biomass Technology Commission". The Commission is set to have seven members. The Commission is responsible for:

- 1) Collecting data for the development and use of alternative energy as a source of electricity;
- 2) Evaluating existing incentive programs that promote the development and use of alternative energy;
- 3) Creating new incentives and programs to promote

alternative energy use; and

4) Making recommendations to the Legislature on program developments and uses for alternative energy.

The council will develop a comprehensive guide to alternative energy development, production and use. This guide will be submitted to the Legislature.

This act expires on June 30, 2005.
SARAH MORROW

011702	S First Read	S109-110
012402	Second Read and Referred S Commerce & Environment Committee	S153
021202	Hearing Conducted S Commerce & Environment Committee	
022102	Voted Do Pass S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 0974

SENATE SPONSOR Childers

4059S.01P

SB 974 - This act allows the Chief Engineer of MoDOT to issue special permits to persons moving lumber products and earth-moving equipment over 14 feet in width.

SARAH MORROW

011702	S First Read	S110
012402	Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee	S153
013102	Hearing Conducted S Agriculture, Conservation, Parks & Tourism Committee	
020702	Voted Do Pass S Agriculture, Conservation, Parks & Tourism Committee	
021202	Reported From S Agriculture, Conservation, Parks & Tourism Committee to Floor - Consent	S257
022002	S Third Read and Passed - Consent	S323
022102	H First Read	H348
022502	H Second Read	H356

EFFECTIVE : August 28, 2002

SB 0975

SCS SBs 894, 975 & 927
SENATE SPONSOR Steelman

3886S.02I

011702	S First Read	S110
012102	Second Read and Referred S Ways & Means Committee	S125
012902	Hearing Conducted S Ways & Means Committee	
020502	Bill Combined (SCS SBs 894, 975 & 927) S Ways & Means Committee	

EFFECTIVE : July 1, 2002

SB 0976

SENATE SPONSOR Steelman

3824S.01I

SB 976 - This act requires one member of the Board of Health to be a chiropractor. Currently, Section 191.400, RSMo, creates the State Board of Health and requires that three members must be persons other than those licensed by the Board of Registration for the Healing Arts or the Missouri Dental Board. This act requires that, of those three, one of the members must be a licensed chiropractic physician and two must be persons other than those licensed by Healing Arts, the Missouri Dental Board, or the Missouri State Board of Chiropractic Examiners.

ERIN MOTLEY

011702 S First Read S110
 012402 Second Read and Referred S Public Health & Welfare S153
 Committee
 022002 Hearing Conducted S Public Health & Welfare Committee
 022002 Voted Do Pass S Public Health & Welfare Comm.-Consent
 022502 Reported From S Public Health & Welfare Committee to S353
 Floor - Consent
 030402 S Consent Calendar (2/25)

EFFECTIVE : August 28, 2002

SB 0977

SENATE SPONSOR Quick

2954S.02I

SB 977 - This act provides a \$150,000 death benefit for public safety officers who are killed in the line of duty. The benefits will be administered by the Office of Administration. Funds for benefits will come from General Revenue. Should the number of claims exceed appropriations the claims will be paid on a pro rata basis.

This act is similar to HB 80 (2001).
 CINDY KADLEC

011702 S First Read S110
 012402 Second Read and Referred S Financial & Governmental S153
 Organizations, Veterans Affairs & Elections Committee
 030402 Hearing Scheduled S Financial & Governmental
 Organizations, Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

****SB 0978****SCS SBs 817, 978 & 700
SENATE SPONSOR Kinder

3685S.01I

011702 S First Read	S113
012102 Second Read and Referred S Pensions & General Laws Committee	S125
012302 Hearing Conducted S Pensions & General Laws Committee	
020702 Bill Combined (SCS SBs 817, 978 & 700) S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

****SB 0979****

SENATE SPONSOR Singleton

3311S.02I

SCS/SB 979 - This act changes the name of: Missouri Southern State College to Missouri Southern University-Joplin; Missouri Western State College to Missouri Western State University; and Southwest Missouri State University to Missouri State University.

The act additionally asserts that persons appointed to the Board of Regents of Missouri Western State University shall be residents of Buchanan county as well as the counties contiguous to Buchanan county. Persons appointed to the board of regents of Missouri Southern University-Joplin shall be residents of the area within a one hundred mile radius of the district in which the university is located.

The provisions of this act shall become effective on July 1, 2003.

DONALD THALHUBER

012102 S First Read	S121
012802 Second Read and Referred S Education Committee	S159
022002 Hearing Conducted S Education Committee	
022702 SCS Voted Do Pass S Education Committee (3311S.04C)	

EFFECTIVE : August 28, 2002

****SB 0980****SCS SB 980
SENATE SPONSOR Singleton

3691S.02I

SCS/SB 980 - The act revises the licensure procedures for physical therapist applicants who are licensed in another state. The act removes the requirement that the laws of the state in which the applicant is already licensed must be substantially equal to or greater than the licensure laws of Missouri.

Currently, the Board must deny licensure to any applicant who has failed any physical therapist licensing examination three or more times. This act allows the Board to waive such provisions if the applicant has passed a licensing exam, is licensed, and has practiced for two years in another state or territory.

ERIN MOTLEY

012102	S First Read	S121-122
012802	Second Read and Referred S Public Health & Welfare Committee	S159
022002	Hearing Conducted S Public Health & Welfare Committee Consent	
022702	SCS Voted Do Pass S Public Health & Welfare Committee-Consent	(3691S.03C)

EFFECTIVE : August 28, 2002

SB 0981

SENATE SPONSOR Westfall

2497S.02I

SB 981 - This act prohibits insurance companies from using an individual's lack of an established credit history in denying or refusing to renew insurance coverage. An insurer cannot cancel, refuse to write, or refuse to renew a policy or base an adverse underwriting decision because person does not have an established credit history. An insurance company which violates this section is guilty of an unfair trade practice. The provisions of this act will apply to insurance policies entered into on or after January 1, 2003.

STEPHEN WITTE

012102	S First Read	S122
012802	Second Read and Referred S Insurance & Housing Committee	S159
021902	Hearing Conducted S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

SB 0982

SENATE SPONSOR Kennedy

4135S.01I

SB 982 - This act creates a tax credit for individuals within certain income ranges who incur costs for the purpose of making all or any portion of such taxpayer's home accessible to an individual with a disability. The credit reimbursement rate is graduated based on income level. The maximum credit per taxpayer, per year, is two thousand five hundred dollars.

JEFF CRAVER

012102 S First Read S122
 012802 Second Read and Referred S Ways & Means Committee S159
 021902 Hearing Conducted S Ways & Means Committee

EFFECTIVE : August 28, 2002

 SB 0983

SENATE SPONSOR Sims

4126S.01I

SB 983 - This act creates the Joint Committee on Terrorism, Bioterrorism, and Homeland Security, to be composed of seven members of the House and seven members of the Senate. A new Section 38.050 provides for appointments to continue during the member's term of office. No party may be represented by more than four members from either chamber.

The Committee must analyze current efforts, devise a standard reporting system, determine changes needed, and make other recommendations. The Committee must meet within thirty days after its creation and must meet at least quarterly thereafter. A report is due by January 15th of each year.

This act contains an emergency clause and will expire December 31, 2007.

ERIN MOTLEY

012102 S First Read S122
 012802 Second Read and Referred S Pensions & General Laws S159
 Committee
 021302 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : Emergency Clause
 TERM DATE : Dec. 31, 2007

 SB 0984

SCS SBs 984 & 985

SENATE SPONSOR Steelman

4130S.03C

SCS/SBs 984 & 985 - This act extends the drinking water primacy fee to September 1, 2007.

This act also changes the date for authorizations for bonding for water sewer and stormwater projects. Current law authorizes the Board of Fund Commissioners to issue bonds for grants and loans pursuant to several sections in Article III of the Missouri Constitution which are administered by the Clean Water Commission and relate to water, sewer and stormwater projects. Current law states the authorizations are in addition to amounts authorized prior to August 28, 2002. This act changes the date to August 28, 2003.

CINDY KADLEC

012102 S First Read S122
 012802 Second Read and Referred S Commerce & Environment S159
 Committee
 020502 Hearing Conducted S Commerce & Environment Committee
 021402 SCS Voted Do Pass (SCS SBs 984 & 985) S Commerce &
 Environment Committee (4130S.03C)
 022502 Reported From S Commerce & Environment Committee to S355
 Floor w/SCS
 030402 023 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 0985
 SCS SBs 984 & 985
 SENATE SPONSOR Steelman

4078S.01I

012102 S First Read S122
 012802 Second Read and Referred S Commerce & Environment S159
 Committee
 020502 Hearing Conducted S Commerce & Environment Committee
 021402 Bill Combined (SCS SBs 984 & 985) S Commerce &
 Environment Committee

EFFECTIVE : August 28, 2002

SB 0986
 SENATE SPONSOR Steelman

4087S.01I

SB 986 - This act allows the Missouri Commission for the Deaf to pay interpreter certification evaluators for their services. Currently, Section 209.292, RSMo, prohibits the Commission from paying evaluators of the Missouri Interpreter Certification System (MICS). This act allows evaluators to be compensated for their services and reimbursed by the Commission.
 ERIN MOTLEY

012102 S First Read S122
 012802 Second Read and Referred S Pensions & General Laws S159
 Committee

EFFECTIVE : August 28, 2002

SB 0987
 SENATE SPONSOR Childers

4076S.01I

SB 987 This act authorizes any political subdivision of this State to create a geographic information system. As a technical matter, statutes authorizing Kansas City, Springfield and Greene County have either been deleted or amended since the authorization now extends to all political subdivisions of the

State.
JIM ERTLE

012102	S First Read	S122
012802	Second Read and Referred S Local Government & Economic Development Committee	S159
020502	Hearing Conducted S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

SB 0988

SCS SB 988

SENATE SPONSOR Caskey

4160L.02C

SCS/SB 988 - This act extends the Kansas City commercial zone to include a portion of the City of Harrisonville.

CINDY KADLEC

012102	S First Read	S122
012802	Second Read and Referred S Local Government & Economic Development Committee	S159
020502	Hearing Conducted S Local Government & Economic Development Committee-Consent	
020502	Voted Do Pass S Local Government & Economic Development Committee-Consent	
021202	Reported From S Local Government & Economic Development Committee to Floor - Consent	S257
021402	Removed from S Consent Calendar	S288
022502	Committee Vote Reconsidered S Local Government & Economic Development Committee	
022502	SCS Voted Do Pass S Local Government & Economic Development Committee-Consent (4160L.02C)	
022602	Reported From S Local Government & Economic Development Committee to Floor w/SCS - Consent	S368
030402	S Consent Calendar w/SCS (2/26)	

EFFECTIVE : August 28, 2002

SB 0989

SENATE SPONSOR Caskey

4143S.01P

SB 989 - This act expands the provisions regarding assessment of new residential construction pursuant to Section 137.082, RSMo, to apply to Cass County.

JEFF CRAVER

012102	S First Read	S122
012802	Second Read and Referred S Local Government & Economic Development Committee	S159
021202	Hearing Conducted S Local Government & Economic	

Development Committee-Consent
 021202 Voted Do Pass S Local Government & Economic
 Development Committee-Consent
 021802 Reported From S Local Government & Economic S298
 Development Committee to Floor - Consent
 022702 S Third Read and Passed - Consent S383-384
 022802 H First Read

EFFECTIVE : August 28, 2002

SB 0990
 SCS SBs 837, 866, 972 & 990
 SENATE SPONSOR Cauthorn

4100S.03I

012102 S First Read S122
 012802 Second Read and Referred S Agriculture, Conservation, S159
 Parks & Tourism Committee
 013102 Hearing Conducted S Agriculture, Conservation, Parks
 & Tourism Committee
 020702 Bill Combined (SCS SBs 837, 866, 972 & 990) S
 Agriculture, Conservation, Parks & Tourism Committee

EFFECTIVE : August 28, 2002

SB 0991

SENATE SPONSOR Kinder

3565S.02I

SB 991 - The act permits any school district serving deaf,
 hearing impaired, blind, or visually impaired students who are
 eligible for special education services to bill the Department of
 Elementary and Secondary Education for costs that exceed all
 available local, state, and federal revenue and reimbursements.
 DONALD THALHUBER

012102 S First Read S122
 C12802 Second Read and Referred S Pensions & General Laws S159
 Committee
 020602 Hearing Conducted S Pensions & General Laws Committee
 021302 Voted Do Pass S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 0992

SENATE SPONSOR Johnson

3820S.01P

SB 992 - This act authorizes Buchanan County to apply for a
 grant from the Contiguous Property Redevelopment Fund
 administered by the Department of Economic Development.
 JIM ERTLE

012102	S First Read	S122
012802	Second Read and Referred S Local Government & Economic Development Committee	S159
020502	Hearing Conducted S Local Government & Economic Development Committee-Consent	
020502	Voted Do Pass S Local Government & Economic Development Committee-Consent	
021202	Reported From S Local Government & Economic Development Committee to Floor - Consent	S257
022102	S Third Read and Passed - Consent	S332-333
022502	H First Read	H361

EFFECTIVE : August 28, 2002

SB 0993

SENATE SPONSOR Rohrbach

3985S.02P

SB 993 - This act revises the qualifications of candidates for fire protection district directors in third and fourth class counties. A candidate must reside in the district for two years before the election or appointment. Currently, the candidate must reside in the county in which the district is located for two years.

A candidate for director in a newly formed district must reside in the district for one year before the election or appointment.

JIM ERTLE

012102	S First Read	S122
012802	Second Read and Referred S Local Government & Economic Development Committee	S159
020502	Hearing Conducted S Local Government & Economic Development Committee-Consent	
020502	Voted Do Pass S Local Government & Economic Development Committee-Consent	
021202	Reported From S Local Government & Economic Development Committee to Floor - Consent	S257
022102	S Third Read and Passed - Consent	S333
022502	H First Read	H361

EFFECTIVE : August 28, 2002

SB 0994

SENATE SPONSOR Rohrbach

4026L.01I

SB 994 - This act creates the "Legal Consumer's Bill of Rights Act."

Each written contract or agreement between a lawyer and client shall append a copy of the legal consumer's bill of rights.

The bill of rights includes provisions for disclosure of certain information by the lawyer to the client about the legal options available to the client; the costs associated with the lawyer's representation; and certain standards of representation required for a lawyer.

The bill of rights shall also inform the client of the right to an accessible legal system; the right to file a complaint against the lawyer with a disciplinary board and the right to be left free from unsolicited contact from attorneys for thirty days after an event resulting in personal injury or death.

Within 30 days after a case is finally completed, the lawyer is required to provide certain information about the lawyer's actual services to the client.

JIM ERTLE

012102 S First Read	S122
012802 Second Read and Referred S Pensions & General Laws Committee	S159
022702 Hearing Conducted S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 0995

SENATE SPONSOR Rohrbach

3980L.01I

SB 995 - This act modifies the law with regard to how insurance companies can purchase and convey real estate. Under this act, no insurance company's initial investment, together with the costs of improvements located upon the real estate, may exceed certain levels.

STEPHEN WITTE

012102 S First Read	S122
012802 Second Read and Referred S Insurance & Housing Committee	S159
012902 Hearing Conducted S Insurance and Housing Committee-Consent	
013102 Voted Do Pass S Insurance & Housing Committee-Consent	
020502 Reported From S Insurance & Housing Committee to Floor - Consent	S212
021902 Motion to third read withdrawn - bill placed on consent calendar	
030402 S Consent Calendar (2/5)	

EFFECTIVE : August 28, 2002

SB 0996

SENATE SPONSOR Quick

3763S.02I

SB 996 - This act allows county commissions to vote to pay the salaries of deputy circuit clerks and division clerks with county funds. Currently, the salaries of deputy circuit clerks and division clerks must be paid by the state.

If a county commission votes to pay the salary of such a clerk with county funds, then the clerk shall be considered a county employee in all respects.

JIM ERTLE

012102 S First Read S126

012802 Second Read and Referred S Local Government & S159
Economic Development Committee021202 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 0997

SCS SB 997

SENATE SPONSOR Quick

4115S.02P

SCS/SB 997 - The act requires the County Collector to apply payments for real property taxes against any delinquent property taxes before applying such payment to taxes due in the current year for taxes owed by taxpayers other than financial institutions who pay tax obligations which they service from escrow accounts.

JEFF CRAVER

012102 S First Read S126

012802 Second Read and Referred S Local Government & S159
Economic Development Committee020502 Hearing Conducted S Local Government & Economic
Development Committee-Consent020502 SCS Voted Do Pass S Local Government & Economic
Development Committee-Consent (4115S.02C)021202 Reported From S Local Government & Economic S257
Development Committee to Floor w/SCS- Consent

022502 SCS S adopted S346

022502 S Third Read and Passed - Consent S346

022602 H First Read

EFFECTIVE : August 28, 2002

SB 0998

SENATE SPONSOR Staples

4042S.01I

SB 998 - This act revises provisions relating to self-service storage facilities. The act creates a lien on the personal property stored in the facility regardless of whether the property is owned by the occupant. The lien attaches as of the date the personal property is brought to the self-service storage facility or the date the occupant takes possession of the facility. The lien will have priority over all liens acquired subsequent to the bringing of the property on the leased premises.

The act also revised the notice requirements for sales of personal property from the leased premises. If the sale involves property of more than one occupant a single advertisement may be used to dispose of property of any one sale. The owner of the self-storage service facility is also allowed to deny an occupant access to the leased space without notice if the occupant is in default for more than five days. The denial of access may be accomplished without judicial process if it can be done without a breach of the peace, or the owner may proceed by court action.
CINDY KADLEC

012202 S First Read	S130
012802 Second Read and Referred S Commerce & Environment Committee	S159
022602 Hearing Cancelled S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 0999

SENATE SPONSOR Rohrbach

3738S.02I

SB 999 - This act repeals the exemption from state sales taxes for Coast Guard registered vessels.

This act is similar to SB 620 (2000).
JEFF CRAVER

012202 S First Read	S130
012802 Second Read and Referred S Ways & Means Committee	S159
021902 Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

****SB 1000****

SENATE SPONSOR Dougherty

4128S.01I

SB 1000 - This act increases state emergency health powers.

Current law outlines the emergency powers of the Governor. This act adds that such powers are allowed when there exists an imminent threat of a disaster (Section 44.100).

A new section exempts certain persons from liability during a state health emergency. Such individuals include the state, public health authorities, certain real estate owners, persons under contract with the state or asked by the state to assist (Section 44.240).

Current law creates the State Legal Expense Fund to pay awards against the state and its associates. This act adds volunteers who respond to emergencies at the request of the state and local agencies to the list of those covered by the Fund (Section 105.711).

A new section requires pharmacists to report unusual or increased prescription trends within 24 hours. Veterinarians, livestock owners, or laboratory directors must report suspicious animals within 24 hours of diagnosis. Out-of-state laboratories which collect specimens within Missouri and in-state labs that send specimens out-of-state must report all cases of illness or health conditions (Section 192.021).

Current law penalizes persons for leaving a quarantine without permission. This act modifies the language and imposes a Class A misdemeanor on those who:

- refuse to submit to medical exams or testing;
- refuse to perform medical exams or testing;
- refuse to comply with isolation or quarantine orders;
- knowingly put themselves in contact with an isolated or quarantined person;
- fail to report or knowingly conceal a dangerous disease;
- refuse to cooperate with investigations;
- remove quarantine notices;

If anyone performs the above acts during a state health emergency, he or she will be guilty of a Class D felony (Section 192.320).

A new section allows the Department to waive the registration and record keeping requirements regarding narcotic drugs (Section 195.041).

Current law deals with estates of absent persons and allows probate to begin in certain circumstances. New language adds an individual's exposure to a specific peril of death due to an actual or suspected terrorist event to the list of circumstances (Section 473.697).

Currently the law allows a presumption of death after 5 years and without proof otherwise. New language provides that it will be sufficient to presume a person dead at any time after that person was exposed to a specific peril of death, even if 5 years have not yet elapsed (Section 490.620).

A new section requires the Department of Mental Health to provide information about mental health support to address the emergency. The Department of Health and Senior Services may now assist in providing such information. (Section 630.807).

This act contains an emergency clause.
ERIN MOTLEY

012202 S First Read	S130
012802 Second Read and Referred S Public Health & Welfare Committee	S159

EFFECTIVE : Emergency Clause

SB 1001

SENATE SPONSOR Mathewson

4136S.01P

SB 1001 - This act requires any county or the City of St. Louis who elects to belong to the Sheriff's retirement system to also participate in the funding mechanism. The system is currently funded by a \$3 fee for each civil case filed within the county.
CINDY KADLEC

012202 S First Read	S131
012802 Second Read and Referred S Pensions & General Laws Committee	S159
020602 Hearing Conducted S Pensions & General Laws Committee-Consent	
020702 Voted Do Pass S Pensions and General Laws Committee-Consent	
021202 Reported From S Pensions and General Laws Committee to Floor - Consent	S258
022602 S Third Read and Passed - Consent	S371
022702 H First Read	S371

EFFECTIVE : August 28, 2002

SB 1002

SENATE SPONSOR Mathewson

4193S.01I

SB 1002 - This act allows a wholesaler to give a retailer credit for intoxicating liquor with an alcohol content of less than 5% or 3.2% beer in a container with a capacity of four

gallons or more that was delivered but not used, if the wholesaler removes the product within seven days of the initial delivery.

This act creates new penalties for licensees that are found by the Supervisor of Liquor Control to have violated liquor control laws. In lieu of suspension or revocation of a license, the Supervisor may assess certain amounts of fines to any licensed solicitor or retailer. Licensees may appeal the issuance of the fine to the Administrative Hearing Commission.

In order to encourage settlement, licensees are afforded the opportunity to meet with the Supervisor of Liquor Control before any disciplinary action is taken. The Supervisor of Liquor Control must provide the licensee with the time and place of the meeting and certain written information about licensee's conduct at issue.

This act is similar to HB 1530.
JIM ERTLE

SCA 1 - TECHNINAL (CHANGES "OR" TO "OF")

012302	S First Read	S135
012802	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S159
020602	Hearing Conducted S Civil & Criminal Jurisprudence Committee	
022702	Voted Do Pass (w/SCA 1) S Civil & Criminal Jurisprudence Committee	(4193S01.01S)

EFFECTIVE : August 28, 2002

SB 1003

SENATE SPONSOR Steelman

4127S.01I

SB 1003 - This act requires ambulance service owners to carry liability insurance to cover negligent care by their employees. Currently, Section 190.120, RSMo, requires ambulance service owners to carry insurance to cover the injury or death of persons in accidents due to any cause and to cover property damage. This act provides that owners must also carry coverage for the injury or death of an individual due to the owner's negligence in employing a person who negligently administers emergency care.

ERIN MOTLEY

012302	S First Read	S135
012802	Second Read and Referred S Insurance & Housing Committee	S159
021902	Hearing Conducted S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

****SB 1004****

SENATE SPONSOR Loudon

4068S.01I

SB 1004 - This act allows any managed care entity to provide documents and materials to an enrollee via the entity's Internet site, instead of in printed form, upon securing a waiver from the enrollee. The enrollee may revoke the waiver at any time.

This act is similar to HB 1292 (2000).
STEPHEN WITTE

SCA 1 - ALLOWS AN ENROLLEE TO REVOKE THE WAIVER ANNUALLY

012302	S First Read	S135
012802	Second Read and Referred S Insurance & Housing Committee	S159
020502	Hearing Conducted S Insurance & Housing Committee	
021202	Hearing Conducted S Insurance & Housing Comm.-Consent	
021902	Voted Do Pass w/SCA 1 S Insurance & Housing Committee-Consent (4068S01.01S)	
022602	Reported From S Insurance & Housing Committee to Floor w/SCA 1 - Consent	S368
030402	S Consent Calendar w/SCA 1 (2/26)	

EFFECTIVE : August 28, 2002

****SB 1005****

SENATE SPONSOR Loudon

3895S.02I

SB 1005 - This act deems a positive test result for controlled substances or for blood alcohol content of eight-hundredths of one percent or more as misconduct connected with work. Claimants suspended or terminated for a positive test results are ineligible for benefits. Such claimants may become eligible if they participate in a state-approved drug or alcohol treatment program.

Employers suspending or terminating employees pursuant to this act must publicly post a controlled substance and alcohol workplace policy which warns that a positive test result will be deemed misconduct and may result in suspension, treatment intervention, or termination.

This act is similar to SCS/SB 114 (2001).
ERIC ROSENKOETTER

012302	S First Read	S135
012802	Second Read and Referred S Labor & Industrial Relations Committee	S159
020502	Hearing Conducted S Labor & Industrial Relations Committee	

021202 Voted Do Pass S Labor & Industrial Relations
Committee
021902 Reported From S Labor & Industrial Relations S313
Committee to Floor
030402 014 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 1006

SENATE SPONSOR Loudon

3993S.01I

SB 1006 - This act allows the prosecution of a person charged with theft of a credit card and fraudulent use of a credit device or credit in various venues.

This act is identical to SB 113 (2001).
SARAH MORROW

012302 S First Read S135-136
012802 Second Read and Referred S Civil & Criminal S159
Jurisprudence Committee
020602 Hearing Conducted S Civil & Criminal Jurisprudence
Committee-Consent
022702 Voted Do Pass S Civil & Criminal Jurisprudence
Committee-Consent

EFFECTIVE : August 28, 2002

SB 1007

SENATE SPONSOR Stoll

4197L.01I

SB 1007 - This act changes the name of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. The new name shall be "The Missouri Professional Board for Architects, Engineers, Land Surveyors and Landscape Architects".
JIM ERTLE

012302 S First Read S136
012802 Second Read and Referred S Financial & Governmental S159
Organizations, Veterans Affairs & Elections Committee
022502 Hearing Conducted S Financial & Governmental Org.,
Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

****SB 1008****

SENATE SPONSOR Stoll

4133S.01I

SB 1008 - This act allows voluntary clean-up program (VCP) sites to waive Petroleum Storage Tank Insurance Fund (PSTIF) benefits.

This act allows access to properties utilizing institutional controls to protect public health. This act would allow the department to access the property that is part of the VCP project to ensure public health is being protected with institutional controls.

This act also changes the responsibility for implementing Sections 319.100 to 319.137, RSMo, the Underground Storage Tanks Law, from the Clean Water Commission to the Hazardous Waste Commission. This act consolidates all regulatory work in the Hazardous Waste Program under one commission.

SARAH MORROW

012302 S First Read	S136
012802 Second Read and Referred S Commerce & Environment Committee	S159
021902 Hearing Conducted S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

****SB 1009****

SS SCS SB 1009

SENATE SPONSOR Rohrbach

2551S.04P

SS/SCS/SB 1009 - The act modifies Missouri law relating to the permissible investments of insurance companies in derivative instruments for hedging, income generation, and replication transactions, and in investment pools by non-insurance affiliates. The purpose of these proposals is to update Missouri investment laws so that Missouri insurance companies can remain competitive.

The proposed changes to Section 375.345, RSMo, are a comprehensive update to Missouri's existing law on derivatives based upon the NAIC Model law and Illinois law. Under the definitions, limitations and conditions contained in the proposed law, derivative transactions can only be used for prudent reduction of risk and not to increase risk or for speculative purposes.

This act defines the various types of derivative transactions including a "hedging transaction" (used to protect against changes in value of assets and liabilities or to generate income or enhance return - Section 375.345.1 (12)), and "replication transaction" (used to replicate the investment characteristics of another investment - Section 375.345.1(18)).

The most common type of derivative transaction is hedging, which is used to protect against changes in the interest rates or values associated with another asset held by the company. Under this act, to engage in derivative transactions, an insurance company must be prepared to:

- (1) Demonstrate to the Director the intended hedging characteristics and effectiveness of the derivative transaction;
- (2) Maintain its position in any outstanding derivative transaction for as long as the hedging transaction continues to be effective;
- (3) Include all counterparty exposure amounts in compliance with the single-entity investment limitations contained in Missouri law;
- (4) Comply with any additional conditions imposed by the Director by regulation; and
- (5) Have the policies and record-keeping procedures approved by its Board of Directors (Section 375.345.2)

As an additional safeguard, Section 375.345.2(3), (4) and (5) contain the following quantitative limits on the ownership of derivatives:

- (1) With respect to hedging transactions: purchased options, caps, floors and warrants can not exceed 7 1/2 percent of admitted assets; written options, caps and floors can not exceed 3 percent of admitted assets; and collars swaps, forwards and futures can not exceed 6 1/2 percent of admitted assets;
- (2) With respect to income generation transactions, the limit of 10% of admitted assets; and
- (3) With respect to replication transactions the limits are the same as those that apply to the replicated asset or investment.

The proposed change to Section 376.311, RSMo, authorizes a business entity affiliated with an insurer to invest in qualified investment pools under the same conditions that apply to the insurer. Under the current law only affiliated insurers can invest in qualified investment pools. This change is consistent with the current NAIC Model Law.

STEPHEN WITTE

012302	S First Read	S136
012802	Second Read and Referred S Insurance & Housing Committee	S159
012902	Hearing Conducted S Insurance and Housing Committee	
013102	SCS Voted Do Pass S Insurance & Housing Committee (2551S.02C)	
013102	Reported From S Insurance & Housing Committee to Floor w/SCS	S191
021802	SS for SCS S offered (Rohrbach) (2551S.04F)	S297
021802	Bill Placed on Informal Calendar	S297
022102	SA 1 to SS for SCS S offered & adopted (Rohrbach)	S333
022102	SA 2 to SS for SCS S offered & adopted (Rohrbach)	S334
022102	SS for SCS, as amended, S adopted	S333-334
022102	Perfected	S334
022502	Reported Truly Perfected S Rules Committee	S353

030402 003 S Calendar S Bills for Third Reading

EFFECTIVE : August 28, 2002

SB 1010

SENATE SPONSOR Sims

3965S.02I

SB 1010 - This act makes several modifications to the statutes governing horse racing and pari-mutuel wagering in Missouri.

This act authorizes the Governor to remove a member of the Missouri Horse Racing Commission for malfeasance or neglect of duty in office and to appoint the chair of the Commission. The Commission is authorized to hire an executive director and other employees and to enact rules and regulations necessary to carry out its duties. Employees may be restricted from wagering on horse races.

The expenses of the Commission are to be paid out of the existing Missouri Horse Racing Fund. Excess moneys in that fund each year go to the newly created "School Building Revolving Fund". Certain moneys made by Commission licensees must be paid to the Missouri Breeder's Fund to encourage and reward the owners and breeders of Missouri bred horses that win horse races in Missouri.

This act broadens the authority of the Commission to include such things as: imposing civil penalties up to \$5,000 against occupational licensees and up to \$10,000 against licensees who operate race tracks or pari-mutuel wagering systems; investigating applicants for suitability; restricting, suspending or revoking any license issued by the Commission; adopting standards for pari-mutuel wagering; requiring removal from race grounds of any law violator; entering race grounds and other places without a search warrant; and requiring disclosure of financial records. Licensees are subject to discipline for such things as: failing to follow the rules and regulations of the Commission; associating with persons or notorious or unsavory reputation; employing cheats; or engaging in fraud, misrepresentation, bribery, threats, extortion or dishonesty in any area governed by the Commission. This act prohibits the use of public funds or tax increment financing (TIF) benefits to construct, operate or maintain a race track.

This act sets the license application fee at \$50,000 for a race track or pari-mutuel wagering operator's license. The Commission may require licensees to implement an affirmative action plan and to prove financial responsibility and suitability. Licensees shall conduct at least 20 days of racing in the 18 months following licensure, at least 30 days of racing in the next 12-month period and 50 days of live racing in Missouri each year thereafter. Licensees shall make a capital investment in Missouri in excess of \$25 million within the first year of operation, or risk loss of license. The Commission is

authorized to waive these requirements. Pari-mutuel wagering systems used in Missouri must be approved by the Commission. This act sets forth minimum requirements for approval of such a system.

Licensees are required to pay a \$2 admission fee to the state for each person entering the race grounds, with resulting revenue going to the "School Building Revolving Fund". Licensees may contract outside Missouri for simulcasting the licensee's live races and out-of-state pari-mutuel wagering is permitted.

The act makes the following acts Class A misdemeanors: operating a pari-mutuel wagering system in Missouri without a license from the Commission; and operating a pari-mutuel wagering system in a manner other than permitted by law and by Commission rules and regulations.

This act is similar to SCS/HS/HB 882 and SB 599 (2001).
JEFF CRAVER

012402	S First Read	S149
020402	Second Read and Referred S Financial & Governmental Org., Veterans Affairs & Elections Committee	S203
021802	Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee	
022102	Voted Do Pass S Financial & Governmental Org., Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1011

SENATE SPONSOR Caskey

4265S.01I

SB 1011 - This act removes references to "used tires" from the waste tire law.
CINDY KADLEC

012402	S First Read	S149
013102	Second Read and Referred S Commerce & Environment Committee	S193
021202	Hearing Conducted S Commerce & Environment Committee-Consent	
021402	Voted Do Pass S Commerce & Environment Comm.-Consent	
021902	Reported From S Commerce & Environment Committee to Floor - Consent	S312
030402	S Consent Calendar (2/19)	

EFFECTIVE : August 28, 2002

SB 1012

SENATE SPONSOR Caskey

4216S.01I

SB 1012 - This act extends the period of payments from ten to twenty years on guaranteed energy cost savings contracts.
SARAH MORROW

SCA 1 - CHANGES THE PERIOD OF PAYMENTS FROM TWENTY YEARS TO TWELVE YEARS

012402	S First Read	S149
013102	Second Read and Referred S Commerce & Environment Committee	S193
021202	Hearing Conducted S Commerce & Environment Committee-Consent	
022802	Voted Do Pass (w/SCA 1) S Commerce & Environment Committee	(4216S01.01S)

EFFECTIVE : August 28, 2002

SB 1013

SENATE SPONSOR Steelman

4268S.01I

SB 1013 - This act allows investor-owned utilities (IOUs) to transfer existing generating facilities to an affiliated entity.

An IOU must receive approval for the transfer assets to an affiliated entity from the Public Service Commission (PSC). The IOU must enter a purchase power agreement (PPA) with the affiliated entity. The PPA provide for provision of power to meet the retail load of the IOU at cost-of-service rates regulated by FERC and provide for operation and maintenance for the transferred facilities. If FERC no longer regulates the rates established under the PPA the PSC will have authority to review and establish the cost-of-service rates in the PPA.

The act details certain information which must be included in its application to transfer assets which is filed with the PSC. The PSC is required to approve the asset transfer if certain findings are made. The PSC must approve or disapprove the transaction within 120 days. If there are to be any changes to the PPA the IOU must file information regarding the proposed changes with the PSC at least 180 days before the changes are to go into effect.

Subsequent transfers of assets must be approved in the same manner as the initial transfer of assets. The affiliated entities are require to hire a sufficient number of nonsupervisory employees to operate and maintain the stations, division or unit and offers of employment must first be made to the current employees of the IOU and under substantially the same terms of employment and continue such employment and terms for 30

months.

Nuclear decommissioning costs shall be recovered through unbundled charges or bundled rates.

Any transferred assets shall continue to be treated as property of the IOU for purposes of assessment and taxation. The State Tax Commission shall adopt rules to ensure the property transferred are valued and allocated in manner that is used for distributable property in effect August 28, 2002.
CINDY KADLEC

012402 S First Read	S149
013102 Second Read and Referred S Commerce & Environment Committee	S193
022602 Hearing Conducted S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 1014

SENATE SPONSOR Klindt

3813S.01I

SB 1014 - This act repeals the current Missouri Digital Signatures Act contained in Sections 28.600 through 28.678, RSMo. The act would enact the provisions of the Uniform Electronic Transactions Act which would make electronic transactions as enforceable as traditional paper transactions if the parties agree to transact electronically. There are some exceptions for documents which must still be executed manually including laws governing the creation of execution of wills, codicils or testamentary trust and other certain provisions of the Uniform Commercial Code.

JIM ERTLE

012402 S First Read	S149
013102 Second Read and Referred S Interstate Cooperation Committee	S193
020602 Hearing Conducted S Interstate Cooperation Committee	
021802 Voted Do Pass S Interstate Cooperation Comm.-Consent	
021802 Reported From S Interstate Cooperation Committee to Floor - Consent	S299
022102 Removed from S Consent Calendar	S337

EFFECTIVE : August 28, 2002

****SB 1015****

SCS SB 1015

SENATE SPONSOR Foster

4062S.05C

SCS/SB 1015 - This act revises provisions relating to state parks. This act prohibits the Department of Natural Resources (DNR) from entering into or renewing a contract for a period exceeding 10 years unless the Director determines the extended contract period is necessary to allow the contractor to make substantial improvements to the site and the improvements are of sufficient value to necessitate the longer contract.

The Arrow Rock State Historic Site Endowment Fund is created. The initial deposit in the fund will be the bequest in the amount of \$21,965.92 from the Bill and Cora Lee Miller estate. The Arrow Rock State Historic Site Endowment Fund may only be used for the enhancement of Arrow Rock State Historic Site's public interpretive programs. The state treasurer may invest the monies in the fund in a manner as provided by law. Until 2100, DNR may annually only expend one-half the interest earned by the fund. Thereafter, all of the interest earned by the preceding year may be expended. Funds may only be expended upon appropriation. Any funds appropriated but not spent will revert back to the fund.

DNR is given authority to enter into agreements with private, not-for-profit organizations organized solely to further the interpretive, educational, and maintenance functions at the state parks. Proceeds from sales of publications and materials by these organizations shall be retained by the organization for use in furthering their functions.

SARAH MORROW

012402	S First Read	S149
013102	Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee	S193
020702	Hearing Conducted S Agriculture, Conservation, Parks & Tourism Committee-Consent	
021402	SCS Voted Do Pass S Agriculture, Conservation, Parks & Tourism Committee-Consent (4062S.05C)	
021902	Reported From S Agriculture, Conservation, Parks & Tourism Committee to Floor w/SCS - Consent	S313
030402	S Consent Calendar w/SCS (2/19)	

EFFECTIVE : August 28, 2002

****SB 1016****

SENATE SPONSOR Foster

3981S.01I

SB 1016 - This act requires gasoline-oxygenated blends of fuel replace regular gasoline to be phased in incrementally and provides for certain exemptions.

This act is identical to HB 1189 (2002).
SARAH MORROW

012402 S First Read S149
013102 Second Read and Referred S Agriculture, Conservation, S193
Parks & Tourism Committee
021402 Hearing Conducted S Agriculture, Conservation,
Parks & Tourism Committee

EFFECTIVE : August 28, 2002

SB 1017

SENATE SPONSOR Cauthorn

3625S.01P

SB 1017 - This act modifies Section 67.1003, RSMo, to increase the limitation found in paragraph one to include a county of the third classification with a population of more than seven thousand, but less than seven thousand five hundred. This will include Clark county under the new census numbers.
JEFF CRAVER

012402 S First Read S149
013102 Second Read and Referred S Local Government & S193
Economic Development Committee
021202 Hearing Conducted S Local Government & Economic
Development Committee-Consent
021202 Voted Do Pass S Local Government & Economic
Development Committee-Consent
021802 Reported From S Local Government & Economic S298
Development Committee to Floor - Consent
022702 S Third Read and Passed - Consent S387-388

EFFECTIVE : August 28, 2002

SB 1018

SENATE SPONSOR Westfall

3253S.01I

SB 1018 - This act broadens the definition of "ticket price", to allow the seller to recoup additional charges assessed for his or her original acquisition of the ticket, without being guilty of scalping.
SARAH MORROW

012402 S First Read S149
013102 Second Read and Referred S Civil & Criminal S193
Jurisprudence Committee
020602 Hearing Conducted S Civil & Criminal Jurisprudence
Committee

EFFECTIVE : August 28, 2002

SB 1019

SENATE SPONSOR Stoll

4103S.02I

SB 1019 - The act states that the placards used to post the law concerning minors, alcoholic beverages and billiard tables shall have letters no smaller than ten-point type.
DONALD THALHUBER

012402 S First Read	S149
013102 Second Read and Referred S Commerce & Environment Committee	S193

EFFECTIVE : August 28, 2002

SB 1020

SENATE SPONSOR Stoll

3931L.01I

SB 1020 - This act allows taxpayers who have been allowed a federal earned income tax credit to claim a portion of that credit against their state income tax due. The allowable state credit is graduated, with an initial credit allowed set at ten percent of the federal credit allowed in the tax year beginning January 1, 2003. The maximum allowed credit increases by five percent of the federal credit per year to a maximum of twenty percent in the tax year beginning January 1, 2005. If the credit exceeds the amount due, the credit may be carried forward indefinitely or claimed as a refund.
JEFF CRAVER

012402 S First Read	S149
013102 Second Read and Referred S Ways & Means Committee	S193

EFFECTIVE : August 28, 2002

SB 1021

SENATE SPONSOR Wiggins

4044L.01I

SB 1021 - This act substantially revises the Uniform Arbitration Act (UAA) and is referred to as the Revised Uniform Arbitration Act (RUAA).

The revisions substantially redefine the process of arbitration and permits growth and change. The UAA contained provisions requiring a "paper" process whereas the RUAA envisions the ability to handle any or all aspects of the arbitration process electronically.

The scope of the RUAA is expanded to include areas not previously addressed by the UAA. These include:

- Arbitrability of causes of action (Section 435.027);
- Authority of arbitrators to grant pre-award orders (Section 435.031);
- The procedure for commencement of arbitration (Section 435.032);
- Consolidation of arbitration proceedings (Section 435.034);
- An arbitrator's required disclosure of potential conflicts (Section 435.038);
- The grant of immunity to arbitrators (Section 435.041);
- The ability of an arbitrator to hold a pre-conference (Section 435.043);
- The ability of an arbitrator to issue and enforce subpoenas (Section 435.047);
- The ability of an arbitration to order and set the scope of discovery (Section 435.047);
- Court enforcement of pre-award rulings (Section 435.049);
- The ability of the arbitrator to award attorney's fees and punitive damages if those remedies are authorized by civil action (Section 435.055);

Any agreements entered into after August 28, 2002, will be governed by the RUAA. Until August 28, 2004, agreements entered into prior August 28, 2002, may proceed under either the RUAA or the UAA. After August 28, 2004, all agreements will operate under the RUAA.

CINDY KADLEC

012402 S First Read	S149
013102 Second Read and Referred S Judiciary Committee	S193
021902 Hearing Cancelled S Judiciary Committee	
022602 Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1022

SENATE SPONSOR Rohrbach

4174L.01I

SB 1022 - This act provides that in a jury trial for murder in the first degree in which the death penalty was not waived, if the jury is unable to decide or agree upon punishment, the court shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release except by act of the Governor, and the jury shall be so instructed before the case is submitted.

ERIC ROSENKOETTER

012402 S First Read	S149-150
013102 Second Read and Referred S Judiciary Committee	S193
021902 Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

****SB 1023****

SENATE SPONSOR Bentley

3774S.03I

SB 1023 - This act expands the definition of a "distressed community" in the law relating to tax credits for investment in or relocating a business to a distressed community. A distressed community will include areas within metropolitan statistical areas that are designated as either a federal empowerment zone, a federal enhanced enterprise community, or state enterprise zones designated prior to January 1, 1986, but will not include the expansion of those zones done after March 16, 1988.

JEFF CRAVER

012402 S First Read	S150
013102 Second Read and Referred S Ways & Means Committee	S193
021902 Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

****SB 1024****

SCS SB 1024

SENATE SPONSOR Bentley

4267S.02C

SCS/SB 1024 - This act requires physicians to maintain adequate and complete medical records for their patients. Such records shall include identification of the patient, appointment dates, current status, observations, diagnosis, plan for treatment including prescriptions, and record of consent. Records must be maintained for at least seven years. Changes to records which occur forty-eight hours after the last entry must be noted. A consultative report will be adequate for certain persons. The Board of Registration for the Healing Arts may not discipline a person solely for violation of this section. Finally, the Board may not obtain a patient's medical record without the patient's written consent or a subpoena.

This act is identical to the House perfected version of HB 544 (2001).

ERIN MOTLEY

012402 S First Read	S150
013102 Second Read and Referred S Public Health & Welfare Committee	S193
022002 Hearing Conducted S Public Health & Welfare Committee	
022002 SCS Voted Do Pass S Public Health & Welfare Committee Consent (4267S.02C)	
022502 Reported From S Public Health & Welfare Committee to Floor w/SCS - Consent	S353
030402 S Consent Calendar w/SCS (2/25)	

EFFECTIVE : August 28, 2002

****SB 1025****

SENATE SPONSOR Jacob

2618S.01I

SB 1025 - This act prohibits the erection of new billboards adjacent to interstate and primary highways, except billboards under 100 square feet if permitted by local ordinance. Existing billboards are grandfathered per current MoDOT rules and regulations. The act states that this measure shall not create any new obligation for the expenditure of state funds. The prohibition against the erection of new billboards expires January 1, 2008.

This act also contains an emergency clause.
STEPHEN WITTE

012402 S First Read S150
013102 Second Read and Referred S Transportation Committee S193

EFFECTIVE : Emergency Clause
TERM DATE : January 1, 2008

****SB 1026****

SENATE SPONSOR Kenney

4183S.01I

SCS/SB 1026 - This act allows a physician to refer a patient who has been newly diagnosed with cancer to a specialist for a second opinion regarding the patient's treatment. Insurance companies must provide coverage for the second opinion rendered by the specialist. A referral must be given to an out of network specialist if a specialist is not available within the provider's network.

ERIN MOTLEY

012402 S First Read S150
013102 Second Read and Referred S Public Health & Welfare S193
Committee
021302 Hearing Conducted S Public Health & Welfare Committee
022002 SCS Voted Do Pass S Public Health & Welfare Committee
(4183S.02C)

EFFECTIVE : August 28, 2002

****SB 1027****

SENATE SPONSOR Kinder

4239S.01I

SB 1027 - This act provides that the design, marketing, manufacture or sale of firearms or ammunition is not an unreasonably dangerous activity and does not constitute a nuisance per se. The act prohibits political subdivisions, as

well as the state, from instituting a lawsuit against any firearms or ammunition manufacturer relating to design, marketing, manufacture or sale to the public. The act allows actions regarding breach of contract or warranty for firearms or ammunition purchased by a state or political subdivision.

This act is identical to SB 123 (2001).
JIM ERTLE

012402 S First Read	S150
013102 Second Read and Referred S Judiciary Committee	S193
020502 Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1028

SENATE SPONSOR Russell

4185L.01I

SB 1028 - This act amends certain procedures in the creation of a law enforcement district. Once a petition for creation of such a district is filed, the act provides a process for holding a public hearing on the proposed district. Current law allows the owner of property or any registered voter within the proposed district to object to the proposed district, but does not require a public hearing on the proposed district.

JIM ERTLE

012402 S First Read	S152
013102 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S193
022502 Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee-Consent	

EFFECTIVE : August 28, 2002

SB 1029

SCS SBs 1029 & 1047
SENATE SPONSOR Sims

4205S.02I

SCS/SBs 1029 & 1047 - This act modifies the certificate of need law.

This act revises the definition for "expenditure minimum" to extend the zero expenditure minimum to January 1, 2008. Current law imposes a moratorium on the issuance of a certificate of need (CON) for certain facilities. This act extends the moratorium until January 1, 2008 (Section 197.317).

Certain facilities are currently exempted from CON. The provision removing the expenditure minimum for certain facilities is deleted. The time limits are changed from 18 to 12 months for facilities to make an effort to purchase beds before applying to

increase licensed bed capacity. Current language is deleted and replaced with new language allowing a facility to increase its licensed bed capacity by:

- Submitting a letter of intent to the Department and the Committee;
- Certifying that the facility has no class I deficiencies and has maintained a 90% average occupancy rate for the last 6 quarters;
- Showing it has made an effort to purchase for 12 months following the letter of intent;
- The term "effort to purchase" is revised to mean an offer to purchase beds in the same license category or an offer to purchase beds in another licensure category.

A facility may purchase, transfer, or sell beds to facilities satisfying the above requirements. Any facility which sells or transfers beds may not expand its bed capacity within that licensure category for five years from the date of relinquishment. If an agreement is reached by the selling and purchasing facilities, then a CON should be issued upon surrender of a seller's license. If an agreement is not reached, the Committee must permit an expansion as follows:

- A facility may expand its bed capacity within the same licensure category by 25%;
- A facility may expand its bed capacity in a different licensure category by up to 10%.

Any licensed RCF or SNF may relocate licensed beds to another facility if both facilities are under the same ownership. An independent living facility may apply to buy beds by submitting a plan the Division of Health Standards and Licensure; obtaining a temporary license; obtaining authorization based on need; working with the Committee to identify a seller; obtaining a CON; and applying for licensure of the purchased beds.

A definition is provided for "independent living facility" (Section 197.318).

Currently, the Department of Health and Senior Services must inspect long term care facilities twice per year. This act lowers that number to one unannounced inspection per year, unless violations occur (Section 198.022).

ERIN MOTLEY

012402	S First Read	S152
013102	Second Read and Referred S Aging, Families & Mental Health Committee	S193
021202	Hearing Conducted S Aging, Families & Mental Health Committee	
022102	SCS Voted Do Pass S Aging, Families & Mental Health Committee (4205S.08C)	
022602	Committee Vote Reconsidered S Aging, Families & Mental Health Committee	
022602	SCS Voted Do Pass (SCS SBs 1029 & 1047) S Aging,	

Families & Mental Health Committee (4205S.09C)

EFFECTIVE : August 28, 2002

SB 1030

SENATE SPONSOR Kennedy

4285S.01I

SB 1030 - This act provides that the Director of the Department of Revenue shall be the custodian of the "Statutory County Recorder's Fund". Current law provides that the State Treasurer shall be custodian of the Fund. Monies in the fund shall be deemed non-state funds.

JIM ERTLE

012402 S First Read	S152
013102 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S193

EFFECTIVE : August 28, 2002

SB 1031

SENATE SPONSOR Schneider

4074S.03I

SB 1031 - This act expands the hearing powers of the Administrative Hearing Commission (AHC). The AHC will conduct hearings and make findings of fact and conclusions of law in any contested case commenced either by a state agency or affected party. Hearings will conform to the rules of civil procedure. It is not necessary to retain counsel for representation before the AHC. The AHC will adopt rules and procedure to facilitate individuals representing themselves. The AHC has the authority to stay or suspend any action of a state agency pending the commission's findings and determination in a contested case. The AHC will promulgate procedural rules for contested cases. Rules of procedure shall be designed to simplify the maintenance of actions and enable review to be sought without the need to be represented by counsel.

The AHC is expanded from three members to six members. Offices will be located in Jefferson City, St. Louis, Kansas City, and Springfield. Cases heard by an agency prior to January 1, 2003, shall be decided by that agency and disposed of. Cases which are pending as of January 1, 2003, will be transferred to the AHC.

CINDY KADLEC

012402 S First Read	S152
013102 Second Read and Referred S Judiciary Committee	S193
022602 Hearing Conducted S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1032

SENATE SPONSOR Childers

2946S.04I

SB 1032 - This act allows the State Treasurer to contract with property locators to assist in locating owners of abandoned property. The property locators must be registered with the Treasurer pursuant to Section 447.581. Under the terms of the contract, the Treasurer may assign the property locator up to 500 accounts. The accounts must be at least 24 months old and shall be assigned at random. The property locator will be paid \$15 for each account in which it finds the owner and for which the owner has authorized the payment of such fee. The Treasurer must annually review the performance of the property locator and if the locator does not locate 30% of the account owners, the Treasurer may refuse to renew a contract with the locator.

STEPHEN WITTE

012802	S First Read	S157
013102	Second Read and Referred S Local Government & Economic Development Committee	S193
021202	Hearing Conducted S Local Government & Economic Development Committee	
021202	Voted Do Pass S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

SB 1033

SENATE SPONSOR Kennedy

4289S.01I

SB 1033 - The act states that the Department of Elementary and Secondary Education shall create a public school beautification adoption program and authorizes individuals, groups, and corporations to develop and implement programs to assist in maintaining and improving public school grounds and buildings.

After a local school board approves a potential sponsor's application, the application will go to the Department of Elementary and Secondary Education for review. Upon approval, the program becomes the sponsor's responsibility until said group ceases to perform its duties or until the local board revokes the sponsorship. Subject to appropriation, each year the Department of Elementary and Secondary Education will choose the ten most effective programs to receive grants of up to \$10,000.

This act is identical to HB 1026 (2001).
DONALD THALHUBER

012802 S First Read	S157
013102 Second Read and Referred S Education Committee	S193
030602 Hearing Scheduled S Education Committee	

EFFECTIVE : August 28, 2002

SB 1034

SENATE SPONSOR Kennedy

4278S.01I

SB 1034 - The act mandates that all schools in Missouri, including institutions of higher education, that are supported in whole or in part by public moneys shall recite the Pledge of Allegiance to the flag of the United States of America at the beginning of each school day prior to the start of class in each classroom. Any pupil or member of the faculty or staff of the school may choose not to participate in the recitation by remaining silent throughout the recitation.

This act is identical to HB 1574.
DONALD THALHUBER

012802 S First Read	S157
013102 Second Read and Referred S Education Committee	S193

EFFECTIVE : August 28, 2002

SB 1035

SENATE SPONSOR Yeckel

4072S.01I

SB 1035 This Act revises a number of provisions relating to lobbyists, the Missouri Ethics Commission and campaign finance disclosure.

Lobbyists shall no longer be required to include expenditure categories for printing and publication expenses, media and other advertising expenses, and honoraria on their monthly reports (Section 105.473).

Lobbyist expenditure reports shall not include any payment to public officials, their families or staff if it is compensation for employment in addition to employment as a public official (Section 105.473). The act repeals the law making lobbyist requirements inapplicable to union members not acting as lobbyists for the union (Section 105.475).

After a finding of probable cause, the Ethics Commission may settle certain non-criminal complaint cases without a hearing for a fee of not more than \$1,000. Currently, after a finding of probable cause, the Commission must hold a hearing (Section 105.961).

The act changes the amount from \$250 to \$275 that an

individual may contribute to a candidate or committee before certain disclosure laws apply (Sections 130.011 and 130.016). A committee or candidate may file its statement of organization within 30 days of the election (Section 130.021).

Current law provides that a continuing committee must file required disclosure reports no later than the seventh day before an election. This act changes the filing date to no later than the eighth day before an election. When no disclosure reports are required, a committee treasurer must file a statement indicating that the committee has no exceeded thresholds for that reporting period (Section 130.046).

As a technical matter, the act moves the provisions regarding nominee compliance and late fees from Section 130.050, RSMo, to Sections 130.062 and 130.063. The act also moves provisions related to out-of-state committee contribution or expenditure reports from Section 130.050 to Section 130.049.

Any fees collected for the late filing of campaign disclosure reports must be deposited to the credit of the county school fund pursuant to Section 166.131, RSMo (Section 130.056). Current law provides that a person must "purposely" violate the provisions of Chapter 130, RSMo, to be guilty of a Class A misdemeanor. This act changes the standard to "knowingly" (Section 130.081).

This act is identical to HB 1326 (2002).
JIM ERTL

012802 S First Read	S157
013102 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S193
022502 Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1036

SENATE SPONSOR Yeckel

4208S.03I

SB 1036 - This act extends a homestead property tax assessment freeze to all taxpayers' property, except when it changes hands.

JEFF CRAVER

012802 S First Read	S157
013102 Second Read and Referred S Ways & Means Committee	S193
030502 Hearing Scheduled S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 1037

SENATE SPONSOR Singleton

4306S.02I

SB 1037 - This act authorizes governmental entities to adopt ordinances authorizing the use of automatic traffic control enforcement system to catch drivers who run red lights on highways or roads within their jurisdiction. If the road is a state highway, the governmental entity must enter into an agreement with the Transportation Commission regarding the installation of such a system.

The governmental entity must adopt an ordinance to establish the system and may enter into an agreement with a private vendor to establish the system. The vehicle owner is presumed to be the violator unless the owner makes out an affidavit as to the true operator of the vehicle. The other person specified in the affidavit is then presumed to be the violator. If the vehicle is claimed to have been stolen, the owner must submit a proof that a police report was filed indicating that the vehicle was stolen. No points shall be assessed for a violation of this act. The fine shall not exceed \$250, including court costs. Governmental entities must give 30 days public notice before officially using the system.

This act is similar to SB 199 (2001).
STEPHEN WITTE

012802 S First Read S157
013102 Second Read and Referred S Transportation Committee S193
022602 Hearing Conducted S Transportation Committee

EFFECTIVE : August 28, 2002

SB 1038

SENATE SPONSOR DePasco

4355S.01I

SB 1038 - This act establishes the "Electronic Government Services Act" which prohibits state agencies from engaging in electronic commerce services which duplicate or compete with services offered by the private sector. In the event such services are offered by a state agency, the agency must provide public notice and an opportunity for public comment. The notice must detail why the agency believes its electronic commerce services are necessary and in the public interest.

ERIC ROSENKOETTER

012802 S First Read S157
013102 Second Read and Referred S Financial & Governmental S193
Organizations, Veterans Affairs & Elections Committee
022502 Hearing Conducted S Financial & Governmental
Organizations, Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 1039

SENATE SPONSOR DePasco

4256S.01I

SB 1039 - This act revises the composition and selection of the Kansas City Housing Commission. Beginning January 1, 2003, the Kansas City Housing Authority shall be composed of seven members (6 appointed members and 1 elected from the tenants of housing authority). The appointed members will be nominated by a committee and appointed by the mayor. The Tenant Commissioner election will be conducted by a resident organization. Each commissioner shall serve a term of 4 years. At the beginning, the appointed members will serve staggered terms. Each commissioner will receive a stipend of \$200 per month in addition to costs. A quorum shall consist of a minimum of four members.
STEPHEN WITTE

012802 S First Read	S157
013102 Second Read and Referred S Local Government & Economic Development Committee	S193
021202 Hearing Conducted S Local Government & Economic Development Committee-Consent	
021202 Voted Do Pass S Local Government & Economic Development Committee-Consent	

EFFECTIVE : August 28, 2002

SB 1040

SENATE SPONSOR Gibbons

3666S.01I

SB 1040 - This act requires approval of a plan of development by majority vote of the governing body of a municipality when revenue bonds are to be issued for an industrial development project. The governing body, in turn, must furnish each taxing district with an impact statement and an estimate of the equalized assessed valuation of the real and personal property to be included in the development.

The act requires a public hearing, with notice provisions, to hear and consider the proposed plans and any objections.

The act requires that any lease, installment sale, or other such agreement, from a municipality to a development include a payment in lieu of taxes to be made to the municipality which is equal to the lost property tax revenue.

JEFF CRAVER

012802 S First Read	S157
013102 Second Read and Referred S Ways & Means Committee	S193
021202 Hearing Conducted S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 1041

SENATE SPONSOR Russell

4162S.01P

SB 1041 - This act authorizes the conveyance of certain private property to the Department of Natural Resources and the conveyance of certain state property to private ownership.
JIM ERTLE

012802	S First Read	S157
013102	Second Read and Referred S Local Government & Economic Development Committee	S193
021202	Hearing Conducted S Local Government & Economic Development Committee-Consent	
021202	Voted Do Pass S Local Government & Economic Development Committee-Consent	
021802	Reported From S Local Government & Economic Development Committee to Floor - Consent	S299
022702	S Third Read and Passed - Consent	S388

EFFECTIVE : August 28, 2002

SB 1042

SENATE SPONSOR Bland

2902S.01I

SB 1042 - This act allocates the increase in State sales tax revenues resulting from increases in the cost of natural gas in the 2000-2001 heating season to the Utilicare Stabilization Fund. This fund is used to provide heating assistance to those persons unable to pay utility costs.

This act is identical to SB 326 (2001).
SARAH MORROW

012802	S First Read	S157
013102	Second Read and Referred S Commerce & Environment Committee	S193

EFFECTIVE : Emergency Clause

SB 1043

SENATE SPONSOR Bland

2870S.01I

SB 1043 - This act designates the first commercial film studio in Missouri operated by Walt Disney as a Missouri State Historical site.

The Missouri Department of Natural Resources may acquire the

Disney film studio, pursuant to General Assembly appropriation. The Attorney General shall approve the instrument of conveyance.

Following acquisition of the site and the necessary rehabilitation of it, the Department of Natural Resources shall establish and operate a museum dedicated to the life and works of Walt Disney.

This act is identical to SB 132 (2001).
SARAH MORROW

012802 S First Read S157
013102 Second Read and Referred S Agriculture, Conservation, S193
Parks & Tourism Committee

EFFECTIVE : Emergency Clause

SB 1044

SENATE SPONSOR Bland

2891S.01I

SB 1044 - This act requires insurance companies to provide mandatory coverage for twenty-four hours of inpatient care following surgery. The inpatient care may be for less than twenty-fours if the patient agrees to a shorter period of inpatient care and the insurance policy provides coverage of post-discharge care. All insurance policies shall provide notice of this required coverage. This required coverage shall not be subject to greater deductibles or copayments than other similar health care coverages provided in the policy.

This act is similar to SB 158 (2001).
STEPHEN WITTE

012802 S First Read S157
013102 Second Read and Referred S Insurance & Housing S193
Committee

EFFECTIVE : August 28, 2002

SB 1045

SENATE SPONSOR Bland

2879S.01I

SB 1045 - This act creates a pilot project which will require the Director of the Department of Economic Development to designate a tax free zone within a portion of Kansas City. The area to be designated shall be within a distressed community as defined by law. The city shall identify qualified areas and shall recommend one such area for designation as the economically depressed tax free zone. All retail purchases made during the years 2003 through 2005 within the economically depressed tax-free zone will be exempt from all state and local sales tax.

This act is identical to SB 171 (2001).
JEFF CRAVER

012802 S First Read S157
013102 Second Read and Referred S Ways & Means Committee S193

EFFECTIVE : August 28, 2002

SB 1046
SCS SB 1046
SENATE SPONSOR Gross

2713S.03C

SCS/SB 1046 - Under this act, The Missouri-St. Louis Metropolitan Airport Authority is given the responsibility for operation of the Lambert-St. Louis International Airport beginning on January 1, 2005. The existing Airport Authority members' terms will have expired by the time the authority assumes responsibility for operation of the airport in 2005. The City of St. Louis shall continue to own the airport. The members of the Authority shall represent St. Louis City and St. Louis, Jefferson, Franklin and St. Charles Counties on the basis of population, one member for each 130,000 residents. The authority shall honor all bonds, debts and employee pension plans of the former airport authority.

This act also states that the City of St. Louis may continue taxing businesses conducting activities within its airport. This act requires the authority and the city of St. Louis to enter into negotiations regarding certain employee issues beginning April 1, 2005.

This act is similar to SB 469 (2001).

This act has an effective date.
CINDY KADLEC

012802 S First Read S157
013102 Second Read and Referred S Pensions & General Laws S193
Committee
020602 Hearing Conducted S Pensions & General Laws Committee
021302 Hearing Conducted S Pensions & General Laws Committee
022002 SCS Voted Do Pass S Pensions & General Laws
Committee (2713S.03C)
022502 Reported From S Pensions & General Laws Committee to S355
Floor w/SCS
030402 024 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : January 1, 2005

****SB 1047****SCS SBs 1029 & 1047
SENATE SPONSOR Kenney

4307S.01I

012802 S First Read	S157-158
013102 Second Read and Referred S Aging, Families & Mental Health Committee	S193
021202 Hearing Conducted S Aging, Families & Mental Health Committee	
022602 Bill Combined (SCS SBs 1029 & 1047) S Aging, Families & Mental Health Committee	

EFFECTIVE : August 28, 2002

****SB 1048****

SENATE SPONSOR Kenney

4358L.01P

SB 1048 - This act makes a technical correction to cite the Spinal Cord Injury Fund established pursuant to Section 304.027, rather than Sections 302.133 to 302.138, RSMo.
ERIN MOTLEY

012802 S First Read	S158
013102 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S193
021102 Hearing Conducted S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	
021102 Voted Do Pass S Financial & Governmental Org., Veterans Affairs & Elections Committee-Consent	
021202 Reported From S Financial & Governmental Org., Vet. Affairs & Elections Committee to Floor - Consent	S257-258
022502 S Third Read and Passed - Consent	S347
022602 H First Read	

EFFECTIVE : August 28, 2002

****SB 1049****

SENATE SPONSOR Stoll

4011S.01I

SB 1049 - This act specifies the rate at which annual leave accrues for Department of Transportation employees. The act also provides the employees three options for use of accrued annual leave which is in excess their maximum leave balance.

Employees may apply the excess accrued annual leave to their shared leave program, purchase retirement credits or invest the cash equivalent into their deferred compensation plan, subject to certain restrictions.

ERIC ROSENKOETTER

012802 S First Read S158
 013102 Second Read and Referred S Transportation Committee S193
 021902 Hearing Conducted S Transportation Committee

EFFECTIVE : August 28, 2002

SB 1050

SENATE SPONSOR Foster

4214S.01I

SB 1050 - This act applies standards to be utilized by the Board of Arbitration in determining whether a proposed school district boundary change is necessary. The standards for such a determination include the presence of: school-aged children in the affected area; actual educational harm to school-age children (significant differences in transportation time or educational opportunities); an educational necessity, not a commercial benefit to landowners.

DONALD THALHUBER

012802 S First Read S158
 013102 Second Read and Referred S Education Committee S193
 022002 Hearing Conducted S Education Committee
 022702 Voted Do Pass S Education Committee

EFFECTIVE : August 28, 2002

SB 1051

SENATE SPONSOR Foster

4209S.01I

SB 1051 - This act alters the conditions by which a school district may transfer moneys from the incidental fund to the capital projects fund. The act prescribes that any amount expended from the incidental fund for classroom instructional capital outlays must be subtracted from the nine percent of the district's entitlement used to calculate the limit on such transfers.

The act modifies the qualifications for school districts making transfers from the incidental fund to the capital projects fund by deleting the minimum levy and lease-purchase conditions and substituting compliance with provisions concerning compensation of certificated staff in the second preceding year or payment of all penalties for the second preceding year.

Additionally, the act lays out conditions under which a school district may refinance certain lease-purchase obligations. The Hayti R-II school district is currently the only district known to meet said conditions.

DONALD THALHUBER

012802 S First Read S158

020402 Second Read and Referred S Education Committee

S203

EFFECTIVE : August 28, 2002

SB 1052

SCS SB 1052

SENATE SPONSOR Sims

4144S.09C

SCS/SB 1052 - This act defines and regulates assisted living facilities in the state.

A notwithstanding clause is added to change the term "residential care facility" I or II to "assisted living facility" I or II (Section 198.005).

New definitions are added relating to Alzheimer's disease and assisted or independent living (Section 198.006). Section 198.014, RSMo, is repealed. Current law requires licensure of long term care facilities and allows a license to be issued for up to two years. This act reduces that time period to eighteen months (Section 198.015).

A new section allows continuing care retirement community residents to request assistance with medications, which must be stored in the resident's room. The Department may develop rules for the administration of medication. Within the rules, the Department must ensure that assisted living programs promote resident independence. Programs must ensure general supervision of residents. Supportive services may be provided by the facility or the resident may contract with other providers (Section 198.016).

Currently, Section 198.073, RSMo, imposes a pathway to safety law for Alzheimer's patients in assisted living facilities I and II (ALF). This act removes provisions which prohibit ALFs from admitting or retaining individuals who are incapable of negotiating a pathway to safety. New language allows an individual to be a resident of a ALF I or II if the facility:

- Provides for appropriate services;
- Employs the appropriate number of 24-hour staff at the appropriate skill level;
- Has a written plan for the protection of residents in the event of a disaster; and
- Has written verification from the resident or his or her representative and the resident's physician that the facility will meet that resident's needs.

Certain references to pathway to safety are removed. Assisted living facilities may continue to care for individuals with dementia if the facility:

- Adheres to fire codes;
- Takes measures that allow the resident to explore the facility;
- Counts as three residents each resident with dementia who

requires physical assistance of two people;
 - Assesses every resident with dementia with a community-based services assessment tool
 - Develops an individualized service plan for the resident with dementia;
 - Uses a personal electronic monitoring device for such residents;
 - Complies with training requirements;
 - Make activity programs available; and
 - Develop a plan to protect.

ERIN MOTLEY

012902	S First Read	S164
020402	Second Read and Referred S Aging, Families & Mental Health Committee	S203
021202	Hearing Conducted S Aging, Families & Mental Health Committee	
022102	SCS Voted Do Pass S Aging, Families & Mental Health Committee (4144S.09C)	
022502	Reported From S Aging, Families & Mental Health Committee to Floor w/SCS	S354
030402	021 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

 SB 1053

SENATE SPONSOR Bentley

3949S.03I

SB 1053 - This act allows the payment of incentives to early childhood education professionals based on education level. A new Section 160.277 allows the creation of two pilot projects, subject to appropriations:

1. The "WIN Project" will be administered by the OPEN (Opportunities in Professional Education Network) initiative with funding from the Department of Elementary and Secondary Education (DESE). The Project will be conducted in four rural counties for four years.

2. The "TEACH Project" (Teacher Education and Compensation Helps) will be administered through the MOCCRRN (Missouri Child Care Resource and Referral Network) with funding from DESE.

Subject to appropriations, DESE must award funds to the OPEN Initiative to implement the WIN Project, which will make incentive payments to encourage career development for early childhood education professionals. Payments will be made to early childhood professionals if they meet certain criteria regarding employment. Payments will range from \$500 to \$2500 annually, based on education. The term "early childhood education professional" refers to individuals providing early childhood education for children birth through age eight in center-, home-, school-, and Head Start-based settings.

Subject to appropriations, DESE must award funds to MOCCRRN to implement the TEACH Project, which will provide scholarships to early childhood professionals who meet certain criteria. The scholarships will pay up to ninety percent of school-related expenses and will be renewable.

By December 31, 2006, the Department must report to the General Assembly on the effectiveness of the pilot projects.
ERIN MOTLEY

012902 S First Read	S164
020402 Second Read and Referred S Education Committee	S203
030602 Hearing Scheduled S Education Committee	

EFFECTIVE : August 28, 2002

SB 1054

SENATE SPONSOR Steelman

4151S.01I

SB 1054 - This act revises the law regarding common sewer districts and sanitary sewer improvement subdistricts.

COMMON SEWER DISTRICTS - This act revises the procedures for the creation of common sewer districts. A petition must be filed with the circuit court having jurisdiction and a public hearing must be held. If the circuit court approves the formation of a district, then the matter is submitted for approval from voters in the proposed district.

Once formed, any contract for work to be done in an amount greater than \$25,000 must be given to the lowest responsible bidder. The act also revises the procedure for the district to enforce any liens on property for delinquent charges.

Any water supply district shall disconnect a customer's water service for nonpayment of a sewer bill, subject to certain conditions.

The act also provides territorial protection for common sewer districts and procedures for when a city encroaches upon established boundaries of sewer district by annexation. Various sewer districts and entities may enter into territorial agreements.

SANITARY SEWER IMPROVEMENT SUBDISTRICTS - The act creates the "Sanitary Sewer Improvement Subdistrict Act". Procedures are established for a sewer district to create a subdistrict. The sewer district is authorized to make improvements within the subdistrict to be paid for by the issuance of general or special revenue bonds and assessments on the property benefitted by the improvement.

Before any assessments or improvements are made, a public hearing must be held. Any appeal of a final assessment must be

made within 90 days of the mailing of notice of assessment to the property owner.

The assessment shall be considered a lien on the property until paid in full. The act establishes procedures of the enforcement of the lien if it becomes delinquent.

A separate fund must be created by the sewer district for each improvement project in a subdistrict.

JIM ERTLE

012902	S First Read	S165
020402	Second Read and Referred S Commerce & Environment Committee	S203
021902	Hearing Scheduled But Not Heard S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 1055

SENATE SPONSOR Cauthorn

4152S.01I

SB 1055 - This act creates a grant program for the establishment of an umbilical cord blood bank.

Subject to appropriations, the Department of Health and Senior Services must establish a grant program for the establishment of an umbilical cord blood bank for recipients of blood and blood components who are unrelated to the blood donor. The Director of the Department must establish grant eligibility criteria by rule. In awarding the grant, the Department must consider the ability and experience of the applicant and the applicant's commitment to continue the bank upon expiration of the grant/contract. Upon the award of a grant, the recipient must agree to:

- Operate an unrelated bank at least until the 8th anniversary of the grant;
- Gather, collect, and preserve umbilical cord blood only from live births; and
- Comply with financial and reporting requirements. (Sections 192.730 and 192.731).

The authorized grant will be awarded for the fiscal year beginning July 1, 2003, and may be awarded in subsequent years if funds are specifically appropriated for that purpose (Sections 192.732 and 192.733).

ERIN MOTLEY

012902	S First Read	S165
020402	Second Read and Referred S Public Health & Welfare Committee	S203
022702	Hearing Conducted S Public Health & Welfare	

Committee

EFFECTIVE : August 28, 2002

SB 1056

SENATE SPONSOR Cauthorn

4309S.01I

SB 1056 - This act requires informed consent at least twenty-four hours before an abortion. The current language of Section 188.039, RSMo, regarding consent is deleted. Except in an emergency, new language requires a physician to confer with the patient at least twenty-four hours before an abortion regarding the benefits and risks of the procedure. For an abortion induced by drugs, the conference must take place at least twenty-four hours before prescribing the drugs. The patient must be screened for risk factors prior to or during the conference. As the conference concludes, the physician and patient must sign a consent form, certifying the screening and discussion. The form will become part of the patient's medical file and will remain confidential. The Director of the Department of Health and Senior Services must develop a model consent form for physicians, however, lack of a model form will not affect the physician's duties to obtain consent.

This act is identical to HB 913 (2001).
ERIN MOTLEY

012902 S First Read	S165
020402 Second Read and Referred S Pensions & General Laws Committee	S203
022002 Hearing Conducted S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1057

SENATE SPONSOR Cauthorn

4356S.01I

SB 1057 - This act limits a successor of asbestos-related liabilities of a domestic business corporation to the fair market value of the total assets of the transferor at the time of merger or consolidation. A corporation shall have no liabilities beyond this limit. This limit applies to all existing claims and litigation but does not apply to worker's compensation benefits, any other claims (besides asbestos), insurance corporations, and labor relations issues.
SARAH MORROW

012902 S First Read	S165
020402 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S203
021302 Hearing Conducted S Civil & Criminal Jurisprudence	

Committee

EFFECTIVE : August 28, 2002

SB 1058

SENATE SPONSOR Childers

3493S.03I

SB 1058 - This act provides a sales tax exemption for all ticket sales for railway excursions which go less than fifty miles from their origination, do not exceed one hundred miles in total length, and traverse state lines on standard gauge track as part of the federal railroad system of transportation.

This act is similar to HB 994 (2001).
JEFF CRAVER

012902 S First Read	S165
020402 Second Read and Referred S Ways & Means Committee	S203
030502 Hearing Scheduled S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 1059

SCS SB 1059

SENATE SPONSOR Bentley

4150S.05C

SCS/SB 1059 - The act states that the Governor will recognize schools (as identified by DESE) that demonstrate high student achievement and designate such institutions as 'performance' schools. Said performance schools (or districts) will be eligible for waivers of certain administrative rules.

The Department of Elementary and Secondary Education will identify as 'priority' schools, or school districts, those that are either: academically deficient; unaccredited; provisionally accredited; or not meeting any of the accreditation standards on student performance based upon the statewide assessment system. In order to address these areas of deficiency, the Board of Education of any priority school district will submit an accountability compliance statement to DESE on or before August 15 that: identifies and analyzes areas of deficiency in student performance by school, grade and academic content area; provides a comprehensive strategy for addressing these areas of deficiency; and assures disclosure of deficiency areas in the school accountability report card.

The comprehensive strategy for addressing these areas of deficiency will include: aligning curriculums to address areas of deficiency; focusing professional development funds on the areas of greatest academic need; establishing school accountability councils; developing a resource reallocation plan for the district while considering the need to implement applicable strategies for the feeder schools of said priority districts; and

creating programs to improve teacher and administrator effectiveness. Further, the comprehensive strategies will develop for any student who is not already receiving special education services and is performing at the lowest level of proficiency in any subject area under the statewide assessment an individual performance plan in that subject area which will: be developed by teachers in consultation with the child's parents or guardian; outline responsibilities for the student, parent or guardian, teachers and administrators in implementing the plan; and require those students performing at the lowest levels of proficiency in any subject area be provided with additional instruction time before they retake the assessment.

School districts shall include in any program for improvement of teacher and administrator effectiveness, policies that require participation in one of the following professional development programs: an appropriate mentoring program or supervision by an individual previously designated by DESE as a regional resource teacher; successful completion of a training program for certification as a scorer under the statewide assessment program; enrollment and making adequate progress toward national board certification. One additional year of intensive professional development assistance shall be offered to teachers and administrators who do not complete or make adequate progress in the aforementioned professional development activities. Exempt from this process are individuals who either: hold qualifying scores in the appropriate professional assessment or elect to take and receive a qualifying score on that assessment; hold national board certification; are certified as a scorer under the statewide assessment program; are designated by DESE as a regional resource teacher; serve as a mentor teacher for one school year in a program meeting standards adopted by the state board of education; or complete successfully an appropriate administrator academy program.

Any resource reallocation plan must include at least one of the following elements: reduction in class size for areas of academic concern; establishment of full-day kindergarten or preschool programs; establishment of after-school, tutoring and other programs offering extended time for learning; employment of national board-certified teachers or regional resource teachers, along with appropriate salary enhancements for such teachers; establishment of programs of teacher home visitation; or the creation of "school within a school" programs to achieve smaller learning communities within priority schools.

The Department of Elementary and Secondary Education will develop a program of administrator mentoring which focuses on the needs of priority schools and priority school districts.

The Department of Elementary and Secondary Education will withhold state funding to any district until that district submits an accountability compliance statement.
DONALD THALHUBER

020502	Second Read and Referred S Education Committee	S210
020602	Hearing Conducted S Education Committee	
021302	SCS Voted Do Pass S Education Committee (4150S.05C)	
022502	Reported From S Education Committee to Floor w/SCS	S354
030402	020 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 1060

SCS SB 1060

SENATE SPONSOR Westfall

4139S.01I

SCS/SB 1060 - This act revises the fees to be collected by certain county collectors for all current and delinquent taxes collected as compensation for mailing the statement and receipts. County collectors in counties not having a township organization are also authorized to collect a certain percentage of fees for the collection of taxes on behalf of the county. The act increases the additional fee from five to seven percent for collection of delinquent and back taxes to be collected from the taxpayer in all counties except St. Louis, St. Charles and Jackson counties and the City of St. Louis. A county collector can accept credit cards as a form of payment for taxes, but shall not add a surcharge in excess of the actual fees charged by the credit card bank.

In all counties except St. Louis, St. Charles and Jackson and the City of St. Louis, the county shall establish a "Tax Maintenance Fund". Two percent of the fee collected for delinquent and back taxes shall be deposited in the fund and shall be used by the collector to fund additional costs and expenses incurred by the county collector. The act provides limits on the amount of money that can remain in the fund at the end of each fiscal year. Any money in excess of that limit shall be transferred to the general revenue fund of the county.

A similar "Tax Maintenance Fund" shall be created in third and fourth class counties adopting a township organization that have a county treasurer ex officio collector.

JIM ERTLE

012902	S First Read	S165
020402	Second Read and Referred S Local Government & Economic Development Committee	S203
021202	Hearing Conducted S Local Government & Economic Development Committee	
022502	SCS Voted Do Pass S Local Government & Economic Development Committee (4139S.03C)	

EFFECTIVE : August 28, 2002

SB 1061

SCS SBs 1061 & 1062

SENATE SPONSOR Rohrbach

4204S.09C

SCS/SBs 1061 & 1062 - This act holds that whenever a health service corporation submits a policy form to the Director of Insurance, and the Director does not disapprove the form within 45 days (up from 30 days), the form is deemed approved and is not subject to disapproval for 12 months. If during the 12 month period the Director determines that any provision of the policy is contrary to statute, the Director shall notify the HMO of the specific provision that is contrary to statute and request that it file an amendment within 30 days to modify the provision so that it conforms with the statute. Upon approval of the amendment by the Director, the HMO shall issue a copy of the amendment to each individual or entity in which the deemed policy form was previously issued. This procedure shall also be followed when an HMO files certain documents (pertaining to its certificate of authority with the Department of Insurance (Section 354.405)).

NETWORK ADEQUACY - This act deems a managed care plan's network as adequate if the managed care plan is:

(1) A Medicare + Choice coordinated care plan offered by the health carrier pursuant to a contract with the federal centers for medicare and medicaid services;

(2) A managed care plan that has been accredited by National Committee for Quality Assurance (NCQA), and such accreditation is in effect at the time the access plan is filed; or

(3) The managed care plan's network has been accredited by the Joint Commission on the Accreditation of Health Organizations at a level of accreditation without type I recommendations or better. If the accreditation applies only to a portion of the managed care plan's network, only the accredited portion will be deemed adequate.

INTERNET FORMS - This act allows any managed care entity to provide documents and materials to an enrollee via the entity's Internet site, instead of in printed form, upon securing a waiver from the enrollee. The enrollee may revoke the waiver at any time. This portion of the act is identical to SB 1004 (2002).
STEPHEN WITTE

012902	S First Read	S175
020402	Second Read and Referred S Insurance & Housing Committee	S203
020502	Hearing Conducted S Insurance & Housing Committee	
021902	SCS Voted Do Pass (SCS SBs 1061 & 1062) S Insurance & Housing Committee (4204S.09C)	
022502	Reported From S Insurance & Housing Committee to Floor w/SCS	S354

030402 016 S Calendar S Bills for Perfection w/SCS

EFFECTIVE : August 28, 2002

SB 1062

SCS SBs 1061 & 1062

SENATE SPONSOR Rohrbach

4234S.03I

012902 S First Read	S175
020402 Second Read and Referred S Insurance & Housing Committee	S203
020502 Hearing Conducted S Insurance & Housing Committee	
021902 Bill Combined (SCS SBs 1061 & 1062) S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

SB 1063

SENATE SPONSOR Rohrbach

3935S.04I

SB 1063 - This act creates various provisions relating to the reporting of health care data, how nonprofit hospitals provide charitable care and community benefits, the review of mandated insurance benefit and other measures to control the rising cost of health insurance.

FREESTANDING DIAGNOSTIC IMAGING CENTERS - This act adds freestanding diagnostic imaging centers to the list of entities that must report data to the Department of Health and Senior Services. Freestanding diagnostic imaging centers provide services such as MRIs. Freestanding diagnostic imaging centers will be required to provide patient abstract data and financial data to the Department beginning August 28, 2003.

EXPANDED ACCESS TO DATA - This act repeals the portion of the law which prohibits the Department of Health and Senior Services from disclosing the data submitted by hospitals and ambulatory surgical centers to the public. Under the current law, this raw data is not accessible to the public. The public can only receive reports or studies based upon this data. This data will now be public information in a format known as a public use data file subject to individual privacy laws.

PROSPECTIVE PRICING INFORMATION - This act also requires hospitals, ambulatory surgical centers and freestanding diagnostic imaging centers to provide prospective pricing information regarding their most health care services to the Department of Health and Senior Services. The pricing data must be submitted in a format that is understandable to lay persons so that health care consumers can compare prices of future health care services.

MANDATED BENEFIT REVIEW COMMISSION - This act establishes the

Mandated Benefit Review Commission within the Department of Insurance. The Commission will be comprised of the Director of the Department of Insurance, the Director of the Department of Health and Senior Services, four members of the General Assembly (2 Senate/2 House - nonvoting advisory capacity), and six individuals appointed by the governor with the advice and consent of the Senate (2 health insurance purchasers, two employers (small and large), and two employees who pay a percentage of their employer sponsored health insurance. The Commission must be established by October 1, 2002.

Once the Commission has been established, it must review all existing state mandated benefits and issue a report to the General Assembly by the tenth legislative day in January 2004. The report shall discuss the projected costs of all state and federal mandates and the Commission shall recommend to the General Assembly which mandated benefits should be repealed from state law.

The Commission shall also review all mandated benefits proposed by member of the General Assembly. Whenever a bill containing a mandated benefit is proposed, the committee having jurisdiction over the proposal shall determine whether the committee favors the proposed mandate or not. If the committee is in favor of the mandate, the committee may refer the matter to the Commission for its review. The committee must review the proposed mandate and issue a report to the committee. The report must contain the social impact of mandating the benefit (see Section 376.1590 for factors), the financial impact of mandating the benefit, the medical efficacy of mandating the benefit, and the effects of balancing the social, economic and medical efficacy considerations. Once a review and evaluation of the mandated benefit has been made by the Commission, the committee shall review the commission's findings. No proposed mandate may be enacted into law unless the Commission has reviewed the mandate.

CHARITABLE CARE BY NONPROFIT HOSPITALS - This act requires nonprofit hospitals to adopt a community benefits plan which will evaluate how nonprofit hospitals provide community benefits and charitable care. This must be conducted by January 1, 2004. Beginning April 1, 2004, the nonprofit hospitals must submit community benefit reports to the Department of Health and Senior Services outlining how their institution provides community benefits. The Department of Health and Senior Services is authorized to assess a \$200 per day civil penalty against nonprofit hospitals who fail to submit a report. With this information, the Department of Health and Senior Services is required to submit an annual report to the General Assembly beginning December 1, 2004. This act authorizes the Department of Health and Senior Services to develop a minimum standard for the provision of charity care and community benefits by nonprofit hospitals. This minimum standard will be used to assess whether nonprofit hospitals are eligible for MoHEFA bonds, appropriations from the tobacco fund, and appropriations from the Missouri disproportionate-share hospital program.

THE MISSOURI HEALTH CARE COST ANTITRUST TASK FORCE - This act establishes the Missouri Health Care Cost Antitrust Task Force. The task force shall be comprised of: the Director of the Department of Insurance, the Attorney General, the Director of the Department of Health and Senior Services, a member representing the interests of hospitals, a member representing the interests of health carriers, and two members representing the interests of health care consumers. The task force shall conduct a study of the current status of market concentration of health care plans and hospitals in the state. The task force shall study the effect of how the consolidation of health carriers and hospitals in Missouri has translated into higher costs for health care consumers. The task force shall also study whether such consolidation has decreased access to health care consumers in various regions of the state. At the completion of the study, the task force shall submit a report of the findings of the study and recommendations for changes to the Governor and the General Assembly. The report shall include recommendations for possible legislative proposals which would help ensure that there is competition amongst Missouri's health carriers and hospitals and to ensure that such markets forces provide an environment for affordable health care for Missouri's citizens. The report required by this act shall be submitted no later than April 1, 2003.

STEPHEN WITTE

012902 S First Read	S175
020402 Second Read and Referred S Insurance & Housing Committee	S203
020502 Hearing Conducted S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

SB 1064

SENATE SPONSOR Stoll

4154L.01I

SB 1064 - This act mandates health insurance coverage for Maple Syrup Urine Disease (MSUD). Such coverage will not be subject to greater deductibles or copayments than similar services offered by the plan. This act does not apply to certain insurance policies.

ERIN MOTLEY

012902 S First Read	S175
020402 Second Read and Referred S Insurance & Housing Committee	S203
021902 Hearing Conducted S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

SB 1065

SENATE SPONSOR Staples

4352S.01I

SB 1065 - This act makes various changes to the current billboard law.

STACKED STRUCTURES - The act removes the prohibition that billboards cannot be stacked after August 28, 1999 (Section 226.540 (2)(c)).

PEDESTAL REQUIREMENTS - The act requires billboards erected after January 1, 2003, to be built on a single pedestal or column not to exceed 48 inches in diameter and requires the bottom edges of billboards to be at least 25 feet above the surrounding terrain.

BILLBOARD PERMIT FEES - The act raises billboard permit and biennial inspection fees from \$28.50 to \$50.00.

ON-PREMISES BILLBOARDS - The act requires on-premises billboards erected after January 1, 2003, to be within 600 feet of the business establishment. No on-premise billboard may be within 500 feet on another billboard on the same side of the highway and the maximum size of such billboard is 800 square feet. Under current law, there are now restrictions on the size and spacing of on-premises signs (see 7 CSR 10-6.030).

BUSINESSES WITHIN A CITY - The act allows businesses located within a city to erect a billboard within the one-mile area outside the city limits. The billboard is limited to 100 square feet in size and the sign must face oncoming traffic into the city. The billboard may not be erected within 500 feet of another sign. If the business ceases to operate, the billboard must be removed.

DIVIDED HIGHWAY - The act allows billboards to be placed on both sides of a divided highway and they may be directly across from one another so long as each billboard is within 600 feet of a business on the same side of the divided as the sign.

STEPHEN WITTE

013002 S First Read	S179
020502 Second Read and Referred S Transportation Committee	S210

EFFECTIVE : August 28, 2002

SB 1066

SENATE SPONSOR Klindt

4353S.02I

SB 1066 - This act adds a Department of Corrections member and a corrections association member to the Peace Officer Standards and Training Commission (POST).

This act also creates a "Corrections Officer Certification Program" that is designed and established by POST. After July 1, 2003, corrections officers shall receive the designation of certified corrections officers (CCO) upon successful completion of the training program.

By completing this certification course, corrections officers shall be eligible for promotion and pay increases after July 1, 2003. Corrections officers employed on or before July 1, 2003, shall be certified corrections officers.

This act is similar to HB 1593 (2002).
SARAH MORROW

013002	S First Read	S180
020502	Second Read and Referred S Financial & Governmental Org., Veterans Affairs & Elections Committee	S210-211
022502	Hearing Conducted S Financial & Governmental Org., Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1067

SENATE SPONSOR Foster

4349S.01I

SB 1067 - This act allows the Department of Agriculture to cooperate with the federal government, state agencies, producers, processors and other groups in programs to develop standards and labeling for organic farming. This act also creates the "Organic Production and Certification Fee Fund".

This act also creates "The Missouri Agricultural Products Marketing Development Fund", for the promotion and development of Missouri agricultural products.

This act creates the "Citizens' Advisory Commission for Marketing Missouri Agricultural Products". This commission shall establish guidelines and make recommendations to the director of the department of agriculture for the use of funds. This commission will establish a fee structure for sellers of agricultural products that use the AgriMissouri trademark. These fees will be deposited in the Missouri Agricultural Products Marketing Development Fund. The commission will also create two additional trademarks; one for the labeling of Missouri certified organic products, the other for Missouri certified family-farm-produced products.

SARAH MORROW

013002	S First Read	S180
020502	Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee	S211
020702	Hearing Conducted S Agriculture, Conservation, Parks & Tourism	

EFFECTIVE : August 28, 2002

SB 1068

SENATE SPONSOR Dougherty

4215S.01I

SB 1068 - This act requires the Department of Health and Senior Services to provide child care facilities with a comprehensive list of unsafe children's products. A new Section 210.1007 is created and requires initial notification for facilities on or before July 1, 2003, and quarterly thereafter. The Department must provide a comprehensive list of children's products which have been identified as unsafe by the Children's Product Safety Commission.

Upon notification, a facility must inspect its premises and immediately dispose of any unsafe products. The inspection must be documented by signing and dating the notification form and maintaining the form in the facility's files. During regular inspections, the department must document the facility's notification forms. If the Department discovers an unsafe product, the facility must be instructed to dispose of it immediately. If a facility fails to dispose of a product after notice is given, it will be a violation under the inspection. The Department may promulgate rules for the implementation of this section.

ERIN MOTLEY

013002 S First Read	S180
020502 Second Read and Referred S Aging, Families & Mental Health Committee	S211
022602 Hearing Conducted S Aging Families & Mental Health Committee	

EFFECTIVE : August 28, 2002

SB 1069

SENATE SPONSOR Sims

4414S.01I

SB 1069 - This act requires Medicaid eligibility and benefits for home- and community-based services to be equal to that of institutional care. If necessary, the Department of Social Services must apply to the United States Department of Health and Human Services for a waiver to implement the provisions of this section.

This act is identical to HB 1469 (2002).
ERIN MOTLEY

013002 S First Read	S183
020502 Second Read and Referred S Aging, Families & Mental Health Committee	S211

022602 Hearing Conducted S Aging, Families & Mental Health
Committee

EFFECTIVE : August 28, 2002

SB 1070

SENATE SPONSOR Gibbons

2396S.02I

SB 1070 - This act authorizes the Highway Patrol to inform providers whether an applicant for employment is a registered offender under "Megan's Law". This act also requires the information from the registry be made available to other entities, as provided for by law.

SARAH MORROW

013002 S First Read	S183
020502 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S211
021302 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1071

SCS SB 1071

SENATE SPONSOR Klindt

4196S.02C

SCS/SB 1071 - This act revises current weights and measures law. This act repeals certain interest and penalty provisions for unpaid receivables and replaces them with an administrative hearing.

SARAH MORROW

013002 S First Read	S183
020502 Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee	S211
020702 Hearing Conducted S Agriculture, Conservation, Parks & Tourism Committee-Consent	
021402 SCS Voted S Agriculture, Conservation, Parks & Tourism Committee-Consent (4196S.02C)	
022502 Reported From S Agriculture, Conservation, Parks & Tourism Committee to Floor w/SCS - Consent	S354
030402 S Consent Calendar w/SCS (2/25)	

EFFECTIVE : August 28, 2002

SB 1072

SENATE SPONSOR Childers

2600S.03I

SB 1072 - This act revises provisions relating to water permitting for aquaculture. Aquaculture is defined as the controlled propagation, growth, and harvest of aquatic organisms. Prior to issuing a general permit or permit by rule the Director of the Department of Natural Resources must hold meetings with permit holders, applicants and the public to evaluate pollution impacts of pollutants. After the meetings the Director would draft the permit considering the comments of the meeting and post it for public comment. A hearing may be requested on the draft permit. After consideration of the comments the final permit would be issued. The time between the request for the hearing and the hearing date will not be calculated for purposes of the time frames in which a permit must be issued. Aquaculture facilities will not be required to obtain site-specific permits but will obtain general permits. The fee for aquaculture facilities is capped at \$250.
CINDY KADLEC

013002 S First Read	S183
020502 Second Read and Referred S Commerce & Environment Committee	S211
022602 Hearing Conducted S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 1073

SENATE SPONSOR Cauthorn

4402S.01I

SB 1073 - This act revises the Prosecuting Attorney retirement provisions to allow for the credit of prior service for members who were not serving as of the date of the creation of the system and are serving as of August 28, 2002. The act would allow 100% credit for the prior service as a Prosecuting Attorney or Circuit Attorney and 75% for prior service as an Assistant Prosecuting Attorney or Assistant Circuit Attorney.
CINDY KADLEC

013002 S First Read	S183
020502 Second Read and Referred S Pensions & General Laws Committee	S211

EFFECTIVE : August 28, 2002

SB 1074

SENATE SPONSOR Goode

4416S.01I

SB 1074 - This act increases the cigarette tax to twenty-five mills per cigarette, or fifty cents per pack. This act also increases the tax on tobacco products other than cigarettes to twenty-five percent.

The increased revenue from these two tax changes shall be deposited in the general revenue fund.

This act has a referendum clause.
JEFF CRAVER

013002 S First Read	S183-184
020502 Second Read and Referred S Ways & Means Committee	S211

EFFECTIVE : August 28, 2002

SB 1075

SENATE SPONSOR Caskey

3127S.02I

SB 1075 - This act creates the Breimyer Center for Sustainable Food and Farming Systems. The Breimyer Center will assist family farms by promoting sustainable family farm agriculture, community foods systems and food security in Missouri. The center will advocate the interests of family farmers and sustainable family farm agriculture and support research in those areas and is authorized to provide grants. The center will provide legal information for groups wishing to challenge existing or proposed statutes, rules or regulations and specific methods for challenge are specified.

The salary for executive director of the Breimyer Center will be funded through appropriations. At least one of the staff will be an attorney licensed to practice law in the state of Missouri. The Breimyer Center will be housed primarily at the University of Missouri-Columbia. The Breimyer Center for Sustainable Food and Farming Systems Governing Board is created and will consist of six persons actively engaged in sustainable family farm agriculture and three persons actively engaged in the development of community food systems. Members will be appointed by the Governor with the advice and consent of the Senate. The Governing Board will elect officers and inform the public about sustainable food and farming innovations, methods, procedures and information, regulatory and statutory changes and other pertinent information. The Governing Board will hire the executive director for the Center.

The Breimyer Center for Sustainable Food and Farming Systems Non-voting Advisory Council is also created. This council will work with and provide assistance to the Governing Board. The

Non-voting Advisory Council will consist of the Governor or his or her designee and Directors or designees from the Department of Conservation, Department of Economic Development, and Department of Natural Resources, as well as the Dean of the College of Agriculture, Food and Natural Resources and the Department of Rural Sociology from the University of Missouri-Columbia and the president of the governing board.

Pesticide registration fees are raised to \$150 per product per year. One-third of those moneys will remain in the Pesticide Project Fund and two-thirds will be transferred to the Breimyer Center for Sustainable Food and Farming Systems Fund which is created. The Director of the Department of Agriculture is given authority to deny, cancel or revoke a pesticide registration in certain circumstances.

CINDY KADLEC

013002 S First Read	S184
020502 Second Read and Referred S Agriculture, Conservation, Parks & Tourism Committee	S211
022102 Hearing Conducted S Agriculture, Conservation, Parks, & Tourism Committee	

EFFECTIVE : August 28, 2002

SB 1076

SENATE SPONSOR DePasco

4270S.01I

SB 1076 - This act authorizes pawnshops to report certain information about pawnshop transactions to appropriate law enforcement authorities. Pawnshop owners may accomplish the necessary reporting by electronically transmitting the required information to a database. Any reporting pawnshop is required to submit transaction information to the database within one business day of the transaction. Such reporting pawnshop must make paper copies of transactions available to law enforcement, upon request.

The act authorizes the creation of a database by a third party engaged in the business of operating databases. Law enforcement may then access the database in their investigation of alleged property crimes.

Any person who fraudulently accesses the database shall be guilty of a Class C felony.

JIM ERTLE

013002 S First Read	S184
020502 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S211
021302 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1077

SENATE SPONSOR Klarich

4411S.01I

SB 1077 - This act establishes "Clutch's Law". Under this act, additional fines and driver's license suspensions will be imposed on any person failing to yield the right-of-way when the violation results in physical injury, serious physical injury, or death to a person. In addition to the normal penalties, a person violating this act which results in physical injury will be fined \$200 and have his or driver's license suspended for 30 days. A serious physical injury results, an additional \$500 fine and a 90 day license suspension is imposed. If the violation leads to a fatality, an additional \$1,000 fine and six month license suspension is imposed. The additional fines are deposited in the motorcycle safety trust fund.

This act is identical to HB 1534 (2002).
STEPHEN WITTE

013002 S First Read	S184
020502 Second Read and Referred S Transportation Committee	S211
021902 Hearing Conducted S Transportation Committee	

EFFECTIVE : August 28, 2002

SB 1078

SENATE SPONSOR Kennedy

4413S.01I

SB 1078 - This act provides that the Director of the Department of Revenue shall be the custodian of the "Statutory County Recorder's Fund". Current law provides that the State Treasurer shall be custodian of the Fund. Monies in the fund shall be deemed non-state funds.

This act is similar to SB 1030 (2002).
JIM ERTLE

013002 S First Read	S184
020502 Second Read and Referred S Financial & Governmental Org., Veterans Affairs & Elections Committee	S211
021802 Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Comm.-Consent	
022102 Voted Do Pass S Financial & Governmental Organization Veterans' Affairs & Elections Comm.-Consent	
022602 Reported From S Financial & Governmental Organization Vet. Affairs & Elections Committee to Floor - Consent	S374
030402 S Consent Calendar (2/26)	

EFFECTIVE : August 28, 2002

****SB 1079****

SENATE SPONSOR Bland

2869S.01I

SB 1079 - This act modifies the maximum penalties a consumer must pay for late payments on certain credit transactions. Under the act, a lender may charge a late payment of 2% of the minimum payment due or \$15, whichever is less, on a small loan payment which is fifteen days or more in default.

This act also modifies the late charge on retail credit sales. Under the act, the maximum late charge that can be charged is \$5 (reduced from \$10) or \$2 (reduced from \$5) when the monthly installment due is less than \$25.

This act is similar to SB 131 (2001).
JIM ERTLE

013002 S First Read	S184
021102 Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S247

EFFECTIVE : August 28, 2002

****SB 1080****

SENATE SPONSOR Bland

2581S.01I

SB 1080 - This act creates a new license classification for cosmetologists to be known as Class CB - braider. Braiders are required to take a course of study of at least 600 hours, with a minimum of 100 hours of classroom training before performing any acts of hair braiding on a patron or customer of a cosmetology school or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended.

JIM ERTLE

013002 S First Read	S184
020502 Second Read and Referred S Financial & Governmental Org., Veterans Affairs & Elections Committee	S211

EFFECTIVE : August 28, 2002

****SB 1081****

SENATE SPONSOR Bland

2875S.01I

SB 1081 - The statute creating the Joint Committee on Health Care Policy and Planning terminated on December 31, 1999. This act reestablishes the Joint Committee. The Committee shall be composed of five members of the House and five members of the

Senate. The Committee may hire employees and may enter into contracts for such assistance as it deems necessary.

The Committee shall monitor the implementation of HB 564 (1993), monitor health care delivery services, analyze proposals for improving the delivery of services, recommend changes in the management and organization of state agencies deliver health care services, develop a health care spending plan, and prepare an annual report.

This act terminates on December 31, 2007.

This act is identical to SB 166 (2001).

ERIN MOTLEY

013002 S First Read	S184
021102 Second Read and Referred S Public Health & Welfare Committee	S247

EFFECTIVE : August 28, 2002
TERM DATE : Dec. 31, 2007

SB 1082

SENATE SPONSOR Bland

2874S.01I

SB 1082 - This act outlines the minimum staffing requirements for skilled nursing facilities, licensed under Chapter 198, RSMo. A new Section 198.166 is created and requires every skilled nursing facility (SNF) to retain a registered nurse (RN) as Director of Nursing. SNFs with more than 100 licensed beds must also retain a RN as an Assistant Director of Nursing and must have a director of In-Service Education. All SNFs must maintain the following ratio of staff to residents, including RNs and Licensed Practical Nurses (LPN):

- 1 staff person to 15 residents during the morning shift;
- 1 staff person to 25 residents during the evening shift;
- 1 staff person to 35 residents during the night shift.

Every SNF must also maintain the following staff to resident ratio of direct care providers, including RNs and LPNs:

- 1 staff person to 5 residents during the morning shift;
- 1 staff person to 10 residents during the evening shift;
- 1 staff person to 15 residents during the night shift.

Members of the nursing staff may not provide food, housekeeping, laundry, or maintenance services to residents. Employees hired to provide such services may not provide nursing care and may not be counted in the staff to resident ratios. The Division of Aging is allowed to develop rules to impose penalties on facilities that fail to meet the staffing requirements.

This act is identical to SB 164 (2001).

ERIN MOTLEY

013002 S First Read S184
020502 Second Read and Referred S Aging, Families & Mental S211
Health Committee

EFFECTIVE : August 28, 2002

SB 1083

SENATE SPONSOR Russell

3409S.02I

SB 1083 - This act mandates any person born after August 28, 1981, will be required to possess a boating safety identification card in order to operate a vessel or personal watercraft. The Missouri State Water Patrol will issue this boating safety identification card.

The Water Patrol may charge a fee for the card that does not substantially exceed the administrative cost of this provision. The act also requires that any person convicted of certain boating offenses must enroll and complete a boating safety education.

This act is similar to HB 320 (2001).
SARAH MORROW

013102 S First Read S189
021102 Second Read and Referred S Transportation Committee S247
021902 Hearing Scheduled But Not Heard S Transportation
Committee

EFFECTIVE : August 28, 2002

SB 1084

SCS SB 1084

SENATE SPONSOR Stoll

4122S.03I

SCS/SB 1084 - This act authorizes Jefferson County to levy a sales tax of up to one-half percent. Twenty-five percent of the revenue from this tax shall go to a County Prosecuting Attorney's Office Trust Fund, to be used by the county prosecuting attorney's office. The remainder of the revenue shall be deposited in the Law Enforcement Sales Tax Trust Fund for the county.

The act has an emergency clause and a referendum with ballot language.
JEFF CRAVER

013102 S First Read S189
021102 Second Read and Referred S Local Government & S247
Economic Development Committee
021902 Hearing Conducted S Local Government & Economic

Development Committee
022502 SCS Voted Do Pass S Local Government & Economic
Development Committee (4122S.04C)

EFFECTIVE : Voter Approval

SB 1085

SENATE SPONSOR Yeckel

3453S.01I

SB 1085 - This act creates the State Board of Naturopathic
Medicine.

The act defines naturopathic medicine as "a system of
primary health care for the prevention, diagnosis and care of
human health conditions, injuries and diseases that uses
education and natural substances and remedies to support and
stimulate the individual's intrinsic self-processes".

The Board shall consist of six members, one of which must be
a public member who has no connection with or material financial
interest in the practice of naturopathy. Each member shall serve
a four year term.

The act establishes requirements and procedures for the
licensure of naturopaths by examination and through a grandfather
provision. Also established by the act are procedures for the
renewal of a license and the requirements to be met for renewal
of a license, including the completion of a minimum number of
hours of continuing education.

The Board has the power to subpoena witnesses and records
along with the power to enforce the Board's subpoenas in circuit
court.

The act creates a list of persons who are exempt from the
licensure requirements.

The Board may seek discipline of a license or to deny a
license to an applicant for specified causes, or alternatively
issue a restricted or probated license. Further, the Board may
seek summary suspension of a license upon meeting certain
requirements.

JIM ERTLE

013102	S First Read	S189
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S247
021802	Hearing Conducted S Financial & Governmental Org., Veterans' Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

****SB 1086****

SCS SBs 1086 & 1126

SENATE SPONSOR DePasco

4417S.02C

SCS/SBs 1086 & 1126 - This act allows cities with home rule in counties of the first classification with charter form of government and the City of Excelsior Springs to order the abatement of weeds and trash within five business days after notice is sent or posted on the property. If the weeds or trash are not removed within five days, the city may have them removed and the cost of removal billed on a special tax bill to be collected by the collector with other taxes assessed against the property.

JIM ERTL

013102	S First Read	S189
021102	Second Read and Referred Local Government & Economic Development Committee	S247
021902	Hearing Conducted S Local Government & Economic Development Committee-Consent	
022502	SCS Voted Do Pass (SCS SBs 1086 & 1126) S Local Govt. and Economic Development Comm.-Consent (4417S.02C)	
022602	Reported From S Local Government & Economic Development Committee to Floor w/SCS - Consent	S368
030402	S Consent Calendar w/SCS (2/26)	

EFFECTIVE : August 28, 2002

****SB 1087****

SENATE SPONSOR Gibbons

4179S.01I

SB 1087 - This act revises certificate of need law and enacts a review certification procedure for acute care facilities.

Current law provides definitions relating to certificate of need (CON). This act changes the definition of "health care facilities" by removing its reference to non-long term care related facilities and adding long term care beds or hospitals. The definition for and mention of "major medical equipment" is also removed (Section 197.305).

The Missouri Health Facilities Review Committee is currently established in law. This act removes the Committee's ability to hire staff and reassigns employment decisions and oversight to the Department of Health and Senior Services (Section 197.310).

Current law outlines procedures to obtain a CON. The exclusion from a CON for new medical technology is removed and relocated to the review certification Sections in 197.387. Section 197.366 is repealed due to expiration on 12/31/2001. Section 197.367 is repealed regarding residential care facilities I or II with low occupancy levels (Section 197.315).

Sections 197.375 through 197.397, RSMo, contain new language regarding review certification and are similar to language contained in SB 235 (2001). This act provides definitions relating to review certification, such as "acute care facilities", "first-time services", and "review certification" (Section 197.375).

Duties of the Committee are outlined, including the review and approval or disapproval of all applications for review certification (Section 197.378). The procedure for application submission is also outlined. A letter of intent should be submitted thirty days before filing an application and a fee must accompany the application. The fee will be \$1000 or one-tenth of one percent of the total cost of the project. Applicants have the right to appeal the Committee's decision (Sections 197.381 and 197.384).

Any person proposing a new institutional acute care service, first-time service, the addition of newly licensed beds, or renovations over a certain amount must obtain a non-transferable review certification. Certification will be granted to those meeting the health needs of the community. If costs exceed 10% of the approved amount, the Committee must consent to the increase. Applicants must submit periodic reports and the Committee may revoke certification in certain situations. A review certification may be forfeited for failure to incur any capital expenditures within twelve months. State agencies may not license, certify, or provide funds to an acute care facility without that facility first obtaining review certification, if required to do so. Review certification may not be denied based on an applicant's refusal to provide abortion services or information. Review certification may not be required for transfer of ownership in a facility's entirety. A review certification may be granted for less than requested in the original application. The purchase and use of new medical technology is exempted from review certification (Section 197.387).

A review certification will not be required for facilities run by the state, nor for nonsubstantive projects (Section 197.390).

Reimbursement for new institutional acute care service project costs over ten percent of the initial estimate will not be paid for the first three years that a facility receives payments for services through Medicaid. A review certification must be granted before payment for excess project costs will be made. The Committee is given rule authority to enforce these sections (Section 197.393 and 197.397).

Portions of this act are similar to SB 235 (2001).
ERIN MOTLEY

Committee
022002 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 1088

SENATE SPONSOR Foster

3510S.03I

SB 1088 - This act changes the procedures for the licensing of auctioneers. Current law provides for the licensing of auctioneers by counties. This act creates a State Board of Auctioneers in the Division of Professional Registration within the Department of Economic Development. The Board oversees the examination and licensing of persons engaged in the practice of auctioneering.

The act will not apply to certain persons listed in Section 343.395, RSMo. The Board collects fees that will be deposited into the State Board of Auctioneers Fund for administrative purposes. The Board will annually collect a fee of fifty dollars from each applicant and licensee to fund a subaccount of the Board. The subaccount will be used to compensate individuals aggrieved by the actions of a licensee.

JIM ERTLE

013102 S First Read S189
021102 Second Read and Referred S Financial & Governmental S247
Org., Vet. Affairs & Elections Committee
022502 Hearing Conducted S Financial & Governmental Org.
Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 1089

SENATE SPONSOR Goode

4447S.01I

SB 1089 - This act creates a Life Sciences Research Program within the Department of Health. A nine member Life Sciences Research Board shall distribute grants to increase the capacity and infrastructure for, and improve the quantity and quality of, life science research in the state. The Board may make provisions for peer review panels to research and review grant proposals.

Grant recipients shall have the duty to ensure timely disclosure of their research findings to the scientific community, and to promote public availability of their inventions and other intellectual property developed in the performance of research funded by a grant award. Institutions or organizations receiving grant awards shall retain intellectual property rights, but the Life Sciences Board is authorized to adopt reasonable regulations to insure that intellectual property rights are

utilized in the public interest.

The act prohibits grant moneys from being used for human cloning, abortion services, other than to save the life of the mother, or destructive human research, including the taking of organs of a living child, when the intended result is to cause serious harm to the child. "Child" is defined as a human at any stage of biological development of an unborn child from conception onward. The research projects include research and development into product safety and preventative care technologies.

This act is similar to SB 226 (2001).
JIM ERTLE

013102 S First Read	S194
021102 Second Read and Referred S Pensions & General Laws Committee	S247
022702 Hearing Conducted S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1090

SENATE SPONSOR Loudon

4444S.01I

SB 1090 - This act makes it illegal to install fake air bags in automobiles. A person convicted of this offense is guilty of a Class D felony, punishable by a \$5,000 fine, one year in jail or both.

STEPHEN WITTE

013102 S First Read	S194
021102 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S247
022002 Hearing Scheduled But Not Heard S Civil & Criminal Jurisprudence Committee	
022702 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1091

SENATE SPONSOR Loudon

4310S.01I

SB 1091 - This act establishes the "Open Contracting Act" which prohibits public agencies from imposing certain labor requirements as conditions for performing public works.

Public entities procuring products or services or entering into contracts for manufacture of public works shall ensure that their agreements do not bind the other parties to such agreement

to labor organizations. Public entities shall not discriminate against such parties who refuse to adhere to agreements with labor organizations. Public entities shall not require such parties to make their employees join or pay dues or fees to a labor organization in excess of costs already paid.

Public entities shall not issue grants or contract for construction projects requiring another party's employees join, become affiliated with, or pay more money to a labor organization. Such entities may exercise authority, as required, to prevent such action by a grant recipient or party to a contract.

Any interested party has standing to challenge agreements that violate these provisions.
ERIC ROSENKOETTER

013102 S First Read	S194
021102 Second Read and Referred S Labor & Industrial Committee	S247
021902 Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 1092

SENATE SPONSOR Loudon

4332S.01I

SB 1092 - This act authorizes courts to set aside criminal convictions and to expunge criminal records under certain circumstances. Current law allows courts to expunge arrest records if there was no probable cause for the arrest, no charges will be filed, and the subject of the arrest has no criminal convictions. This act adds the additional restriction that the subject not have suspended impositions of sentence (SISs) on his record and that there are no pending investigations regarding the arrest. This act also allows expungement, however, based only upon a finding that no criminal charges have been filed against the subject for 10 years after the arrest.

This act contains the Missouri Rehabilitation and Sealed Records Act which authorizes a court to set aside a person's criminal convictions and seal a person's criminal record if such person:

1. Has had no more than 1 felony or 2 misdemeanors;
2. Has not been convicted for 10 consecutive years following service of his or her most recent sentence;
3. Has no convictions for violent felonies or a sex-related offense;
4. Has no A or B felony convictions for a drug-distribution offense;
5. Has no convictions on his or her commercial drivers license (CDL) involving a BAC of .04 or higher; and
6. Is at least 25.

The act criminalizes knowing use or release of records sealed pursuant to the act. Failure to seal or knowingly releasing such records is a Class B misdemeanor and knowing use of the records for financial gain is a Class D felony.

SARAH MORROW

013102 S First Read	S194
021102 Second Read and Referred S Judiciary Committee	S247
030502 Hearing Scheduled S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1093

SENATE SPONSOR Loudon

4312S.01I

SB 1093 - This act revises the language regarding the registration of historic motor vehicles. Any person wishing to register a plate which is over 25 years of age and is consistent with the year of manufacture of the motor vehicle, may register the plate as an historic vehicle plate. The plate must not contain a configuration of letters or numbers already issued to another vehicle owner. The owner of the historic vehicle must keep the certificate of registration in the vehicle at all times.

STEPHEN WITTE

013102 S First Read	S194
021102 Second Read and Referred S Transportation Committee	S247
021902 Hearing Conducted S Transportation Committee-Consent	

EFFECTIVE : August 28, 2002

SB 1094

SENATE SPONSOR Russell

4500L.01I

SB 1094 - This act extends the sunset for the nursing facility reimbursement allowance to September 30, 2005. Current law sunsets the reimbursement allowance on September 30, 2002.

ERIN MOTLEY

020402 S First Read	S199
021102 Second Read and Referred S Aging, Families & Mental Health Committee	S247
021902 Hearing Conducted S Aging, Families & Mental Health Committee	
022102 Voted Do Pass S Aging, Families & Mental Health Committee-Consent	
022502 Reported From S Aging, Families & Mental Health Committee to Floor - Consent	S353
030402 S Consent Calendar (2/25)	

EFFECTIVE : August 28, 2002

SB 1095

SENATE SPONSOR Cauthorn

4359S.03I

SB 1095 - This act creates the "Missouri Sheriff's Methamphetamine Relief Team" (MoSMART) housed in the Department of Public Safety. This team consists of five sheriffs, who will serve a two-year term and elect a chairman.

The MoSMART Fund is created and is available on an application basis to law enforcement entities and task forces. Applications are evaluated based upon the level of funding designated for methamphetamine enforcement before 1997 and upon current need and circumstances.

SARAH MORROW

020402 S First Read	S199
021102 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S247
022002 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1096

SENATE SPONSOR Kennedy

4297S.02I

SB 1096 - This act exempts from state sales and use taxes all sales of coffins, caskets and urns. Local sales taxes will still apply to the sale.

This act is similar to HB 818 (2001).
JEFF CRAVER

020402 S First Read	S199
021102 Second Read and Referred S Ways & Means Committee	S247

EFFECTIVE : August 28, 2002

SB 1097

SENATE SPONSOR Kennedy

4378S.01I

SB 1097 - This act outlines procedures for the co-management of patients by Optometrists and Ophthalmologists.

A new Section 334.109 is created regarding "surgical comanagement", which is defined as a collaboration between two eye care providers with respect to the pre- and post-operative

care of an eye surgery patient. It does not include delegating tasks to ancillary personnel. Surgical comanagement arrangements may be created when:

- the patient chooses to do so;
- distance from the patient's home requires it;
- extenuating circumstances require it; or
- the surgeon chosen by the patient is unavailable for pre- or post-operative care;

No comanaging eye care provider shall receive a fee that exceeds the value of services provided. Each comanaging eye care provider must be licensed and qualified. The patient must give informed consent to comanagement after receiving a detailed explanation of the arrangement. The surgeon and comanaging provider must also have a written protocol on the provision of care. A list of violations is given, including splitting fees, manipulating referrals, or failing to inform the patient.

The Board of Registration for the Healing Arts and the Board of Optometry have disciplinary and rule power to enforce this act as it relates to ophthalmologists and optometrists, respectively. This act does not limit an eye care provider from referring to non-participating surgeons or from electing not to participate in the comanagement arrangement. This act does not limit tort liability of a physician or optometrist with respect to patient care.

This act is similar to SB 552 (2001).
ERIN MOTLEY

020402 S First Read	S199
021102 Second Read and Referred S Pensions & General Laws Committee	S247
022002 Hearing Cancelled S Pensions & General Laws Committee	
030602 Hearing Scheduled S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1098

SENATE SPONSOR Steelman

4446L.01I

SB 1098 - This act allows personal assistive mobility devices to be operated on streets, highways, sidewalks and bicycle paths and grants operators the rights and duties applicable to pedestrians.

This act is identical to HB 1746 (2002).
CINDY KADLEC

020402 S First Read	S199
021102 Second Read and Referred S Transportation Committee	S247
021902 Hearing Conducted S Transportation Committee-Consent	

EFFECTIVE : August 28, 2002

SB 1099

SENATE SPONSOR Childers

4015S.03I

SB 1099 - This act requires any business engaged in selling prearranged travel-related or tourist-related services to file a bond or letter of credit with the Attorney General.

This act allows a purchaser of prearranged travel-related or tourist-related services to rescind such purchase within fifteen business days of the purchase, except when the merchandise or services are provided within the rescission period. The refund must be returned within fourteen days. This right of rescission cannot be waived.

SARAH MORROW

020402 S First Read S199
021102 Second Read and Referred S Agriculture, Conservation, S247
Parks & Tourism Committee
021402 Hearing Conducted S Agriculture, Conservation,
Parks & Tourism Committee

EFFECTIVE : August 28, 2002

SB 1100

SENATE SPONSOR Childers

4479S.01I

SB 1100 - This act is known as the "Consumer Clean Energy Act".

This act allows customer-generators of electricity to sell, by agreement, energy generated to the wholesale generator. This energy shall be treated as energy generated by the generator providing electricity to the retail electric supplier. Each retail electric supplier shall calculate the net energy measurement for a customer-generator.

This act requires each retail electric supplier to maintain and make available records of the total generating capacity of customer-generators and the energy source used.

The customer-generator shall pay the cost of meeting the standards set out in this bill and any cost to install additional controls, metering or additional tests.

Applications by a customer-generator for interconnection to the distribution system shall be accompanied by certification from a qualified professional.

SARAH MORROW

020402 S First Read S199
 021102 Second Read and Referred S Commerce & Environment S247
 Committee
 021902 Hearing Conducted S Commerce & Environment Committee
 022802 Voted Do Pass S Commerce & Environment Committee

EFFECTIVE : August 28, 2002

SB 1101

SENATE SPONSOR Kenney

4406S.01I

SB 1101 - This act allows the State Treasurer to subscribe for or purchase local government investment pool and money market mutual funds within parameters of the State Treasurer's written investment policy. Any obligations acquired by the State Treasurer may be sold for cash provided certain current law requirements are met.

General obligation bonds of any political subdivision in the country shall be considered an acceptable security provided the bond is rated in the highest category by at least one nationally recognized statistical rating agency.

This act creates the "Local Government Investment Pool". This pool shall consist of all funds being handled by local public officials that are submitted to the State Treasurer for investment. Certain local public bodies are authorized to invest moneys through the pool that are not immediately needed for the operation of the local body. The State Treasurer shall administer the pool on behalf of the participating local officials. The pool may invest in SEC-regulated money market mutual funds. Requirements for the investment and recordkeeping of the pool are created.

Certain local public bodies may invest in certain SEC-regulated money market mutual funds.
 JIM ERTLE

020402 S First Read S199
 021102 Second Read and Referred S Financial & Governmental S247
 Org., Vet. Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 1102

SENATE SPONSOR Westfall

4478S.01I

SB 1102 - This act allows County Prosecutors with jurisdiction to prosecute nuisance cases along with the Department of Health and Senior Services (under Section 191.683, RSMo).
 SARAH MORROW

020402 S First Read S204
 021102 Second Read and Referred S Civil & Criminal S247
 Jurisprudence Committee
 022002 Hearing Conducted S Civil & Criminal Jurisprudence
 Committee

EFFECTIVE : August 28, 2002

SB 1103

SENATE SPONSOR Westfall

2897S.01I

SB 1103 - This act makes the Missouri Fox Trotting Horse the
 official state horse of Missouri.

SARAH MORROW

020402 S First Read S204
 021102 Second Read and Referred S Agriculture, Conservation, S247
 Parks & Tourism Committee
 021402 Hearing Conducted S Agriculture, Conservation,
 Parks & Tourism Committee
 021402 Voted Do Pass S Agriculture, Conservation,
 Parks & Tourism Committee
 022502 Reported From S Agriculture, Conservation, Parks & S355
 Tourism Committee to Floor
 030402 025 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 1104

SENATE SPONSOR Mathewson

4509S.01I

SB 1104 - This act prohibits a carried-back tax credit from
 accruing interest prior to the close of the taxable year in which
 the credit was authorized.

JEFF CRAVER

020402 S First Read S204
 021102 Second Read and Referred S Ways & Means Committee S247
 021902 Hearing Conducted S Ways & Means Committee
 022602 Voted Do Pass S Ways & Means Committee
 022802 Reported From S Ways & Means Committee to Floor
 030402 034 S Calendar S Bills for Perfection

EFFECTIVE : August 28, 2002

SB 1105

SENATE SPONSOR Loudon

4445S.01I

SB 1105 - This act modifies certain definitions pertaining to workers' compensation. It provides that an injury is work-related if work was the dominant substantial factor in the cause of injury. It excludes personal health conditions and injury resulting from idiopathic causes. Recovery is not allowed for aggravation of a preexisting condition except to the extent that the work-related injury causes increased disability. Awards shall be reduced by the amount of permanent partial disability determined to be preexisting.

ERIC ROSENKOETTER

020502	S First Read	S209
021102	Second Read and Referred S Labor & Industrial Committee	S247
021902	Hearing Conducted S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 1106

SCS SB 1106

SENATE SPONSOR Klarich

4528S.02C

SCS/SB 1106 This act revises the terms of credit union commissioners. The terms of credit union commission members shall be staggered.

The Director of the Division of Credit Unions shall examine certain qualifying credit unions, as determined by the director, only once every eighteen months. Currently, every credit union must be examined annually.

JIM ERTLE

020502	S First Read	S209
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S247
021802	Hearing Conducted S Financial & Governmental Org., Vet. Affairs & Elections Committee-Consent	
022102	SCS Voted Do Pass S Financial & Governmental Org. Vet. Affairs & Elections Comm.-Consent (4528S.02C)	
022602	Reported From S Fin. & Gov. Org. Veterans Affairs & Elections Committee to Floor w/SCS - Consent	S373
030402	S Consent Calendar w/SCS (2/26)	

EFFECTIVE : August 28, 2002

SB 1107

SCS SB 1107

SENATE SPONSOR Childers

3922S.04C

SCS/SB 1107 - This act revises the requirements to be a candidate for Ambulance District Director (Section 190.050). Procedures for changes in the number of directors in a district and the recall of directors are created (Sections 190.051 to 190.054). Any person or entity that owns an automated external defibrillator used outside of a health care facility must have a physician review all protocols (Section 190.092). The definition of "first responder" is deleted (Section 190.092).

With certain exceptions, each ground ambulance must be staffed by two licensed emergency medical technicians (Section 190.105). Owners of a ground or air ambulance service must notify the Department of Health and Senior Services within 30 days of the sale of the service and the Department shall conduct an inspection of the service to ensure compliance with licensure standards (Sections 190.105 and 190.108). Application requirements for an ambulance license are revised (Sections 190.109 and 190.120).

Provided the person meets other current requirements for a temporary license, a person not currently licensed as an Emergency Medical Technician in Missouri may be issued a 90-day temporary license (Section 190.143). Additional causes for discipline of an ambulance license are created. Any individual whose license has been revoked twice in ten years shall not be eligible for a new license (Section 190.165).

Any settlement agreement in a contested case against a licensee must be submitted to the administrative hearing commission for its approval. Any person directly harmed by the actions of a licensee may submit an impact statement to the Commission (Section 190.172).

A patient care document must be given to ambulance personnel by a health care facility for any transfer of the patient to a different facility (Section 190.175).

Requirements regarding the reporting of certain felonies by licensees to the Department are created (Section 190.196).

The act creates procedures for the issuance and discipline of a new license category for stretcher van services to transport persons in a supine position who do not require medical monitoring or treatment other than self-administered oxygen (Sections 190.525 to 190.537). Any person who violates the provisions of Sections 190.525 to 190.527 shall be guilty of a Class B misdemeanor. The Attorney General and the local prosecuting attorney shall have concurrent jurisdiction to prosecute violations of Sections 190.525 to 190.537 and the Attorney General shall have injunctive power (Section 190.534).

Section 190.044, RSMo, has been deleted. This section

relieved a taxpayer of the obligation to pay property taxes for ground ambulance service to both an ambulance district and a fire protection district unless certain conditions were met.

This act is similar to SB 486 and SB 422 (2001).
JIM ERTLE

020502	S First Read	S209
021102	Second Read and Referred Local Government & Economic Development Committee	S247
021902	Hearing Conducted S Local Government & Economic Development Committee	
022502	SCS Voted Do Pass S Local Government & Economic Development Committee (3922S.04C)	
022602	Reported From S Local Government & Economic Development Committee to Floor w/SCS	S368
030402	030 S Calendar S Bills for Perfection w/SCS	

EFFECTIVE : August 28, 2002

SB 1108

SENATE SPONSOR Kennedy

4228S.02I

SB 1108 - This act creates a regional taxicab commission for St. Louis City and County. The members of the commission shall include representatives of the taxicab industry as well as appointees of the Mayor of St. Louis and the St. Louis County Executive.

The commission is responsible for creating and implementing a taxicab code that shall supersede all city and county ordinances related to the licensing of taxicabs. The act further lists the powers of the commission to carry out the provisions of the taxicab code.

This act is similar to HB 557 (2001).
JIM ERTLE

020502	S First Read	S209
021102	Second Read and Referred Local Government & Economic Development Committee	S247
030502	Hearing Scheduled S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

SB 1109

SENATE SPONSOR Yeckel

4516S.01I

SB 1109 - This act requires the Department of Revenue to give all first-time driver licensees information on the danger of operating a motor vehicle while in an intoxicated or drugged condition.

This act is identical to HB 1035 (2002).
STEPHEN WITTE

020502	S First Read	S209
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S247
021802	Hearing Conducted S Financial & Governmental Org., Vet. Affairs & Elections Committee-Consent	
022102	Voted Do Pass S Financial & Governmental Org., Vet. Affairs & Elections Committee-Consent	
022602	Reported From S Financial & Governmental Organization Vet. Affairs & Elections Committee to Floor - Consent	S374
030402	S Consent Calendar (2/26)	

EFFECTIVE : August 28, 2002

SB 1110

SENATE SPONSOR Steelman

4410S.01I

SB 1110 - This act requires landlords to provide equal access to telecommunications and cable providers on a competitively neutral and nondiscriminatory basis if the landlord has received state or federal subsidies for construction or rental of the housing complex.
CINDY KADLEC

020502	S First Read	S212-213
021102	Second Read and Referred S Commerce & Environment Committee	S247
030502	Hearing Scheduled S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 1111

SENATE SPONSOR Quick

4398S.01I

SB 1111 - This act extends the sunset for the Children's Health Insurance Program to July 1, 2007. Current law sunsets the Program (Sections 208.631 through 208.657, RSMo) on July 1, 2002.
ERIN MOTLEY

020602 S First Read S218
 021102 Second Read and Referred S Public Health & Welfare S247
 Committee
 030602 Hearing Scheduled S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 1112

SENATE SPONSOR Caskey

3660S.03I

SB 1112 This act relates to terrorism. The act prohibits organizations from soliciting funds for unlawful purposes and creates the crime of supporting terrorism if a person knowingly provides or solicits material support for any organization designated as a foreign terrorist organization. The act prohibits price gouging during times of consumer market disruptions.

This act also creates the crime of water contamination. Criminal water contamination occurs if a person knowingly introduces any dangerous agent or substance into any public or private waters of the state or any water supply with the purpose of causing death or serious injury.

In addition, the act creates a specific state grand jury to be convened when terrorism is an issue. This act also prohibits making terrorist threats.

SARAH MORROW

020602 S First Read S218
 021102 Second Read and Referred S Pensions & General Laws S247
 Committee
 022702 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 1113

SCS SB 1113

SENATE SPONSOR Caskey

4486S.03I

SCS/SB 1113 - The act revises provisions related to coroner's inquests. After notification of a dead body, a coroner has the discretion to issue a warrant to the local Sheriff to summon a jury for a coroner's inquest. Current law requires that a coroner issue such a warrant.

Currently, jurors are responsible for determining if a person died as the result of a felony. This act would also require jurors to determine if the felonious act was justified. Coroners are empowered to issue summons for evidence, documents and materials of substance. The jury may view the dead body by

photographic, electronic or other means.
JIM ERTLE

020602	S First Read	S218
021102	Second Read and Referred Local Government & Economic Development Committee	S247
021902	Hearing Conducted S Local Government & Economic Development Committee-Consent	
022602	SCS Voted Do Pass S Local Government & Economic Development Committee (4486S.03C)	
022602	Reported From S Local Government & Economic Development Committee to Floor w/SCS - Consent	S374
030402	S Consent Calendar w/SCS (2/26)	

EFFECTIVE : August 28, 2002

SB 1114

SENATE SPONSOR Singleton

4513S.02I

SB 1114 This act mandates that the Governor and Lieutenant Governor candidates shall be elected jointly. There shall be no primary election for the office of Lieutenant Governor. Once a candidate for Governor wins the primary of his political party, or otherwise becomes qualified to be a candidate for Governor at the general election, such candidate shall choose a running mate for lieutenant governor. The gubernatorial candidate is responsible for certifying his choice for running mate to the Secretary of State no later than the eleventh Tuesday before the general election. If a gubernatorial candidate fails to certify his running mate to the Secretary of State by such date, then the candidate shall be deemed to have withdrawn as a candidate for Governor.

The act also makes technical changes to a number of election provisions consistent with the joint election of a Governor and Lieutenant Governor.

The passage of this act is contingent upon voter approval of SJR 23.
JIM ERTLE

020602	S First Read	S218
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S247
030402	Hearing Scheduled S Financial & Governmental Committee	

EFFECTIVE : Contingent

SB 1115

SENATE SPONSOR Dougherty

4415S.02I

SB 1115 - This act creates the crime of luring a child. A person is considered to have lured a child if:

- (1) The solicitor is 21 years old or older;
- (2) Has intent; and
- (3) Solicits a child that is under 17 or the solicitor believes the child is under 17.

There is no affirmative defense if the person solicited was a peace officer masquerading as a minor.

This crime is a Class D felony. The crime becomes a Class C felony if the solicitor believes the child is less than 14 years old.

SARAH MORROW

020602 S First Read	S218
021102 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S247
022002 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1116

SENATE SPONSOR Dougherty

4521S.01I

SB 1116 - This act allows the Public Service Commission (PSC) to consider ability to pay as a factor in setting utility rates. The act also allows the PSC to establish programs for low-income utility customers.

CINDY KADLEC

020602 S First Read	S218
021102 Second Read and Referred S Commerce & Environment Committee	S248

EFFECTIVE : August 28, 2002

SB 1117

SENATE SPONSOR Dougherty

4412S.01I

SB 1117 - This act makes various changes to economic development programs relating to distressed communities and small business investment tax credits.

The act:

- (1) Changes the definition of a community development corporation to stress industrial, economic, entrepreneurial, commercial and civic development of projects that benefit low-income individuals and communities;
- (2) Lowers the investment requirement of principal owners of Missouri small businesses eligible for investment from 50% of the business to 35% of the business;
- (3) Eliminates the designation of a "target area" for purposes of identifying areas of poverty by the Department of Social Services;
- (4) Reduces the statewide limit on all tax credits for investments in a small business per year from \$13 million to \$5.5 million and reduces the minimum amount within distressed communities from \$4 million to \$2.75 million;
- (5) Increases the maximum percentage of investment ownership allowed in a small business to qualify for a tax credit from 50% to 65%;
- (6) Reduces the time period requirement for investment in a small business from 5 years to 3 years and excludes any sale, change of control, or the going public of a business from the minimum period of time for investment for purposes of the small business investment tax credit program;
- (7) Reduces the percentage of employees required to be located at a business contained within distressed communities from 75% to 60% and increases the maximum number of employees at a business contained within a distressed community from 100 to 150 to qualify for the distressed communities tax credit program;
- (8) Allows the leasing of certain technology equipment to qualify as an expense for purposes of obtaining a tax credit and increases the maximum tax credit for such equipment expense from \$75,000 to \$150,000;
- (9) Increases the allowable tax credit percentage of the amount of qualified contribution to a qualified fund for purposes of tax credits for contributions to innovation centers from 50% to 75% and reduces the aggregate maximum statewide credits for contributions to innovation centers from \$9 million to \$4.5 million annually;
- (10) Allows any unused credits for these tax credit programs from the previous year to be added to any statewide caps for these programs in future years;
- (11) Expands the availability of follow-up capital to include businesses which have previously received follow-up capital within the last 3 years for purposes of tax credits for contributions to innovation centers;
- (12) Requires the Department of Economic Development to pursue a revocation of the tax credits only from the original

applicant for the tax credit.

This act contains an emergency clause. This act is similar to HB 215 (2001).
JEFF CRAVER

020602 S First Read	S218-219
021102 Second Read and Referred S Ways & Means Committee	S248
021902 Hearing Cancelled S Ways & Means Committee	
030502 Hearing Scheduled S Ways & Means Committee	

EFFECTIVE : Voter Approval

SB 1118

SENATE SPONSOR Loudon

3995S.01I

SB 1118 - This act prohibits elected and appointed officials from appearing in televised commercials or advertisements paid for by state money.
SARAH MORROW

020602 S First Read	S219
021102 Second Read and Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S248
021402 Hearing Conducted S Rules, Joint Rules, Resolutions, & Ethics Committee	

EFFECTIVE : August 28, 2002

SB 1119

SENATE SPONSOR Johnson

4569S.01I

SB 1119 - This act authorizes the Office of Administration to provide armed security guards at state-owned or leased buildings. The Office of Administration may either hire such guards as state employees or contract with a properly licensed firm.
JIM ERTLE

020602 S First Read	S221
021102 Second Read and Referred S Pensions & General Laws Committee	S248
022002 Hearing Conducted S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1120

SENATE SPONSOR Yeckel

4565S.01I

SB 1120 - This act establishes certain requirements for committees formed to receive contributions or make expenditures with the purpose of influencing the Congressional apportionment decisions.

Such committees must file various reports with the Missouri Ethics Commission for the duration of the committee's existence. Committees must file a statement of organization, disclosure reports which itemize receipts, expenditures, and indebtedness incurred by the committee, and a termination statement upon dissolution.

Committees shall maintain detailed and accurate records and accounts. Disclosure reports shall be filed within thirty days after the statement of organization is filed. Subsequent reports shall be filed every thirty days.

JIM ERTLE

020602	S First Read	S221
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S248
022502	Hearing Conducted S Financial & Governmental Org., Vet. Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1121

SENATE SPONSOR Yeckel

4347S.01I

SB 1121 - This act removes the requirement that a candidate who files a statement of exemption from certain campaign finance organization and disclosure requirements must also file a statement of limited activity for each reporting period.

The act also authorizes debt service committees to exist for the length of the term office for which the individual was a candidate. Under current law, a debt service committee can only exist for 18 months.

JIM ERTLE

020602	S First Read	S221
021102	Second Read and Referred S Financial & Governmental Org., Vet. Affairs & Elections Committee	S248
022502	Hearing Conducted S Financial & Governmental Org., Vet. Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1122

SENATE SPONSOR Foster

4490S.01I

SB 1122 - This act allows fees to be collected from weapons licensing and have those fees deposited into a separate interest-bearing fund known as the "County Sheriff's Revolving Fund".

This act sets forth the requirements to obtain a permit to carry a concealed firearm. The permits are issued by the county Sheriff and are valid for a period of three years. This act sets out the application for permits. The Sheriff may make inquiries to verify the accuracy of the statements made in the application. The Sheriff is required to either permit or deny the application within forty-five days of submission and may deny an application if any of the requirements are not met or if there is reason to believe the applicant made a false statement. The Sheriff is required to give written notice the application has been denied, stating the grounds of the refusal.

An applicant must demonstrate knowledge of firearm safety training. The act sets out requirements for the safety instruction and for the qualification of the safety instructors.

If a Sheriff refuses to issue or act on an application, the applicant may appeal.

SARAH MORROW

020602 S First Read	S221
021102 Second Read and Referred S Judiciary Committee	S248
021902 Hearing Conducted S Judiciary Committee	
021902 Voted Do Pass S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1123

SENATE SPONSOR Staples

4598S.01I

SB 1123 - This act creates a definition for "racing shell" and "water skiing".

This act states that a penalty fee or cancellation may only imposed upon a person who documented a vessel with the U.S. Coast Guard prior to August 28, 1994, if that person received at least 30 days notice that his or her vessel is required to be registered.

This act requires all watercraft, regardless of length, to have one wearable personal flotation device on board for each person on board, except canoes 16 feet or more in length. This act requires the mandatory wearing of personal flotation devices in watercraft under 18 feet between October 15 and March 15 in certain locations.

This act authorizes the use of a urine sample to test for alcohol or drugs. The current boating laws only authorizes the use of blood, breath or saliva.

This act authorizes the Water Patrol to temporarily close state waterways in the event of a natural or manmade disaster.

This act clarifies the ski flag law by stating that the displaying of flag is optional when the watercraft is in the process of towing a person engaged in water skiing, tubing or similar activity. It also holds that no operator shall knowingly operate a watercraft within 100 feet (changed from fifty feet) of watercraft displaying such a flag.

This act authorizes the Water Patrol to arrest persons on probable cause, anywhere in the state, for a criminal violation under investigation which occurred within the Water Patrol's jurisdiction.

This act deletes the reference to 600 hours of instruction a water patrol officer must receive and replaces it with language referring to training pursuant to chapter 590.

This act requires a person to report a watercraft accident if the damage to property exceeds \$500 (up from \$200).

This provision has an emergency clause.
STEPHEN WITTE

020702 S First Read	S226-227
021102 Second Read and Referred S Transportation Committee	S248
021902 Hearing Conducted S Transportation Committee	

EFFECTIVE : Varies

SB 1124

SENATE SPONSOR Dougherty

4466S.02I

SB 1124 - This act authorizes the state to convey state property in St. Louis known as the Hubert Wheeler State School. The state Commissioner of Administration is responsible for setting the terms and conditions of the public sale of the property.
JIM ERTLE

020702 S First Read	S227
021102 Second Read and Referred Local Government & Economic Development Committee	S248
021902 Hearing Conducted S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

****SB 1125****

SENATE SPONSOR Steelman

4571S.01I

SB 1125 - This act prohibits health carriers and other organizations from changing health services codes without the permission of the physician. If a dispute arises, the health carrier must establish a procedure to resolve the dispute. Every contract between the health carrier and the physician must set forth the health services code the physician must use to receive reimbursement for such services. The codes must refer to the most recent American Medical Association code book and other recognized codes used in Medicare and Medicaid programs.
STEPHEN WITTE

020702 S First Read S227
021102 Second Read and Referred S Insurance & Housing S248
Committee
022702 Hearing Conducted S Insurance & Housing Committee

EFFECTIVE : August 28, 2002

****SB 1126****SCS SBs 1086 & 1126
SENATE SPONSOR Quick

4195S.02I

020702 S First Read S227
021102 Second Read and Referred S Local Government & S248
Economic Development Committee
021902 Hearing Conducted S Local Government & Economic
Development Committee-Consent
022502 Bill Combined (SCS SBs 1086 & 1126) S Local Govt.
and Economic Development Comm-Consent

EFFECTIVE : August 28, 2002

****SB 1127****

SENATE SPONSOR Johnson

4403S.02I

SCS/SB 1127 - This act maintains that moneys deposited in the "Division of Tourism Supplemental Revenue Fund" shall not be appropriated for any other purpose.
SARAH MORROW

020702 S First Read S227
021102 Second Read and Referred S Agriculture, Conservation, S248
Parks & Tourism Committee
022102 Hearing Conducted S Agriculture, Conservation, Parks,
& Tourism Committee-Consent
022802 SCS Voted Do Pass S Agriculture, Conservation, Parks,

& Tourism Committee-Consent (4403S.03C)

EFFECTIVE : August 28, 2002

SB 1128

SENATE SPONSOR Johnson

4385L.03I

SB 1128 - This act permits Clay County to submit to the voters of the county a tax of up to one-half of one percent per room per night. The act increases the maximum potential tax in Platte County to one-half of one percent per room per night.

JEFF CRAVER

021102 S First Read S240

021902 Second Read and Referred S Local Government & S313
Economic Development Committee

022602 Hearing Conducted S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 1129

SENATE SPONSOR Johnson

4507S.02I

SCS/SB 1129 - This act provides for the collection of a one dollar fee per rental for the rental of a vehicle on a short-term basis. The fee is collected by the business renting the vehicle and is to be used for economic development.

JIM ERTLE

021102 S First Read S240

021902 Second Read and Referred S Local Government & S313
Economic Development Committee

022602 Hearing Conducted S Local Government & Economic
Development Committee

022602 SCS Voted Do Pass S Local Government & Economic
Development Committee (4507S.03C)

EFFECTIVE : August 28, 2002

SB 1130

SENATE SPONSOR House

4477S.01I

SB 1130 - This act authorizes the General Assembly to intervene in state and federal courts in cases where the interpretation or validity of any statute, regulation or constitutional provision of this state is in question. The intervention shall be for the presentation of evidence and/or for argument regarding the validity of statutes, regulations or

constitutional provisions.
JIM ERTLE

021102 S First Read	S240
021902 Second Read and Referred S Judiciary Committee	S313
030502 Hearing Scheduled S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1131

SENATE SPONSOR Gibbons

4342S.01I

SB 1131 - This act removes a joint municipal utility commission from being considered a corporation subject to oversight by the Public Service Commission (Sections 386.025, 393.295 and 393.765).

Bonds issued by a joint municipal utility commission may be sold at a public or private sale and at such price as the commission shall determine (Section 393.725).

All property acquired as a result of the bonds shall be subject to taxation only to the same extent as other property owned by the municipality in proportion to the municipality's interest or participation in the property (Section 393.740).

JIM ERTLE

021102 S First Read	S240
021902 Second Read and Referred S Commerce & Environment Committee	S313
030502 Hearing Scheduled S Commerce & Environment Committee	

EFFECTIVE : August 28, 2002

SB 1132

SCS SB 1132

SENATE SPONSOR Kennedy

4605S.03C

SCS/SB 1132 - This act authorize the Recorder of Deeds in the City of St. Louis to be named the local registrar for birth and death records. Currently, Section 193.065, RSMo, allows the State Registrar to appoint local registrars if they are employed by county health agencies. This act allows an exception for the City of St. Louis by allowing the State Registrar to appoint the Recorder of Deeds for the City of St. Louis as the local registrar for that city. This act allows the local registrar to appoint deputies to carry out the registrar's duties.

JIM ERTLE

021102 S First Read	S241
021902 Second Read and Referred S Local Government &	S313

Economic Development Committee
 022602 Hearing Conducted S Local Government & Economic
 Development Committee
 022602 SCS Voted Do Pass S Local Government & Economic
 Development Committee (4605S.03C)
 022602 Reported From S Local Government & Economic S374
 Development Committee to Floor w/SCS - Consent
 030402 S Consent Calendar w/SCS (2/26)

EFFECTIVE : August 28, 2002

SB 1133

SENATE SPONSOR Gross

4443S.01I

SB 1133 - This act modifies provisions relating to the Missouri State Employees' Retirement System (MSEP), the Highway Employees and Highway Patrol Retirement System (HEHPRS) and the Judicial Plan.

HEHPRS: Employee leave taken by an employee without compensation pursuant to the Family Medical Leave Act may be counted as continuous service. The board is authorized to contract for provision of disability benefits to members.

The act modifies payments and method of calculation to survivors, including surviving spouses and children under the age of twenty-one.

The act clarifies that any payments from the HEHPRS retirement system shall be subject to the collection of child support or spousal maintenance. The Highway Commission may contract with others for the provision of health and death benefits.

MSEP and MSEP 2000: Employees who have forfeited credited service may restore the forfeited service upon continuous employment for one year. The act clarifies the allowance of service credit for employees who have taken leave pursuant to the Family Medical Leave Act.

The act revises provisions relating to reemployment of retired members. Benefits would cease upon being hired in a position requiring at least 1000 hours per year. Retirees rehired prior to September 1, 2001, would receive creditable service. Retirees rehired after September 1, 2002, would not be allowed to receive creditable service for such employment or life insurance, except for retiree life insurance then in effect. Benefit restrictions for rehired retirees who are rehired between August 28, 2001, and September 1, 2002, are specified.

Eligible members who terminate employment and retire within 60 days are eligible for \$5,000 life insurance. Beneficiaries are allowed to assign life insurance proceeds. Reporting of sick leave is clarified for reporting to MOSERS. Members are allowed to designate a beneficiary for a final payment of a retirement

benefit.

MSEP: Members who terminate employment on or after September 1, 2002, will no longer have the option of cashing out of the system.

MSEP 2000: The act defines responsibilities and obligations for persons employed by the Board to administer disability benefits and establishes appeals procedures. Employees may not receive creditable service in MSEP or MSEP 2000 for period in which the employee participated in a defined contribution plan of a college or university.

The beneficiary of any member who purchased creditable service shall receive a refund upon the members death and the method for calculation of the refund is provided.

JUDGES: Any judge who was a Commissioner or Deputy Commissioner of a Circuit Court prior to August 28, 1999, who has creditable service in MSEP and the judicial plan may consolidate the service under either plan or draw separate retirement benefits from each.

CINDY KADLEC

021102	S First Read	S241
021902	Second Read and Referred S Pensions & General Laws Committee	S313
022702	Hearing Scheduled But Not Heard S Pensions & General Laws Committee	
030602	Hearing Scheduled S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1134

SENATE SPONSOR Yeckel

2462S.05I

SB 1134 - This act requires all controlled substances present in the state to have tax stamps affixed. The Director of the Department of Revenue shall issue these stamps. The person purchasing the stamps may do so anonymously. The value of the stamp that must be affixed varies among the type and form of the controlled substance.

Neither the Director of Revenue may reveal any information gathered in the assessment process, nor may that information be used in a criminal proceeding.

Anyone in possession of a controlled substance that does not have a stamp affixed will be subject to an assessment and applicable penalties and statutory interest. Failure to pay an assessment may result in seizure and sale of property by the Department of Revenue.

Half of all revenue gained from the tax stamps will be

deposited in general revenue, with one-half of that amount to be appropriated to fund the foundation formula. The other half of the revenue raised through assessment and delinquent taxes will be sent to the law enforcement agencies that participated in the investigation.

JEFF CRAVER

021102 S First Read	S241
021902 Second Read and Referred S Civil & Criminal Jurisprudence Committee	S313
022702 Hearing Conducted S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1135

SENATE SPONSOR Yeckel

4609S.01I

SB 1135 - This act requires informed consent by a woman before the performance of an abortion.

A new Section 188.041 requires a physician to inform the mother of the unborn child of all reasonably foreseeable risks of an abortion. The mother must be allowed sufficient time to consider such information. Prior to an abortion, the mother and physician must certify in writing that such information was discussed. A physician will be civilly liable to the mother and any other person sustaining loss or damages caused by failure to provide such information.

Currently, Section 188.080, RSMo, prohibits anyone but licensed physicians from performing abortions and imposes a penalty. This act modifies the penalty for any physician who does not have clinical privileges to provide OB/GYN care at a hospital located within thirty miles of the location at which the abortion is performed.

Section 197.200, RSMo, currently defines medical treatment facility terms. This act modifies the definition of "ambulatory surgical center" to include any establishment operated for the purpose of performing or inducing any second or third trimester abortions or at least five first trimester abortions per month.

ERIN MOTLEY

021102 S First Read	S241
021902 Second Read and Referred S Pensions & General Laws Committee	S313
022702 Hearing Scheduled But Not Heard S Pensions & General Laws Committee	
030602 Hearing Scheduled S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1136

SENATE SPONSOR Bentley

4593S.01I

SB 1136 - This act pertains to definitions affecting the state school funding formula. This act adds a definition of "district equalized assessed valuation" which averages a district's assessed valuation from the first and second preceding years. The act also modifies the definition of "guaranteed tax base" to include the average of the third and fourth preceding years, instead of basing the amount on only the third preceding year.

DONALD THALHUBER

021102 S First Read	S241
021902 Second Read and Referred S Education Committee	S313
022702 Hearing Conducted S Education Committee	
022702 Voted Do Pass S Education Committee	

EFFECTIVE : August 28, 2002

SB 1137

SENATE SPONSOR Bentley

4511S.02I

SB 1137 - This act allows electronic creation and access to birth and death records.

A definition is added to Section 193.015, RSMo, for "legitimate research" (Section 193.015). Gender-neutral language is added to Section 193.045, RSMo.

Current law allows the State Registrar to appoint local registrars and deputies and clarifies the duties of deputies by allowing them to carry out some or all of the duties of the local registrar (Section 193.065).

Currently, a birth certificate must be filed for each live birth in this state. This act allows the individual who files the birth certificate to do so either manually or by an approved electronic process. The birth certificate of a surrogate child must list the mother and contain the personal data of the woman who physically carried the child. Upon receipt of a court order that another woman is the biological mother, the Department will issue a new certificate stating such information. The original certificate and the court order will not be subject to inspection, except upon court order (Section 193.085).

Technical changes are made in Section 193.087, RSMo. This act modifies Sections 193.115 and 193.125, RSMo, to allow forms either prescribed or approved, thus allowing for electronic filing.

Currently, a death certificate must be filed for each death

in this state. This act allows those who provide medical certification to attest to the certificate by signature or by an approved electronic process (Section 193.145).

Current law allows the State Registrar to keep vital records in a variety of formats. This act adds the use of digital images (Section 193.225).

Currently the inspection of vital records without permission is prohibited. This act allows the disclosure upon request of birth records over ninety years old and death records over fifty years old. The Department must make such records available over the Internet by December 31, 2004 (Section 193.245).

Currently, the fee for copies of vital records is \$10. This act raises the fee to \$13 after August 28, 2002. Allocation of the fee to the Missouri Public Health Services Fund is raised to \$3. Money deposited into the latter Fund must be used to improve the vital records system, provide Internet access to records and Internet application and registration. The Internet birth and death registration must be implemented by December 31, 2005 (Section 193.265).

Current law allows probate to begin in certain circumstances when it relates to the estate of an absent person. This act adds an individual's exposure to a specific peril of death due to an actual or suspected terrorist event to the list of circumstances. Current law also allows a presumption of death after five years and without proof otherwise. This act provides that it will be sufficient to presume a person dead at any time after that person was exposed to a specific peril of death, even if five years have not yet elapsed (Sections 473.697 and 490.620).

ERIN MOTLEY

021102 S First Read	S241
021902 Second Read and Referred S Judiciary Committee	S313
030502 Hearing Scheduled S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1138

SENATE SPONSOR Childers

2505S.02I

SB 1138 - This act allows the governing body of an ambulance or a fire protection district, except for those in counties of the first class with over 200,000 inhabitants, to impose an up to one-half of one percent sales tax on all retail sales within the district following voters' approval.

The Department of Revenue will collect and distribute the revenue from the district sales tax monthly at the cost of one percent the total revenue collected. After collecting and distributing the sales tax, the board of the ambulance or fire protection district will determine its budget for the year and

determine the amount of property tax necessary to fund the district. The district may then reduce the tax rate by an amount which reduces the property tax revenue by an amount equal to fifty percent of the previous fiscal year's sales tax receipts.

When the governing body of the ambulance or fire protection district receives a petition signed by at least twenty percent of the qualified voters that voted in the last gubernatorial election, calling for an election to repeal the sales tax, the governing body will submit the question to the voters.

This act is similar to SB 534 (2001).
JIM ERTLE

021102	S First Read	S241
021902	Second Read and Referred S Local Government & Economic Development Committee	S313
022602	Hearing Conducted S Local Government & Economic Development Committee	
022602	Voted Do Pass S Local Government & Economic Development Committee	

EFFECTIVE : August 28, 2002

SB 1139

SENATE SPONSOR Sims

4660S.01I

SB 1139 - This act modifies certain provisions of the child labor laws.

Section 294.011, RSMo, currently lists exclusions from the definition of "employ". This section is modified by removing from the exclusions the delivery or sales of magazines or periodicals, and adds certain agriculture work.

Section 294.024, RSMo, is modified by deleting the provision that a child may work during the school term if there has been an exemption issued by the Director of the Division of Labor Standards. The child may still work if issued a work permit or certificate.

Section 294.030, RSMo, is modified to provide that the hours per day exemptions apply only to employment in the entertainment industry. It also provides that the regional fair exceptions shall not apply to entities covered by the FLSA.

Section 294.043, RSMo, is modified to increase the age at which door-to-door selling may occur from sixteen to eighteen years of age.

Section 294.090, RSMo, is modified to allow the Director of the Division of Labor Standards to require production of work permits and to require employers to retain records for two years.

Section 294.121, RSMo, is modified to allow the Director of the Division of Labor Standards to consider the size of a business when determining civil damages.

Sections 294.060, 294.090 and 292.141, RSMo, are modified by changing paper processes to electronic processes.
ERIC ROSENKOETTER

021202 S First Read	S254
021902 Second Read and Referred S Labor & Industrial Relations Committee	S313
030502 Hearing Scheduled S Labor & Industrial Relations Committee	

EFFECTIVE : August 28, 2002

SB 1140

SENATE SPONSOR Rohrbach

4659L.01I

SB 1140 - This act expands the purpose of the Department of Health and Senior Services Document Services Fund. Currently, Section 192.323, RSMo, specifies that the fund only be used for goods and services related to document services. This act broadens the purpose of the fund to include personnel costs and costs related to the collection of data along with its current purposes.
ERIN MOTLEY

021202 S First Read	S254
021902 Second Read and Referred S Appropriations Committee	S313
022602 Hearing Conducted S Appropriations Committee	
022602 Voted Do Pass S Appropriations Committee-Consent	

EFFECTIVE : August 28, 2002

SB 1141

SENATE SPONSOR Bland

4572S.01I

SB 1141 - This act requires certain health insurance carriers to provide mental health coverage at a level equal to other services. A new Section 376.1550 prohibits health carriers which offer services on or after January 1, 2003, from charging additional fees or restricting requirements for mental health or addictive disorder services than would be charged or imposed for other medical services. This provision will not apply to certain insurance policies.

Sections 376.810, 376.811, 376.814, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, and 376.840, RSMo, regarding mental health and chemical dependency insurance are repealed.

This act is identical to HB 1440 (2002).
ERIN MOTLEY

021202 S First Read	S254
021902 Second Read and Referred S Insurance & Housing Committee	S313

EFFECTIVE : August 28, 2002

SB 1142

SENATE SPONSOR Jacob

4608S.02I

SB 1142 This act allows the sealing of court records when the court imposes a suspended sentence and the person successfully completes any court-ordered probation. Once the records are sealed or closed, the arrest, charges, conviction or guilty plea cannot be used for impeachment purposes. A person will not be guilty of perjury if, in a later case, the person fails to disclose the existence of the sealed record.
SARAH MORROW

021202 S First Read	S254
021902 Second Read and Referred S Judiciary Committee	S313
030502 Hearing Scheduled S Judiciary Committee	

EFFECTIVE : August 28, 2002

SB 1143

SENATE SPONSOR Jacob

4546S.01I

SB 1143 - This act deletes the requirement that the State Auditor must record general obligation bearer bonds that are presented to the Auditor in a book in the same manner as state registered bonds are recorded.

The act also deletes the requirement that the State Auditor record in a book certain information about general obligation registered bonds that are presented to the State Auditor.
JIM ERTLE

021202 S First Read	S254
021902 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S313
030402 Hearing Scheduled S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

****SB 1144****

SENATE SPONSOR Dougherty

4585S.01I

SB 1144 - This act modifies certain provisions of the Air Conservation statutes relating to the enactment of stricter standards than what is required by the Environmental Protection Agency (EPA).

CINDY KADLEC

021202 S First Read	S254
021902 Second Read and Referred S Commerce & Environment Committee	S313

EFFECTIVE : Varies

****SB 1145****

SENATE SPONSOR Schneider

3320S.01I

SB 1145 - This act redefines the supervision of physician's assistants (PA) by physicians. Section 334.735, RSMo, currently defines the scope of practice of a PA and requires a PA to be supervised by a physician within the same office facility. New language provides a new definition for the term "supervision" to require the physician to be immediately available to the PA either personally or by telecommunications. A supervising physician must be personally present at least twenty percent of the clinic hours if a PA is used. The PA is limited to practice at locations where a physician is no more than thirty miles away and, in health professional shortage areas, fifty miles away. The ability of the Board of Healing Arts to make rules regarding the proximity of practice between the PA and physician is removed.

In addition, new language requires all applicants for PA licensure who apply after January 1, 2005, to have a master's degree in a health or medical science related field. A new subsection 10 prevents a physician from supervising more than three full time PAs at one time. This rule does not, however, apply to hospital employees providing in-patient care services. Finally, a new language provides that the supervising physician must document the completion of at least one month of practice with a supervising physician continuously present before a PA may practice without the physician continuously present.

This act is similar to SB 73 (2001).
ERIN MOTLEY

021202 S First Read	S256
021902 Second Read and Referred S Public Health & Welfare Committee	S313

EFFECTIVE : August 28, 2002

SB 1146

SENATE SPONSOR Schneider

4579S.01I

SB 1146 - This act defines and regulates assisted living facilities in the state.

New definitions are added for "Alzheimer's disease", "assisted living facility", "dementia", and "multi-unit housing with services" (Section 198.006).

Current law allows long term care facility licenses to be issued for up to two years. This act reduces that time period to eighteen months.

A new section requires multi-unit housing with services (multi-unit) facilities to register with the Department of Health and Senior Services. Such facilities must submit a disclosure statement describing their operation and must submit an application for registration. If no local and fire safety ordinances exist, then the fire and safety requirements for license-exempt facilities registered under Chapter 210, RSMo, will apply. The Department may visit to determine compliance, but residents must be notified that the Department will not regularly do so. If the Department finds non-compliance, it shall give twenty days notice to the facility. If the facility does not become compliant within twenty days, the Department must notify the prosecutor of the county in which the facility is located or may require the facility to become licensed as a skilled nursing facility.

Residents of multi-unit housing must sign lease agreements and pay rent, which may or may not be subsidized. Supportive services are optional and the resident must choose the care provider. Residents may contract with licensed health care professionals to the same extent available to private citizens. Personal care may be provided by housing management or in-home services providers through a written agreement. Nursing care may be arranged by housing management, but must be provided by licensed providers and may not be combined with housing charges.

Residents may request assistance with medications, which must be stored in the resident's room. The Department may develop rules for the administration of medication. Facilities may ask residents to move in certain situations, for example, if their needs exceed the level of personal care services available. Any assisted living facility must provide an informational document to include updated information on selecting appropriate assisted living and to be given to any person seeking assisted living information. The distribution of this document will be verified by the Department as part of the facility's regular registration (Section 198.016).

Current language in Section 198.073, RSMo, is repealed

regarding the pathway to safety law for Alzheimer's patients in residential care facilities I and II. New language allows any individual to be a resident of an assisted living facility if the facility has a written plan for the protection of all residents in the event of disasters, for keeping residents in place, for evacuating residents to areas of refuge or from the building (Section 198.073)

This act is similar to SB 1052.
ERIN MOTLEY

021202 S First Read	S256
021902 Second Read and Referred S Aging, Families & Mental Health Committee	S313

EFFECTIVE : August 28, 2002

SB 1147

SENATE SPONSOR Kennedy

4664S.01I

SB 1147 - This act regulates high-cost home loans. A high-cost home loan is a home loan that exceeds a certain interest rate or a certain amount of total points and fees.

The act prohibits prepayment fees or penalties and prohibits lenders from financing certain insurance premiums, debt cancellations and suspension fees. A lender cannot knowingly make a home loan to a borrower that refinances an existing home loan unless the borrower receives some net benefit from the new loan. A lender cannot encourage default on an existing loan in order to close on a new home loan that refinances the existing loan.

High-cost home loans cannot contain accelerator clauses except under limited circumstances. The act prohibits practices related to repayment schedules, increases in interest rates after default on a high-cost home loan and consolidation of periodic payments paid from loan proceeds.

A lender cannot charge fees to a borrower to change provisions of a high-cost home loan or to defer payment on such a loan. Mandatory arbitration clauses that limit a borrower's ability to seek judicial relief are prohibited.

Before a high-cost home loan can be made, the lender must certify that the borrower has received approved counseling about the advisability and appropriateness of the loan.

The act provides that a lender cannot make a high-cost home loan unless the lender reasonably believes the borrower will be able to make the scheduled payments. A lender cannot finance certain points and fees in making a high-cost home loan. The act prohibits a lender from charging certain points and fees if the proceeds of the high-cost home loan are used to refinance an

existing high-cost home loan from the same lender. The proceeds from a high-cost home loan cannot be paid to a contractor under a home improvement contract by the lender except under certain conditions.

The failure of a lender to abide by this act shall be considered an unlawful merchandising practice. The act applies to persons who in bad faith attempt to avoid application of the provisions. The Attorney General or any party to a high-cost home loan can enforce the provisions of this act.

This act applies to all loans made or entered into after August 28, 2002.

JIM ERTLE

021202 S First Read	S256
021902 Second Read and Referred S Insurance & Housing Committee	S313

EFFECTIVE : August 28, 2002

SB 1148

SENATE SPONSOR Yeckel

4647S.01I

SB 1148 - This act creates the "State Property Preservation Fund". Subject to appropriations, the fund would pay claims for property loss for state-owned or leased buildings.

In order for the fund to make payment for property loss, a notice of coverage must be issued by the Office of Administration for the property and the state must be contractually obligated to provide insurance for such property.

The act limits the aggregate amount of money to be paid out of the fund to not exceed the cost of repairing or restoring the building or the fair market value of the property. Payments from the fund comes only after other insurance policies have been exhausted.

The fund shall satisfy all covenants requiring the state to provide property insurance for state-owned or leased buildings.

JIM ERTLE

021202 S First Read	S256
021902 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S313
030402 Hearing Scheduled S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1149

SENATE SPONSOR Singleton

3742S.06I

SB 1149 - This act adds a tax on the sale of certain tobacco products and creates the "Fund for Lifelong Health".

Section 149.065, RSMo, currently exempts certain collected taxes from deposit in the state treasury. New language adds the Fund for Lifelong Health to the list of exemptions.

A new Section 149.084 creates a seventy-five cent tax on the sale of each package of cigarettes and a tax equal to ten percent of the invoice price before discounts on other tobacco products. Section 149.086 establishes the Advisory Committee on the Fund for Lifelong Health to be composed of fourteen members. The Committee must make initial recommendations regarding the expenditure of moneys from the Fund for Lifelong Health by July 1, 2003, and annual recommendations thereafter by December 1 of each year. Expenditures are limited to elderly pharmaceutical assistance programs, tobacco education programs, core public health funding, including health care and health care services, rural health initiatives, practitioner reimbursement, grants, life sciences research, and for land grant institutions with medical schools for the purpose of studying current technologies.

This act contains a referendum clause.
ERIN MOTLEY

021202 S First Read S261
021902 Second Read and Referred S Ways & Means Committee S313

EFFECTIVE : Voter Approval

SB 1150

SENATE SPONSOR Kinder

4439S.02I

SB 1150 - This act creates the "Private Attorney Retention Act". This act requires state agencies to use competitive bidding when contracting for legal services. State agencies shall not enter into a contract that exceeds \$100,000 in any fiscal year without a specific appropriation for that purpose.

Any state agency using a private attorney must report certain information about the hours, fees and expenses of the private attorney to the Office of Administration for each fiscal year.

This act is similar to SB 977 (2000).
JIM ERTLE

021202 S First Read S261

021902 Second Read and Referred S Pensions & General Laws S313
Committee
022702 Hearing Conducted S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 1151

SCS SB 1151

SENATE SPONSOR Kinder

4666S.01I

SCS/SB 1151 - This act allows cities with a population of less than one thousand five hundred inhabitants which have a tourism tax on transient guests to transfer forty percent of tourism funds into the city's general revenue fund and to transfer thirty-five percent into the capital improvements fund. Under current law, twenty-five percent of the funds must be used for tourism marketing and promotional purposes.

This act is similar to HB 1041.
JEFF CRAVER

021202 S First Read S261
021902 Second Read and Referred S Local Government & S313
Economic Development Committee
022602 Hearing Conducted S Local Government & Economic
Development Committee
022602 SCS Voted Do Pass S Local Government & Economic
Development Committee-Consent (4666S.03C)

EFFECTIVE : August 28, 2002

SB 1152

SENATE SPONSOR Klarich

4097S.03I

SB 1152 - This act revises various court administrative sections, including fee payments, filing procedures, costs assessed and fine collections.
SARAH MORROW

021302 S First Read S274
021902 Second Read and Referred S Judiciary Committee S313
022602 Hearing Scheduled But Not Heard S Judiciary Committee
030502 Hearing Scheduled S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 1153

SENATE SPONSOR Gibbons

4656S.02I

SB 1153 - This act creates the Missouri Individual Income Flat Tax Act. The act creates a flat tax on individual income of natural persons at a rate of four percent. The act also replaces most additions and subtractions from Missouri adjusted gross income with a larger personal deduction of \$10,000 per taxpayer (\$20,000 for a combined return, \$15,000 for a head of household return and \$20,000 for a surviving spouse return). The act provides both non-resident and partnership allocation and computation of Missouri individual income tax liability.
JEFF CRAVER

021302 S First Read	S274
021902 Second Read and Referred S Ways & Means Committee	S313
030502 Hearing Scheduled S Ways & Means Committee	

EFFECTIVE : Janaury 1, 2003

SB 1154

SENATE SPONSOR Gibbons

4379S.02I

SB 1154 - This act creates the "Simplified Sales Tax Administration" in Missouri. The administration shall consist of five members, one of which will be selected by the Governor, and one selected from each the majority and minority of the House and Senate.

The administration will have the duty of entering into multistate discussions for the purposes of reviewing and amending a multistate agreement concerning simplified sales and use tax processes. The administration shall report to the committee charged with reviewing tax issues annually.

The authority of the delegates to review and amend or accept multistate agreements will have no effect on the laws or obligations of this state. The approval of the General Assembly and the Governor will be required before any law of this state shall be effected by a multistate agreement.
JEFF CRAVER

021302 S First Read	S274
021902 Second Read and Referred S Ways & Means Committee	S313
030502 Hearing Scheduled S Ways & Means Committee	

EFFECTIVE : August 28, 2002

SB 1155

SENATE SPONSOR Gibbons

4506S.01I

SB 1155 - This act requires that the laundry and linen services performed by the Vocational Enterprises Program be limited to the political subdivisions of the state and non-profit public or private agencies possessing valid contracts with the program in effect on August 28, 2000. Further, the act stipulates that by September 30, 2002, all said contracts shall expire.

The act does not prohibit inmates from providing laundry services for correctional facilities operated by the Department of Corrections.

DONALD THALHUBER

021302 S First Read	S274
021902 Second Read and Referred S Pensions & General Laws Committee	S313
022702 Hearing Conducted S Pensions & General Laws Committee (Recessed until 3/6/02)	
030602 Hearing Scheduled S Pensions & General Laws Committee	

EFFECTIVE : August 28, 2002

SB 1156

SENATE SPONSOR Steelman

3998S.02I

SB 1156 - This act mandates insurance coverage for hearing aids for individuals age 65 and older and children. Coverage will be required by all health policies issued or renewed after January 1, 2003, and will not be subject to deductibles or copayments that exceed twenty percent of the actual covered service costs. Insurers are prohibited from requesting hearing acuity information from policyholders. This act does not apply to certain types of policies such as supplemental insurance policies or specified disease policies.

This act describes the type of hearing aids covered and requires the provision of replacement hearing aids for the and elderly person or a child at least every three years. Hearing aids, prescriptions and consumable supplies must be reimbursed at the usual and customary charges. A health insurer or health benefit plan subject to this mandate may limit the benefits payable for hearing aids to \$2,500 per hearing aid for each ear with a hearing loss. An insured may choose a hearing aid higher than the benefit payable and may pay the difference between the price of the hearing aid and the benefit payable.

This act is similar to SB 838 (2002).
ERIN MOTLEY

021302 S First Read	S274
021902 Second Read and Referred S Insurance & Housing Committee	S313

EFFECTIVE : August 28, 2002

SB 1157

SENATE SPONSOR Klindt

4706S.01I

SB 1157 - This act makes any information collected in the course of an insurance compliance audit or contained in an insurance compliance self-evaluative document privileged information unless an exception applies.

Audit documents submitted to the Director of Insurance remain property of the insurer and are not subject to disclosure under the Sunshine Law. Persons preparing the audit documents shall not be examined in civil, criminal or administrative hearings unless the documents are not privileged. The information is not admissible as evidence in any legal action, unless the insurer expressly waives the privilege, a court requires disclosure after in camera review, or the information shows that the insurer failed to undertake action to correct noncompliance within a reasonable time. The privilege does not extend to any information that is already required to be provided to a regulatory agency or to any information that is independently obtained. A court may order disclosure of the privileged information for a criminal proceeding under certain conditions. An insurer may voluntarily submit the audit to the Department of Insurance without waiving the privilege. The privilege is deemed to be waived by the insurer 14 days after receiving a request for disclosure of a self-evaluative audit by the department or a prosecutor, unless the insurer files a petition for an in camera examination. Any compelled disclosure of an audit will not make the audit a public document.

This act is similar to HB 927 (2001).
STEPHEN WITTE

021302 S First Read	S274
021902 Second Read and Referred S Insurance & Housing Committee	S313
022702 Hearing Conducted S Insurance & Housing Committee	

EFFECTIVE : August 28, 2002

****SB 1158****

SENATE SPONSOR Rohrbach

4674L.01I

SB 1158 - This act clarifies treatment of income to members of professional athletic teams. Pursuant to the act, a team member whose team is based or headquartered within this state is treated as a resident of the state. The tax revenue raised from such member's income taxes goes to the state general revenue fund.

JEFF CRAVER

021302 S First Read	S274
021902 Second Read and Referred S Ways & Means Committee	S313

EFFECTIVE : August 28, 2002

****SB 1159****

SENATE SPONSOR Rohrbach

4163L.01I

SB 1159 - This act provides a one-time pay increase (on July 1, 2003) for Corrections Officers in the amount of \$30 per month for each year of service. The act further states Corrections officers who have accrued overtime hours may choose to convert those hours to compensatory leave time so long as the leave time is available and agreed to by the officer and his/her supervisor.

Additionally, the act asserts that if a Corrections Officer has accrued more than 40 hours of overtime in 2003, that officer may apply in writing, to the Department, if the officer wishes to be paid for the time in lieu of utilizing the compensatory leave option. The Department of Corrections is required to pay the corrections officer in full for any overtime hours accrued up to the date of the receipt of the notice.

Beginning in FY 2004, and all fiscal years thereafter, the Department of Corrections is required to pay all corrections officers in full for any unused overtime hours accrued during the previous calendar year.

This act is subject to appropriations.
DONALD THALHUBER

021302 S First Read	S274
021902 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S313
030402 Hearing Scheduled S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	

EFFECTIVE : August 28, 2002

SB 1160

SENATE SPONSOR Sims

4604S.01I

SB 1160 - This act requires the use of National Medical Support notice to enforce health benefit plan coverage required in child support orders.

Current law requires the Circuit Clerk to send notice to employers when a parent has been ordered to provide health insurance coverage for a child. Current language regarding the contents of the notice is deleted and new language requires the notice to comply with the National Medical Support Notice (NMSN) as required by federal law. The Division of Child Support Enforcement must give notice within two days of notification of the employee's hire and must also promptly notify employers when an order for medical support is no longer in effect. The notice must contain certain information and is binding on current and subsequent employers (Section 454.606).

The clerk must currently send a notice to the obligor. This act requires the inclusion of a statement that the parent may contest the notice within 30 days. The parent may contest based on mistake of fact or because the parent obtained other insurance prior to issue of the withholding order (Section 454.609).

Currently, the employer is to transfer the notice to the health insurer upon receipt. This act requires such transfer within 20 business days. Within forty business days, the health plan administrator must notify the agency to verify the child is covered, the effective date of the coverage, and provide forms regarding the coverage (Section 454.615).

Current law outlines steps the employer must take to enroll the child in the health benefit plan. This act clarifies that the employer must withhold the amount necessary to cover the child and send it to the health plan. The child must be enrolled in the least costly plan if a plan is not already designated. If the notice is a NMSN, the health plan must provide plan descriptions and the agency and the custodial parent will select a plan for the child. If the agency does not select a plan within 20 days, the health plan must enroll the child in its default option, if possible (Section 454.618).

Procedures are currently outlined for the termination of an obligor's employment. This act requires the employer to notify the Division or agency of the obligor's location and new employer, if known (Section 454.627)

COBRA coverage is currently required, if necessary. This act prohibits the child from being terminated from coverage unless the insurer is given evidence that the order is no longer in effect, the child is or will be enrolled in a comparable plan, the employer eliminated health care coverage for all employees, or continuation of coverage is not chosen (Section 454.700).

This act is substantially similar to HB 1780 (2002).
ERIN MOTLEY

021302 S First Read S277
021902 Second Read and Referred S Public Health & Welfare S313
Committee
022702 Hearing Conducted S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 1161

SENATE SPONSOR Rohrbach

4165L.02I

SB 1161 - This act requires the Department of Corrections, prior to fiscal year 2006, to formulate two new Corrections Officer classifications. The first of these new classifications shall have a pay rate at least 10% higher than the pay rate of a Corrections Officer I. The second of these new classifications shall have a pay rate at least 10% higher than the pay rate of the aforementioned first new classification.

The provisions of this act are subject to appropriation.
DONALD THALHUBER

021302 S First Read S277
021902 Second Read and Referred S Financial & Governmental S313
Organizations, Veterans Affairs & Elections Committee
030402 Hearing Scheduled S Financial & Governmental
Organizations, Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 1162

SENATE SPONSOR Wiggins

4692L.01I

SB 1162 - This act authorizes annual appropriations of up to \$9.8 million to fund projects undertaken and partially funded by a retail sales tax relating to the Kansas and Missouri Metropolitan Cultural District. Appropriated moneys shall only be used if the cumulative annual sales tax revenue generated exceeds the cumulative annual appropriation. No moneys shall be appropriated until the cultural district retail sales tax is renewed or extended.

No moneys shall be appropriated for the benefit of a sports stadium until after the current lease agreement is renewed or extended.

Moneys in the fund will not lapse at the end of the biennium and interest earned on the fund will be credited to the fund.
CINDY KADLEC

021402 S First Read S284
022702 Second Read and Referred S Pensions & General Laws S386
Committee
030602 Hearing Scheduled S Pensions & General Laws Committee

EFFECTIVE : August 28, 2002

SB 1163

SENATE SPONSOR Steelman

4738S.01I

SB 1163 - This act revises the air emissions banking and trading program by removing the requirement that in order for the credits be tradeable between air emission sources the air emission reduction credits would be based on air emission reductions that occur after August 28, 2001.

CINDY KADLEC

021402 S First Read S284
022702 Second Read and Referred S Commerce & Environment S386
Committee

EFFECTIVE : August 28, 2002

SB 1164

SENATE SPONSOR Coleman

4698L.01I

SB 1164 - This act creates the "The Sports Center Redevelopment Authority Act".

St. Louis may establish a "Sports Center Redevelopment Authority". The Authority will consist of a nine-member board of commissioners, with two members appointed by the Mayor with the consent of its governing body, two members appointed by the County Executive with the consent of its governing body and five members appointed by the Governor with the advice and consent of the Senate. Members will have staggered terms of four years. One of the members appointed by the governor will be the chairperson.

The Authority may employ an executive director and legal counsel. The act sets forth procedural, conflict of interest provisions, and powers of the authority.

The Authority is granted the power of eminent domain.

Certain information must be included in a sports center redevelopment plan, including a legal description of the sports center redevelopment area, estimated project costs, general land uses and information regarding anticipated financing.

Public hearings are required prior to the adoption of a sports center redevelopment plan and sets forth notice and procedural requirements. When sports center redevelopment plan is adopted by the city and the authority, for a period not to exceed thirty-five years, economic activity taxes generated within the sports center redevelopment area shall be deposited into the special allocation fund of the city for the purposes enumerated, including paying project costs and obligations.

Subject to annual appropriation, debt service, over not more than thirty years for a debt financing in support of a sports center redevelopment plan, including project costs, is specified.

The act specifies that the Authority owns the naming rights to the publicly-owned stadium and shall negotiate a full fair market value price for the sale or lease of such rights. Naming rights revenues are to be expended for Authority operating costs, with reimbursement to the state if state sales tax revenues produced by the project do not meet or exceed the state's annual appropriations, early retirement of bonds issued by the Authority, or capital improvements to the stadium. The Cardinals may reasonably reject any name proposed for the stadium.

The maximum state appropriation shall not exceed \$7 million per year for a maximum of 30 years.

Income and property of the authority shall be tax exempt; bonds and other obligations of the authority are exempt from income taxation by the state.

The act contains "Taxpayer Protection Provisions". The Cardinals must enter into at least a 35-year lease which also provides:

- (a) The team must play all home games at the stadium, and shall not relocate outside the city;
- (b) The team shall make available at least 6,000 tickets per regular season home game at no more than \$12 per ticket, in year 2000 dollars;
- (c) The team shall donate at least 100,000 tickets per year to youth and charitable organizations;
- (d) The team shall contribute at least \$100,000 per year for the development, construction or refurbishment of neighborhood recreational facilities that will benefit disadvantaged youth in the city and the county;
- (e) The team shall pay all operating and maintenance expenses of the stadium and shall pay costs of capital improvements to the stadium in accordance with the terms of the lease;
- (f) If the team is sold, the team or its owners shall pay a portion of the sale price and the amount shall be determined solely by the authority; and
- (g) The team shall make payments in lieu of taxes in each year if the amount of property taxes paid annually on the stadium property does not exceed the ad valorem property taxes paid prior to development of the stadium.

Certain requirements of the Cardinals in building the stadium are specified including cost overruns.

The team shall provide to the state, the Authority, the city and the county satisfactory assurances as to the commencement, acquisition, construction or equipping of the other facilities to be included in the sports center redevelopment area, which shall include penalties for the failure to comply with such assurances.

The team and any developer shall comply with all federal, state and local laws and executive orders regarding contracting, hiring and employment and shall set a goal of 25% minority-owned business participation and 5% women-owned business participation.
CINDY KADLEC

021402 S First Read	S284
022702 Second Read and Referred S Pensions & General Laws Committee	S386

EFFECTIVE : August 28, 2002

SB 1165

SENATE SPONSOR Mathewson

4555S.01I

SB 1165 - This act creates the "Pesticide Project Fund". The annual pesticide registration fees shall be deposited in the fund. Twenty percent of the fund shall be used for administration of the Pesticide Project Fund and the Pesticide Registration Program and eighty percent shall be distributed for the purposes of pesticide education efforts, training, monitoring and other pesticide related issues. This fund shall be administered by the Plant Industries Division within the Department of Agriculture.

This act mandates new pesticide registration if there are changes to the pesticide company's name, trade name, active ingredient, concentration of the ingredient or the EPA registration number.

This act increases the annual registration fee from fifteen to one hundred twenty-five dollars. The increase becomes effective in 2003.

This act also allows the director, after a hearing, to suspend, cancel or revoke a pesticide registration if the pesticide may cause damage or injury, or could be harmful to the environment.

SARAH MORROW

021402 S First Read	S284
022702 Second Read and Referred S Agriculture, Conservation, Parks and Tourism Committee	S386
022802 Hearing Conducted S Agriculture, Conservation, Parks	

and Tourism Committee

EFFECTIVE : August 28, 2002

SB 1166

SENATE SPONSOR DePasco

4633S.01I

SB 1166 - This act creates the "Missouri Chimney Safety Act". The Missouri Chimney Safety Board is created within the Division of Fire Safety in the Department of Public Safety. The Board members shall consist of professional chimney sweeps, a representative of the Division of Fire Safety and a representative of the insurance industry.

The Board is responsible for the licensing and regulation of chimney sweeps and persons that engage in practices related to the cleaning of chimneys and other types of stoves and fireplaces. The act exempts certain HEARTH , FPI and HVAC certified persons from the need for licensure if engaged in activities related to their certification. Unlicensed persons are authorized to assist licensed chimney sweeps if the licensee provides personal, on-site supervision at all times.

The Board may prescribe by the rule the required application fee and examinations to become licensed. Once licensed, the act provides for license renewal every three years. As part of the renewal application, the licensee must submit and provide documentation showing completion of the required continuing education hours and must submit to retesting by the board on the current professional standards.

The Board may take disciplinary action against the licensee for good cause. The licensee shall have the right to appeal to the administrative hearing commission.

Any person who engages in the unlicensed practice of any profession regulated by this act shall be guilty of a Class A misdemeanor.

JIM ERTLE

021402 S First Read	S284
022702 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S386

EFFECTIVE : August 28, 2002

SB 1167

SENATE SPONSOR Gibbons

4181S.01I

SB 1167 - This act provides that any fire protection or emergency services district that provides emergency services to a redevelopment area shall be entitled to reimbursement from the

special allocation fund in an amount of between 50% and 100% of the district's tax increment. Currently, the district must provide evidence to the municipality that any costs incurred by the district are directly attributable to the operation of the redevelopment project. Current law also provides that the district must demonstrate that the increased revenues the district receives from the project are insufficient to cover their costs to provide such services. This act removes both of these current requirements.

JIM ERTLE

021402 S First Read S284
022702 Second Read and Referred S Ways & Means Committee S386

EFFECTIVE : August 28, 2002

SB 1168

SENATE SPONSOR Russell

4742S.01I

SB 1168 - This act authorizes the Governor to grant a clear zone easement for the airspace above property managed by the National Guard to the City of Lebanon.

JIM ERTLE

021802 S First Read S295
022102 Second Read and Referred S Local Government & Economic Development Committee S332
022602 Hearing Conducted S Local Government & Economic Development Committee
022602 Voted Do Pass S Local Government & Economic Development Committee
022602 Reported From S Local Government & Economic Development Committee to Floor - Consent S374
030402 S Consent Calendar (2/26)

EFFECTIVE : August 28, 2002

SB 1169

SENATE SPONSOR Childers

4354S.04I

SB 1169 - This act makes the Robinson-Patman Price Discrimination Act enforceable in state courts.

This act also makes the Robinson-Patman Price Discrimination Act applicable to sales and transactions that occur in part within the state and enforceable in all state courts, including injunctive relief provisions.

Private suit under the Robinson-Patman Act is authorized as well as suits by municipalities and governmental agencies. The Attorney General may intervene in any private suit filed under

the Robinson-Patman Act.

Federal court interpretations of the Robinson-Patman Act may serve as precedents for state courts.

JIM ERTL

021802 S First Read	S295
022702 Second Read and Referred S Judiciary Committee	S386

EFFECTIVE : August 28, 2002

SB 1170

SENATE SPONSOR Childers

4662S.03I

SB 1170 - This act creates "The Public Counsel Fund". This fund is structured almost identically to the Public Service Commission Fund. Each fiscal year, the Public Counsel's office submits to the Commission the average amount of money appropriated to the office for the past three years, and an estimate of costs to be incurred by the public counsel for the next year.

The Commission will then assess the public utilities two one-hundredths of one percent of their total intrastate operating revenues. Any money received and not used by the Public Counsel's office will be returned to the General Revenue at year's end.

SARAH MORROW

021802 S First Read	S295
022702 Second Read and Referred S Commerce & Environment Committee	S386

EFFECTIVE : August 28, 2002

SB 1171

SENATE SPONSOR House

4791S.01I

SB 1171 - This act prohibits the disclosure of non-public health information. A new Section 191.890 is created to define terms such as "federal privacy rules", "health information", and "nonpublic personal health information".

This act prohibits the disclosure of personal health information for the following purposes:

- for profit;
- for marketing of goods or services;
- to aid in an employment decision;
- for decisions regarding a persons' credit;
- to deliberately or maliciously cause harm to the person to whom the information pertains.

Any person who knowingly violates the provisions of this section will be charged an administrative penalty of up to \$500 and may be civilly liable. The Director of the Department of Insurance shall enforce this act.

Licensees (insurance companies) complying with HIPAA privacy rules will be deemed in compliance with this act. Until April 14, 2003, non-licensees subject to federal law will be in compliance with this act upon a showing of good faith. Personal health information, however, may not be disclosed for marketing purposes even if compliance is established. Licensees complying with the model regulation, "Privacy of Consumer Financial and Health Information Regulation", will also be deemed in compliance.

This act does not apply to information disclosed in for the following purposes:

- if prior written consent is given;
- if disclosure is pursuant to state or federal law;
- for consumer reporting purposes;
- in connection with the transfer of a business, operating unit, or loans if the disclosure is not the primary reason for the transfer.

This act is identical to HB 1425 (2002).
ERIN MOTLEY

021802 S First Read	S295
022702 Second Read and Referred S Financial & Governmental Organizations, Veterans Affairs & Elections Committee	S386

EFFECTIVE : August 28, 2002

SB 1172

SENATE SPONSOR Yeckel

4735S.01I

SB 1172 - This act modifies child abuse investigation procedures which involve a school or child care facility. Currently, Section 210.145, RSMo, requires the Division of Family Services to initiate an investigation into alleged child abuse within twenty-four hours of the allegation. This act allows parental notification prior to an interview of the child when the abuse is alleged to have occurred in a school or a child care facility. In such cases, the Division must not meet with the child in the place in which the abuse is alleged to have occurred. This act also allows the Superintendent of each school to designate a public school district liaison to receive all information regarding an investigation. Upon notification of an investigation, all information received will be subject to federal privacy laws.

ERIN MOTLEY

021802 S First Read S295
 022702 Second Read and Referred S Aging, Families & Mental Health Committee S386
 030502 Hearing Scheduled S Aging, Families & Mental Health Committee

EFFECTIVE : August 28, 2002

SB 1173

SENATE SPONSOR Yeckel

4774S.01I

SB 1173 - This act mandates the withholding of taxes by any venue which pays compensation to a nonresident entertainer who performs in Missouri. Penalties, interest, and additions to tax are imposed for failure to collect the withholding tax.

The act is identical to HB 1672 (2002).
 JEFF CRAVER

021802 S First Read S295
 022702 Second Read and Referred S Ways & Means Committee S386
 030502 Hearing Scheduled S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 1174

SENATE SPONSOR Steelman

4655S.02I

SB 1174 - This act allows any consumer who employs at least 50 people to file a complaint before the Public Service Commission.
 CINDY KADLEC

021802 S First Read S299
 022702 Second Read and Referred S Commerce & Environment Committee S386

EFFECTIVE : August 28, 2002

SB 1175

SENATE SPONSOR Kennedy

4681S.02I

SB 1175 - This act requires certain care facilities to provide immunizations for influenza and pneumonia to their residents 65 years of age or older. A new Section 198.074 is created to require long term care facilities, adult day care facilities, and assisted living facilities to provide such immunizations annually or upon admission. The Department must develop rules for documenting compliance, including the

documentation of residents who refuse the immunization. The Department may not impose a violation on a facility for not making an immunization available if a shortage exists.

ERIN MOTLEY

021902 S First Read S306
022702 Second Read and Referred S Public Health & Welfare S386
Committee

EFFECTIVE : August 28, 2002

SB 1176

SENATE SPONSOR Loudon

4343S.01I

SB 1176 - This act authorizes the University of Missouri-Columbia to conduct a comprehensive study of the gambling industry in Missouri, including a study of:

1. The economic and societal aspects and effects of gambling;
2. The influence of gambling businesses on the regulation of gambling;
3. The relationship between gambling and crime; and
4. The effectiveness of gambling-related law enforcement and regulatory efforts.

The study director shall hold hearings, administer oaths, take testimony, receive evidence and subpoena witnesses and production of documents. The act directs the University to complete the study and file a report by January 31, 2005, and caps the appropriation for the study at \$50,000.

This act is identical to SB 485 (2001).
JIM ERTLE

021902 S First Read S306
022702 Second Read and Referred S Pensions & General Laws S386
Committee

EFFECTIVE : August 28, 2002

SB 1177

SENATE SPONSOR Coleman

4699L.01I

SB 1177 - This act creates a tax credit for resident individuals who receive no public assistance and whose child receives child care from a qualified spouse. A qualified spouse is one who is married to the taxpayer claiming the credit who is not employed and who does not receive any public assistance. The credit shall be equal to four hundred dollars. If the credit exceeds the tax liability of the taxpayer, the difference shall

be refundable.
JEFF CRAVER

021902 S First Read S306
022702 Second Read and Referred S Ways & Means Committee S387

EFFECTIVE : January 1, 2003

SB 1178

SENATE SPONSOR Kinder

4820S.01I

SB 1178 - This act prohibits the Gaming Commission, after January 1, 2002, from authorizing any new type of gaming or wagering unless authorized by statute or by approval of the voters.

JIM ERTLE

021902 S First Read S317
022702 Second Read and Referred S Pensions & General Laws S387
Committee

EFFECTIVE : August 28, 2002

SB 1179

SENATE SPONSOR Caskey

4636S.02I

SB 1179 - This act allows the Cole County Salary Commission to adjust the salary of the County Treasurer to equal the compensation paid to the County Public Administrator at the next scheduled meeting of the commission.

JIM ERTLE

021902 S First Read S317
022702 Second Read and Referred S Local Government & S387
Economic Development Committee
030502 Hearing Scheduled S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 1180

SENATE SPONSOR Jacob

4803S.01I

SB 1180 - This act makes several changes to the long-term care insurance law. This act clarifies that the term "long-term care insurance" to include any insurance policy that meets the requirements of a "qualified long-term care insurance contract", as defined in Section 7702B of the Internal Revenue Code. This

act requires the issuer of a long-term care contract to state clearly in its enrollment materials whether the contract is intended to be tax-qualified, pursuant to Section 7702B. This act requires the issuer to deliver the certificate of insurance to the applicant no later than 30 days after the date of approval. This act requires the long-term care policy summary to include a statement that any long-term care inflation protection option that may be required by the laws of Missouri is not available under the policy.

This act requires issuers to provide a written explanation for a denial of coverage within 60 days of receiving a written request for an explanation from the applicant. The issuer must provide all information directly related to the denial. This act allows insurers to rescind long-term care contracts upon a showing of misrepresentation. The degree of misrepresentation that must be proven will vary, depending on the length of time the policy has been in effect (Section 376.1124). This act prohibits a long-term care contract to be field issued based on medical or health status. This act prohibits an insurer from recovering benefits paid to the policyholder when the issuer rescinds the policy. This act requires insurers to offer a policy that includes a nonforfeiture benefit. If that benefit is declined, the issuer must then offer a contingent benefit upon lapse that will be available for a specified period of time following a substantial increase in premium rates. This act requires the Department of Insurance to promulgate rules creating the standards for nonforfeiture benefits, contingent benefits upon lapse, the length of time these benefits must run, and the extent to which premiums may be increased. The Department of Insurance must also promulgate rules regarding marketing practices, agent compensation, agent testing, penalties, and reporting practices for long-term care insurance. This act allows insurers or agents in violation of long-term care insurance requirements to be fined \$10,000 or three times the commission paid for each policy involved, whichever is greater.
STEPHEN WITTE

021902 S First Read	S317
022702 Second Read and Referred S Insurance & Housing Committee	S387

EFFECTIVE : August 28, 2002

SB 1181

SENATE SPONSOR Coleman

4700L.01I

SB 1181 - This act expands the crime of first degree property damage to include knowingly damaging a motor vehicle while breaking into the vehicle for the purpose of stealing therein, or if the damage occurs during the stealing. Such actions constitute a Class C felony unless it is the second or subsequent such offense, in which case it is a Class B felony.
ERIC ROSENKOETTER

021902	S First Read	S317
022702	Second Read and Referred S Civil & Criminal Jurisprudence Committee	S387
030602	Hearing Scheduled S Civil & Criminal Jurisprudence Committee	

EFFECTIVE : August 28, 2002

SB 1182

SENATE SPONSOR Singleton

4308S.02I

SB 1182 - This act modifies the law relating to health care professionals under the Board of Registration for the Healing Arts.

A new Section allows persons licensed under Chapter 334, RSMo, to apply to the Board for inactive status. Upon approval, the licensee will be placed on an inactive status list. An inactive licensee or one who has retired from the profession may not practice, except on him or herself or on immediate family. An inactive licensee may, however, continue to use his or her professional title. During an inactive period, a licensee will not be required to comply with continuing education requirements. A licensee may return to active status by notifying the Board, paying fees, and completing reinstatement requirements (Section 334.002).

Current law allows physicians to enter into collaborative practice agreements with registered professional nurses. This act removes language which prohibits the State Board of Registration for the Healing Arts from taking disciplinary action against a physician for acts arising out of such an agreement. Language allowing for the expungement of records is also clarified (Section 334.104).

ERIN MOTLEY

021902	S First Read	S317
022702	Second Read and Referred S Public Health & Welfare Committee	S387
030602	Hearing Scheduled S Public Health & Welfare Committee	

EFFECTIVE : August 28, 2002

SB 1183

SENATE SPONSOR Bentley

4644S.01I

SB 1183 - This act allows public schools to establish family literacy programs. Additionally, the act adds funding for family literacy programs to the priority list of "Statewide areas of critical need for learning and development" and makes family

literacy personnel eligible to receive a portion of the funds already allocated to address said statewide areas of critical need for learning and development. Also, this act allows local boards of education to include family literacy programs in the "child at-risk in education programs" which utilize moneys already distributed to school districts by means of the state aid formula.

The act mandates that a portion of the state school aid appropriation to the Department of Elementary and Secondary Education (DESE) shall be distributed by DESE to establish and fund family literacy programs in school attendance centers declared academically deficient or school districts declared unaccredited or provisionally accredited. This amount shall be the lesser of either:

5% of any increase from the total line 14 revenue compared to the total line 14 revenue amount distributed to all school districts in fiscal year 2002; or

1.5% percent of the total line 14 distribution.
DESE will promulgate rules for the distribution of these family literacy funds.

Additionally, the act requires the State Board of Education to make an annual report to the General Assembly and the Governor concerning coordination with other agencies and departments of government that support family literacy programs.

Lastly, this act adds family literacy programs to the definition of "eligible pupils".

DONALD THALHUBER

021902 S First Read	S317
022702 Second Read and Referred S Education Committee	S387

EFFECTIVE : August 28, 2002

SB 1184

SENATE SPONSOR Steelman

4807S.01I

SB 1184 - This act requires further accountability of first responders and emergency medical technicians (EMT).

Current law defines "first responders" and requires them to complete a course. This act requires a first responder to display proof of completion of that course in plain view of clients of the emergency medical response agency for which the first responder works (Section 190.092).

Current law also outlines requirements for the issuance of an EMT license and prohibits the representation of one's self as an EMT without a license. This act provides for a Class C felony for violation of licensure requirements upon each offense. This act also provides for a Class A misdemeanor for any individual who employs a person who violates licensure requirements (Section

190.142).
ERIN MOTLEY

022002 S First Read S324-325
022702 Second Read and Referred S Public Health & Welfare S387
Committee

EFFECTIVE : August 28, 2002

SB 1185

SENATE SPONSOR Kenney

4776S.01I

SB 1185 This act restricts drawings or selections of tickets in lottery games from occurring more frequently than once every six hours.
JIM ERTLE

022002 S First Read S325
022702 Second Read and Referred S Pensions & General Laws S387
Committee

EFFECTIVE : August 28, 2002

SB 1186

SENATE SPONSOR Kenney

4508S.01I

SB 1186 - This act requires any political subdivision to purchase any land that it required a private property owner to set-aside for future public works development as a condition of the subdivision's approval of the owner's development plan for the land. The political subdivision must purchase the land within ten years of approval of the plan.
JIM ERTLE

022002 S First Read S325
022702 Second Read and Referred S Local Government & S387
Economic Development Committee
030502 Hearing Scheduled S Local Government & Economic
Development Committee

EFFECTIVE : August 28, 2002

SB 1187

SENATE SPONSOR Kennedy

4765S.02I

SB 1187 - This act creates the Board of Private Investigator Examiners within the Division of Professional Registration in the Department of Economic Development. The Board will consist of

five members appointed by the Governor with the advice and consent of the Senate. Each member must be a U.S. citizen, Missouri resident, at least 30 years old, and actively engages as a private investigator for at least five years. Board members will serve staggered terms of four years. The Board of Private Investigator Examiners Fund is created.

The act makes it unlawful for persons to engage in the private investigator business unless licensed. Application requirements are specified. Licensees must be at least 21, a U.S. citizen, provide proof of liability insurance of at least \$1 million, proof of workers' compensation insurance, and comply with qualifications set by the Board.

The Board shall ensure applicants complete a course of training conducted by a certified trainer; pass a written examination; and submit to an oral interview with the Board. Complete background checks will be conducted on all applicants. The act grandfathers current private investigators and a license will be issued to such persons who apply within 180 days if the applicant shows registration and good standing as a business and \$250,000 in business general liability insurance. The Board is given authority to review reciprocity applications.

Grounds for denial of licensure are specified. The Board shall set the fees for licensure. Licenses must be posted in a conspicuous place in the principal place of business of the licensee. Pocket cards will also be issued to licensees. Licenses shall expire two years after issuance and provisions for renewal are provided.

Licensees may divulge to the Board, law enforcement officers, or a prosecuting attorney information acquired as to any criminal offense. Licensees are prohibited from: knowingly making a false report; causing a report to be submitted that the licensee has not exercised due diligence in ascertaining the facts; giving the impression that the licensee is connected with the federal or state government or any political subdivision; appearing as an assignee in any proceeding; manufacturing false evidence; or creating a video of any person in their home without that person's permission.

Restrictions on record keeping and advertising are specified. License disciplinary procedures are specified. The Board is given rulemaking authority. The Department of Public Safety shall establish guidelines to permit private investigators to carry concealed firearms which shall not be greater than the POST standards.

The Board shall certify qualified trainers of private investigators. Persons who knowingly falsify fingerprints or photographs required to be submitted is a Class D felony. Violation of other provisions is a Class A misdemeanor unless it is a second or subsequent violation in which case it is a Class D felony.

Provisions for licensure of current law enforcement officers

and limitations one their conduct are specified.
CINDY KADLEC

022002 S First Read S325
022702 Second Read and Referred S Financial & Governmental S387
Organizations, Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

SB 1188

SENATE SPONSOR Klindt

4851S.01I

SB 1188 - This act creates the crime of "enticement of a child" when a person uses words, action, electronic mail, or any electronic communication in attempting to persuade any person less than sixteen years of age to leave home or school or persuade a child to enter an enclosed area to conceal the child from public view for the purpose of engaging in lewd, illicit or criminal conduct with the child. The penalty for enticement of a child is a Class A misdemeanor. If the person has already either pled guilty or been found guilty of violating this new section, Section 568.045, 568.050 or 568.060, RSMo, or Chapter 566, RSMo, the violation becomes a Class D felony.

This act is similar to SB 849 (2002).
SARAH MORROW

022102 S First Read S331
022702 Second Read and Referred S Civil & Criminal S387
Jurisprudence Committee

EFFECTIVE : August 28, 2002

SB 1189

SENATE SPONSOR Westfall

4855S.01I

SB 1189 - This act allows members of the Kingdom of Calontir and the Missouri Civil War Reenactors Association to receive special license plates. To obtain the plate, a person must get a use authorization statement (\$25 contribution) from the respective organizations and present the statement to the Department of Revenue at the time of registration along with a \$15 fee in addition to the registration fee and other documents required by law. Revenue collected from authorization contributions, minus any reasonable administrative cost, will be used solely for the purposes of the respective organizations.

This act is similar to HB 1778 (2002).
STEPHEN WITTE

022102 S First Read S331
022702 Second Read and Referred S Transportation Committee S387

EFFECTIVE : August 28, 2002

SB 1190

SENATE SPONSOR Schneider

4841S.01I

SB 1190 - This act exempts continuing care retirement communities (CCRC) from the certificate of need (CON) law. A new Section 197.370 defines CCRCs as housing operated to provide a continuum of care to older adults while allowing them to remain in the same location as they require higher levels of care. Four levels of care are also defined within the CCRC definition.

This act exempts CCRCs from the CON process for the addition of long term care beds if such beds are to go to a CCRC campus or if the beds will go to a proposed CCRC project upon its completion. If a skilled nursing facility (SNF) which has been licensed more than three years does not have 55 percent occupancy or higher for the last six quarters, then it must relinquish its excess beds over 65 percent. The SNF may regain those beds after obtaining 90 percent occupancy for six quarters. Any person who owns a CCRC may relocate the beds or change the licensure of the beds and relocate them to another CCRC owned by that person.

This act contains an emergency clause.
ERIN MOTLEY

022102 S First Read S332
022702 Second Read and Referred S Aging, Families & Mental S387
Health Committee
030502 Hearing Scheduled S Aging, Families & Mental Health
Committee

EFFECTIVE : August 28, 2002

SB 1191

SENATE SPONSOR Jacob

4827S.02I

SB 1191 - This act provides that whenever actual revenues are less than the revenue estimates upon which appropriations are based, or when the Governor makes a declaration of budgetary emergency, the Board of Public Buildings ("Board") may issue bonds to be repaid with net tobacco recoveries. The proceeds from such a bond issuance or sale of revenue may be used for any governmental purpose. The bond issuance or sale of future revenues is limited to \$500 million.

Tobacco bonds issued shall, as determined by the Board, bear interest at such rate or rates not to exceed 15% per annum, and shall mature at such time or times within forty years from

issuance. The bonds may be term bonds or serial bonds.

Tobacco bonds may be refunded in the following circumstances:

- (1) When any bonds have become due and payable and there are not sufficient funds in the interest and sinking fund to provide for payment with interest;
- (2) When bonds are called for payment and redemption in advance of their date of maturity;
- (3) When bonds are voluntarily surrendered by the holders for exchange for refunding bonds. Such refund bonds shall be payable from the sources which were pledged to the payment of the bonds of from certain other sources as the Board may specify.

Tobacco bonds may be issued pursuant to resolution adopted by an affirmative vote or two-thirds of the members of the board.

This act contains an emergency clause.
ERIC ROSENKOETTER

022102 S First Read	S332
022702 Second Read and Referred S Pensions & General Laws Committee	S387

EFFECTIVE : August 28, 2002

SB 1192

SENATE SPONSOR Gross

4102S.01I

SB 1192 - This act modifies the grandparent visitation law. Section 452.402, RSMo, currently allows the court to grant grandparent visitation in certain situations. As modified by this act, the situations are as follows:

- 1) When the parents are getting divorced or are divorced and have denied visitation;
- 2) When one parent of the child is deceased and the surviving parent denies visitation to a parent of the deceased parent of the child;
- 3) When the child has lived in the grandparent's home for at least six months of the previous two years;
- 4) When a grandparent has been denied visitation for over ninety days, however, if the natural parents are married and living together, then the grandparent may not file for unsupervised visitation; or
- 5) The child is adopted by a stepparent, another grandparent, or relative.

Currently, in subsection 2 of Section 452.402, RSMo, the

court must decide if the grandparent visitation would be in the child's best interests. New language provides that if the natural parents are currently married and living together, then a rebuttable presumption exists that the parents know what is in the best interest of the child.

This act is identical to SB 296 (2001).
ERIN MOTLEY

022502 S First Read S344
022802 Second Read and Referred S Aging, Families & Mental
Health Committee
030502 Hearing Scheduled S Aging, Families & Mental Health
Committee

EFFECTIVE : August 28, 2002

SB 1193

SENATE SPONSOR Caskey

4910S.01I

SB 1193 - This act establishes a District Attorney System. District attorneys shall be elected at the 2006 general election in each judicial circuit for counties that elect to be part of the system, and serve for four year terms. The District Attorney of each circuit shall receive the same annual salary as a Circuit Judge, paid by the state.

District attorneys shall prosecute all criminal actions for the circuits in which they serve. They may appoint full and part time assistants, investigators and clerical staff, who shall be paid by the county and serve at the pleasure of the District Attorney.

The act contains a schedule for reimbursement by the state for the budget of offices in the District Attorney System, ranging from 5 percent in 2007 to 50 percent in 2016 for circuits consisting of one county, and from 10 percent in 2007 to 50 percent in 2011 for circuits consisting of more than one participating county. District Attorneys shall devote full time to their offices and shall not engage in the practice of law. The act specifies a procedure for counties not having a charter form of government to join the system.

The act also revises the retirement provision to provide for Prosecuting or Circuit Attorneys in counties that elect to become part of the District Attorney System.

This act is similar to SB 592 (2001)
ERIC ROSENKOETTER

022502 S First Read S344
022802 Second Read and Referred S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 1194

SENATE SPONSOR Klarich

4862S.01I

SB 1194 - This act establishes the "Basic Civil Legal Services Fund". The fund is to be administered by the Missouri Supreme Court. Moneys for the fund shall come from an additional filing fee on certain civil and criminal actions in the Missouri supreme court, courts of appeal, circuit courts and associate circuit courts.

Moneys from the fund shall be disbursed to legal services organizations in this state to provide legal representation to eligible low-income persons in this state in civil matters. Recipient organizations must maintain appropriate records of the disbursement of such funds for five years.

Moneys in the fund shall not be considered state funds and not used to pay any refund mandated by Article X, Section 18 of the Missouri constitution.

This act is identical to HB 1621 (2002).
JIM ERTLE

022502 S First Read

S344

022802 Second Read and Referred S Judiciary Committee

030502 Hearing Scheduled S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 1195

SENATE SPONSOR Steelman

4890S.01I

SB 1195 - This act creates the "County Crime Reduction Fund" which allows county commissions to create a fund to be expended for the following purposes:

- (1) Narcotics investigation, prevention, and intervention;
- (2) Purchase of law enforcement equipment and supplies for the sheriff's office;
- (3) Matching funds for federal or state law enforcement grants;
- (4) Funding for the reporting of all state and federal crime statistics or information; and
- (5) Any law enforcement related expense reasonably related to investigation, preparation, trial and disposition of criminal cases.

This act also provides that courts may consider ordering restorative justice methods if the imposition or execution of a misdemeanor sentence is suspended, and may order payment of up to \$1,000.00 to the County Crime Reduction Fund. The court may also

order such a payment as a condition of probation.

This act is identical to HB 1489.
ERIC ROSENKOETTER

022502 S First Read S344
022802 Second Read and Referred S Civil & Criminal
Jurisprudence Committee
030602 Hearing Scheduled S Civil & Criminal Jurisprudence
Committee

EFFECTIVE : August 28, 2002

SB 1196

SENATE SPONSOR Kennedy

4641S.03I

SB 1196 - This act changes various provisions of law concerning traffic regulations.

PERSONAL PROPERTY TAX - Under current law (Section 137.298, RSMo), cities are able to include a surcharge on personal property tax bills for outstanding parking violations. This act enables cities and counties to use their personal property tax systems to collect delinquent vehicle-related fees and fines. No personal property tax bill shall be considered paid until these fines are paid in full.

VEHICLE REGISTRATION SUSPENSION - Under the current law, the Department of Revenue cannot issue or renew a registration motor vehicle license if the registered owner has failed to pay delinquent state and county personal property taxes. Under this act, the Department of Revenue would be prohibited from issuing or renewing a registration license if the registered owner owes delinquent traffic violation fines, parking violation fines and any other vehicle-related fees or fines. This prohibition would apply to all motor vehicles owned by the liable party. Under this act, a city or county may notify a motorist, after his or her fourth outstanding violation that if the motorist does not pay his or her traffic fines within 30 days, the Department of Revenue will be authorized to suspend the motorist's vehicle registration. The act provides for notification and an appeals process to contest the fines and fees (Section 301.026, RSMo).

DRIVER LICENSE SUSPENSION - Under current law, the Department of Revenue is required to suspend a person's driving privileges if the person fails to pay outstanding traffic violations or fails to appear in court to contest those charges. Under this act, a person's driving privileges would be suspended if the person has failed to pay vehicle-related revenues, parking violation fines, towing and vehicle immobilization fees and any late payment penalties and court costs associated with the adjudication or collection of those fines (Section 302.341, RSMo).
STEPHEN WITTE

022502 S First Read S344
022802 Second Read and Referred S Transportation Committee

EFFECTIVE : August 28, 2002

SB 1197

SENATE SPONSOR Gibbons

3487S.01I

SB 1197 - This act reinstates the "Dead Man's Act" which would prohibit the introduction of statements of the deceased in trials. The act will apply to all trials commenced after August 28, 2002.

CINDY KADLEC

022502 S First Read S344
022802 Second Read and Referred S Judiciary Committee

EFFECTIVE : August 28, 2002

SB 1198

SENATE SPONSOR Gibbons

3756S.01I

SB 1198 - This act exempts sales of diabetic medical supplies from local sales taxes. Currently, Section 144.030, RSMo, exempts a variety of items from sales tax. This act adds all sales of diabetic medical supplies to the exemption and lists a number of possible items that would be exempt.

ERIN MOTLEY

022502 S First Read S344
022802 Second Read and Referred S Ways & Means Committee

EFFECTIVE : August 28, 2002

SB 1199

SENATE SPONSOR Foster

4903S.01I

SB 1199 - This act designates the portion of Highway 72 in Iron and Madison County the "Sergeant Randy Sullivan Memorial Highway".

STEPHEN WITTE

022502 S First Read S344
022802 Second Read and Referred S Transportation Committee

EFFECTIVE : August 28, 2002

****SB 1200****

SENATE SPONSOR Foster

4877S.01I

SB 1200 - This act requires that members of the State Transportation Commission be appointed by the Governor from among candidates supplied by the House and Senate leadership of each political party. Every two years the Governor will appoint one candidate from each party. Candidates must be appointed by July 1 in even-numbered years. When a vacancy on the Commission occurs, the House and Senate leadership of the political party of the vacating member must submit three candidates for selection within 30 days. The Governor has 15 days to appoint the new member. The new member will serve only the remainder of the unexpired six-year term of the vacating member. All references to the Highway Commission or the Highways and Transportation Commission and the Department of Highways in the statutes will mean the Transportation Commission and the Department of Transportation.

This act is identical to HB 1894 (2002).
STEPHEN WITTE

022502 S First Read

S344

022802 Second Read and Referred S Transportation Committee

EFFECTIVE : August 28, 2002

****SB 1201****

SENATE SPONSOR Foster

4878S.01I

SB 1201 - This act requires the agreements signed by farmers at the time of purchase of genetically enhanced seed shall have a provision that allows the farmer or individual to plant seed derived from the originally purchased seed on his or her own land or on land rented by the original purchaser of the seed. Seed companies can still require the seed not be sold, given away or otherwise distributed.

This act is identical to HCS/HB 1856 (2002).
SARAH MORROW

022502 S First Read

S344

022802 Second Read and Referred S Commerce & Environment
Committee

EFFECTIVE : August 28, 2002

SB 1202

SENATE SPONSOR Westfall

4670S.03I

SB 1202 - This act transfers various agencies or powers to a newly created Motor Carrier Services Unit within the Department of Transportation. This act is created to implement the Governor's Executive Order 02-03 (February 7, 2002) which transfers these agencies to the Department of Transportation so that commercial truck drivers can obtain licenses and other services from one Department. The concept is often referred to as a "One-Stop Shop".

The following departments or powers are transferred to the Department of Transportation:

1. Division of Motor Carrier and Railroad Safety;
2. Highway Reciprocity Commission within the Department of Revenue;
3. The powers of the Department of Natural Resources relating to the issuing of hazardous waste transporter licenses and waste tire hauling permits.

The act largely deletes and reorganizes current provisions of law dealing with these powers and transfers them to different chapters. This act also creates a new chapter (Chapter 308) in which the Division of Motor Carrier Services is established within the Department of Transportation.

This act shall become effective upon approval or July 1, 2002, whichever later occurs.
STEPHEN WITTE

022502 S First Read S344-345
022802 Second Read and Referred S Transportation Committee

EFFECTIVE : Emergency Clause

SB 1203

SENATE SPONSOR Yeckel

4505S.01I

SB 1203 - This act exempts transfers of certain property by the Bi-State Metropolitan Development District and the Kansas City Area Transportation District Authority from real and personal property taxes and state and local sales and use taxes.
JEFF CRAVER

022502 S First Read S345
022802 Second Read and Referred S Ways & Means Committee

EFFECTIVE : August 28, 2002

****SB 1204****

SENATE SPONSOR Yeckel

4902S.01I

SB 1204 - This act creates the Missouri Medical Malpractice Joint Underwriting Association. The association will be an independent public corporation for the purpose of insuring health care providers against medical malpractice claims. It will operate as a domestic mutual insurance company and will not be a state agency. The association is granted the powers of a not for profit corporation. The association's members will consist of insurance companies authorized to write casualty insurance in Missouri. The association is authorized to issue medical malpractice insurance policies in amounts not to exceed \$1 million per claimant or \$3 million for all claimants under one policy. In addition, the association is authorized to make an assessment against member companies to meet the operational expenses of the association. The association shall be operational by March 1, 2004.

The act creates a board of directors for the association. The board shall be appointed by January 1, 2003, and will consist of five members who shall serve five years and be appointed by the Governor with the advice and consent of the Senate. The board shall adopt a plan of operation by March 1, 2004.

The board must hire an administrator by March 1, 2003, to act as the association's chief executive officer. The administrator must formulate a risk management program for all policyholders. The program shall include an investigation into the causes of medical injuries, development of methods to control these injuries, and an audit of association members to assure implementation of the program. The plan may refuse to insure any insured who refuses to comply with the risk management program.

The act requires the Director of the Department of Insurance to obtain complete statistical data with respect to medical malpractice losses and well as the costs related to medical malpractice liability insurance. The Director shall promulgate a statistical plan relating to loss and loss adjustment expense experience.

The act requires an annual audit of the association. A copy of the audit report shall be filed with the Director of the Department of Insurance and shall be open to the public for inspection.

STEPHEN WITTE

022502 S First Read
022802 Second Read and Referred S Insurance & Housing
Committee

S345

EFFECTIVE : August 28, 2002

****SB 1205****

SENATE SPONSOR Yeckel

4899S.01I

SB 1205 - This act requires state agencies which are proposing rules to consider alternative compliance methods for small businesses and to prepare a small business impact statements.

The act creates the Small Business Regulatory Fairness Board. The Department of Economic Development will provide staff for the Board. The Board shall provide agencies with input regarding proposed rules, consider requests from small business owners for review of agency rules, review agency rules and make recommendations to the agency and general assembly regarding the need for a rule or legislation, conduct hearings and solicit input from regulated small businesses and prepare an annual evaluation report to the Governor.

The Board shall consist of two members appointed by the Governor, one member appointed by the Lieutenant Governor, two members appointed by the House of Representatives, two members appointed by the senate, one member appointed by the speaker of the House and one member appointed by the President Pro Tempore of the Senate.

Small business owners may petition an agency objecting to any rule, and the agency shall forward the petition to the Board and the Joint Committee on Administrative Rules. The agency must determine whether its impact statement or public hearing addressed the actual impact on small business and will submit a written response to the Board. The agency may determine the petition warrants adoption of amended or new rules, or may determine no additional action is necessary. A small business may seek review of the agency's decision by the Board. The Board shall report its findings to the Governor and General Assembly, which may take action as appropriate.

This act is identical to HB 1753.
ERIC ROSENKOETTER

022502 S First Read

S345

022802 Second Read and Referred S Financial & Governmental
Organizations, Veterans Affairs & Elections Committee

EFFECTIVE : August 28, 2002

****SB 1206****

SENATE SPONSOR Bentley

4873S.01I

SB 1206 - This act grants the State Board of Education the authority to lapse any school district that is provisionally accredited if said district has been unaccredited during the

previous five years and the State Board of Education determines that the district is not generating adequate progress toward achieving full accreditation.

Further, the act alters the stated purpose of the required public hearing concerning the lapse of a school district.

Lastly, in the case of a lapsed district, the act allows the State Board of Education to continue operation of the school district under the existing governance structure regulated by terms and conditions established by the state board of education.
DONALD THALHUBER

022502 S First Read S345
022802 Second Read and Referred S Education Committee

EFFECTIVE : August 28, 2002

SB 1207

SENATE SPONSOR Bentley

4779S.01I

SB 1207 - This act requires the State Board of Registration for the Healing Arts to accept continuing medical education on autism.
ERIN MOTLEY

022502 S First Read S345
022802 Second Read and Referred S Public Health & Welfare
Committee
030602 Hearing Scheduled S Public Health & Welfare Committee

EFFECTIVE : August 28, 2002

SB 1208

SENATE SPONSOR Dougherty

4845S.01I

SB 1208 - This act requires all highways in the City of St. Louis which are functionally classified by the Missouri Department of Transportation and the Federal Highway Administration as principal arterial highways as of January 1, 1999, to be considered part of the State highway system.

This act is similar to HB 1136 (2002).
STEPHEN WITTE

022502 S First Read S345

EFFECTIVE : August 28, 2002

****SB 1209****

SENATE SPONSOR Goode

4826S.02I

SB 1209 - This act revises provisions relating to the Public Service Commission (PSC). This act requires the commissioners to reside within the state of Missouri.

This act allows the PSC to retain an independent, technical advisory staff of five full-time employees, with at least one attorney, one certified public accountant, one professional engineer and one person with a finance or accounting background. This staff shall advise, update, and assist the commissioners and the administrative law judges on technical matters. The staff shall be subject to any applicable ex parte or conflict of interest requirements to the same degree as commissioners.

This act sets forth requirements for disclosure on ex parte communications on subjects related to pending or filed cases.

SARAH MORROW

022502 S First Read

S345

EFFECTIVE : August 28, 2002

****SB 1210****

SENATE SPONSOR Johnson

4766L.01I

SB 1210 - This act permits a transient guest tax to be levied on hotel room charges in the City of St. Joseph and in the unincorporated portions of Buchanan County. The tax must be approved by the voters of the jurisdiction and must be between two and eight percent.

JEFF CRAVER

022602 S First Read

S361

EFFECTIVE : August 28, 2002

****SB 1211****

SENATE SPONSOR Coleman

4835L.01I

SB 1211 - This act provides that victims of the crimes of domestic assault and stalking, as defined in Section 595.010, RSMo, shall not be required to pay costs associated with the filing of criminal charges against the offender or any costs associated with protective orders, warrants and witness subpoenas.

JIM ERTLE

03/01/02

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022602 S First Read

S361

EFFECTIVE : August 28, 2002

SB 1212

SENATE SPONSOR Mathewson

4913S.01I

022602 S First Read

S367

EFFECTIVE : August 28, 2002

SB 1213

SENATE SPONSOR Mathewson

4895S.01I

SB 1213 - This act requires that railroad policemen be commissioned by the Superintendent of the Missouri State Highway Patrol. "Commission" means a grant of authority to act as a peace officer.

This act requires all railroad policemen employed after September 28, 1971, shall be a licensed peace officer in accordance with the provisions of Chapter 590, RSMo.
SARAH MORROW

022602 S First Read

S367-368

EFFECTIVE : August 28, 2002

SB 1214

SENATE SPONSOR Westfall

3798S.01I

022602 S First Read

S368

EFFECTIVE : August 28, 2002

SB 1215

SENATE SPONSOR Bland

4821S.01I

022602 S First Read

S368

EFFECTIVE : August 28, 2002

SB 1216

SENATE SPONSOR Bland

4824S.01I

022602 S First Read

S368

EFFECTIVE : August 28, 2002

SB 1217

SENATE SPONSOR Coleman

4850L.01I

SB 1217 - This act clarifies that a taxpayer filing a return for tangible personal property must do so by April first, and that if April first is a Saturday or Sunday, then the last day for filing will be the next business day.

JEFF CRAVER

022602 S First Read

S368

EFFECTIVE : August 28, 2002

SB 1218

SENATE SPONSOR Coleman

4876L.01I

022602 S First Read

S368

EFFECTIVE : August 28, 2002

SB 1219

SENATE SPONSOR Singleton

4619S.04I

SB 1219 - This act creates the Missouri Tobacco Settlement for Healthy Missourians Trust Fund into which deposits from the Master Settlement Agreement would be made. Moneys in the fund would be distributed as follows:

2% for the Health Access Incentive Fund
2% for allocation between federally qualified health centers
14% for life sciences research & grants (1/3 with value under \$1 million and 2/3 over \$1 million)
13% for prevention of tobacco-related diseases
1/2% to encourage conversion of hospitals to critical access hospitals
3% for rural health
7% for research and development regarding tobacco-related diseases at the University of Missouri-Columbia
35% for to general revenue to offset the small business

health insurance tax credits created in the act.

1/5% to educate citizens on the use of Medical Savings Accounts

17.5% to raise Medicaid provider rates, however, for the first year 14% shall be used for the state health lab.

5.5% for healthcare facilities and providers treating uninsured or underinsured individuals

The established percentages may be modified by concurrent resolution approved by 2/3 of the general assembly and the modification may not be extended for longer than 2 years in any one resolution. The Commission of Administration shall account for the proceeds of the tobacco claim payments. Moneys appropriated in the fund shall be in addition to and not in place of the appropriations as of July 1, 2003.

Tobacco proceeds shall not be considered "total state revenues".

The health insurance credits created are available to qualified small businesses. Qualified small businesses are defined as businesses employing no more than 50 people. Qualified small businesses which provide health insurance for their employees and contribute at least 20% of the cost, would be allowed tax credits of up to \$100 for each full-time employee. The credits are capped at the 35% of moneys in the Missouri Tobacco Settlement for Healthy Missourians Fund. If more persons apply for credits than there are available credits the Department of Insurance is authorized to create an allocation process for the credits.

The act contains a referendum clause.
CINDY KADLEC

022602 S First Read

S374

EFFECTIVE : Voter Approval

SB 1220

SENATE SPONSOR Sims

4736S.02I

SB 1220 - The act requires the Gaming Commission to do a criminal history check, if the Commission feels it is warranted, on certain key persons seeking issuance or renewal of a bingo equipment and supplies manufacturer or supplier license. The Gaming Commission must also do a criminal history check, if the Commission feels it is warranted, on any person seeking employment with the commission any person seeking the issuance or renewal of an excursion gambling boat license.

The State Lottery Commission must do a criminal history check on the following persons: any person seeking employment with the Commission; any person seeking the issuance or renewal of a lottery retailer license; and any person seeking a contract

or renewal of a contract with the Commission.
JIM ERTLE

022602 S First Read

S374

EFFECTIVE : August 28, 2002

SB 1221

SENATE SPONSOR Stoll

4904S.01I

SB 1221 - This act may be cited as the "Missouri Sunset Act".

The act provides that all new programs authorized by the General Assembly will sunset six years after their effective date unless re-authorized by the General Assembly. New legislation must indicate whether it contains a program subject to this act. Legislation re-authorizing a program shall specify that the program will sunset at a date not more than twelve years from the re-authorization. Prior to the sunset of any program, the Committee on Legislative Research will evaluate the continued need of the program and develop a recommendation.
ERIC ROSENKOETTER

022602 S First Read

S374

EFFECTIVE : August 28, 2002

SB 1222

SENATE SPONSOR Jacob

4916S.01I

SB 1222 - This act authorizes the Missouri Lottery Commission to create a statewide "Video Gaming Machine Network". Certain types of video gambling machines are authorized in licensed locations. The machines will be electronically linked to a main computer which will audit the functioning of the devices and provide transfers of funds to the machines.

Revenues generated by the "Video Gaming Machine Network" will be placed in the "Higher Education Trust Fund", also created by this act, for the purpose of creating reserves for capital improvements to higher education facilities and providing grants for student education. A portion of this fund shall offset any decline in lottery sales.

A license is required for manufacturers and distributors of such video games as well as for each machine and each premises containing the machines. The Director of the Lottery Commission sets the rules for licensing of machine locations, distributors, manufacturers, and parts suppliers. The Commission will contract with these licensed entities on an annual basis.

Tampering with games or machines is a Class D felony. After the effective date of this act, it shall be illegal to operate any video device that can simulate a game played on a licensed video gaming machine.

JEFF CRAVER

022602 S First Read

S374

EFFECTIVE : August 28, 2002

SB 1223

SENATE SPONSOR Jacob

4917S.02I

SB 1223 - The act allows eligible individuals to work part time and remain covered by the teacher and school retirement system. Such part-time employees shall receive pro rata creditable service for their part-time employment. Further, the act allows said eligible individuals to elect to make reinstatement payments.

An eligible individual is defined as any person who is: employed as of June 30, 1997, by a public school district; covered by the retirement system; employed in a position on a regular basis requiring services no less than the equivalent of one-half of a full time certificated teacher; and receiving a minimum of fifty percent of the salary which would have been paid for full time services.

This act contains an emergency clause.
DONALD THALHUBER

022602 S First Read

S374

EFFECTIVE : August 28, 2002

SB 1224

SENATE SPONSOR Coleman

4886L.01I

SB 1224 - This act establishes the Parental Child Support Responsibility Program within the Department of Social Services. The program allows custodial parents to receive parental child support responsibility payments for a qualified child in certain circumstances. Certain participation requirements must be satisfied (Section 454.580).

The amount of the parental child support responsibility payment will be the greater of the monthly child support payment made by the noncustodial parent or the amount calculated under the provisions of this act. Under this act, the parental child support responsibility payment is equal to the sum of \$285 for

the first child, \$140 for the second child, and \$65 for each additional child. These amounts must be adjusted annually. A custodial parent is not eligible for parental child support responsibility payments if his or her household income is more than 225% of the federal poverty level. The parental child support responsibility payment is decreased incrementally to the level of the court-ordered support amount for households with incomes between 100% and 225%. If funding for the program is not sufficient, the Department may reduce the maximum federal poverty level or prorate the monthly payments (Section 454.583).

Funding for the program will be provided through noncustodial parent payments and appropriations. Appropriations from general revenue for this program can be counted toward the state's maintenance-of-effort for the TANF program (Section 454.586).

Any noncustodial parent who is more than two months behind in payments must be referred to the Parent's Fair Share Program, or be subject to penalties. A noncustodial parent who has been in the Parent's Fair Share Program for five years and who is not making at least the current child support payment is presumed to have failed the program and will be charged penalties (Section 454.590).

This act is identical to HB 1384 (2002).
ERIN MOTLEY

022602 S First Read

S375

EFFECTIVE : August 28, 2002

SB 1225

SENATE SPONSOR Bentley

4872S.02I

SB 1225 - Currently, the taxation of non-resident professional athletes and entertainers is set to expire in 2008. This act extends the expiration date to 2015.
SARAH MORROW

022602 S First Read

S375

EFFECTIVE : August 28, 2002

SB 1226

SENATE SPONSOR Kennedy

4908S.01I

SB 1226 - This act provides for the regulation and licensing of professional addiction counselors.

New definitions are provided relating to addiction

counseling (Section 337.800). Any person is prohibited from using certain titles related to addiction counseling without a license. These provisions do not apply to certain practitioners who have specialty training in addiction counseling. As of August 28, 2004, every person practicing as an addiction counselor must be licensed under these sections. Licensed addiction counselors must maintain professional liability insurance coverage (Section 337.803).

This act should not be construed to require persons to employ a licensed addiction counselor if not otherwise required to do so by law. This act does, however, require addiction counselors in private practice to be licensed (Section 337.806). Applicants for licensure must follow procedures outlined by the Board of Licensed Addiction Counselors for initial licensure and renewal (Section 337.809).

Applicants must provide evidence to the Board that all licensure, education, and training requirements have been met and must successfully pass a licensure examination adopted by the Board. Any person licensed as an addiction counselor in another state with substantially the same requirements shall receive reciprocity. Temporary licenses may also be issued for up to 18 months. Limited licenses under supervision may be issued to those who do not meet the licensure requirements. All applicants must authorize the Board to complete criminal background checks (Section 337.812).

The Board is authorized to develop rules regarding application, fees, examination, levels of licensure, grievances and appeals, reciprocity, and ethical standards (Section 337.815). The Board may refuse to issue or renew a license and outlines allowable causes for the Board to file a complaint. Administrative hearing procedures will apply. Persons reporting violations in good faith will not be subject to liability (Section 337.818).

Any person violating the requirements of this act will be guilty of a Class B misdemeanor. Upon conviction, all compensation received for services must be refunded. The Division of Professional Registration may sue and the Attorney General may request an injunction against a violator (Section 337.821). Confidentiality requirements of addiction counselors are outlined, with certain exceptions (Section 337.824).

The State Board of Licensed Addiction Counselors is established to advise the Division of Professional Registration. The Board will consist of eleven members, four of which will be public members and seven of which will be licensed addiction counselors. The seven addiction counselor members must be eligible for licensure within twelve months of appointment and may not be licensed in any other behavioral health profession. Members may receive up to a \$150 per diem. The State Board of Licensed Addiction Counselors Fund is also created (Sections 337.827 and 337.830).

ERIN MOTLEY

022602 S First Read

S375

EFFECTIVE : August 28, 2002

SB 1227

SENATE SPONSOR Rohrbach

4933S.01I

SB 1227 - This act limits insurance companies investments in real estate. The value of such real estate purchased cannot exceed 20% of the insurance company's capital and surplus as shown by its last annual statement.

STEPHEN WITTE

022702 S First Read

S382-383

EFFECTIVE : August 28, 2002

SB 1228

SENATE SPONSOR Sims

4942S.01I

SB 1228 - This act mandates coverage for fertility medications and requires insurers to offer coverage for additional infertility services.

A new Section 376.1252 is created to require insurers to provide coverage for medically necessary expenses incurred for medications prescribed for the treatment of infertility. The policy must also allow a member to purchase additional coverage for other services related to the diagnosis and treatment of infertility.

In providing such additional coverage, the insurer may provide that coverage for in vitro fertilization, gamete intra fallopian transfer, and zygote intra fallopian transfer shall be limited to a covered person who:

1. Has used all reasonable, less expensive, and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy;
 2. Has not reached the limit of 4 completed egg retrievals;
- and
3. Is 45 years old or younger.

The act defines "infertility". Such benefits must be provided to the same extent as other pregnancy-related procedures, except that the services shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. This act does not apply to certain types of policies. Religious organizations are exempted if covering such procedures would violate their religious beliefs.

This act will be effective on January 1, 2003.
ERIN MOTLEY

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1229

SENATE SPONSOR Gibbons

4896S.01I

SB 1229 - This act alters the definition of an "Approved Private Institution" in the section concerning Charles Gallagher Financial Awards to include any institution offering baccalaureate degrees. The current definition of an "Approved Private Institution" is a non-profit institution dedicated to educational purposes.

Further, the act alters the definition of "Qualified Employment" in the Nursing Student Loan Program to include full time employment in a position requiring licensure as a licensed practical nurse or registered professional nurse in any hospital.
DONALD THALHUBER

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1230

SENATE SPONSOR Gibbons

4897S.01I

SB 1230 - This act modifies provisions relating to air ambulance services.

The law currently creates the State Advisory Council on Emergency Medical Services and outlines its duties. This act adds a requirement for representation on the Council by air ambulance services (Section 190.101). Current law requires regional EMS committees. This act requires that at least 1 members of each regional committee be associated with an air ambulance service (Section 190.102).

Currently, the law requires an investigation before the issuance of an air ambulance license. By January 1, 2003, this act requires the Department of Health and Senior Services to select a nationally recognized aeromedical transport accreditation organization with requirements equal to or better than the Commission on Accreditation of Medical Transport Services. By rule, the Department must develop criteria for air ambulance services to seek accreditation. By June 1, 2003, no air ambulance provider may receive Medicaid reimbursement unless it is accredited or is seeking accreditation. By rule, the

Department must waive its accreditation provisions for previously accredited air ambulance providers (Section 190.108).

Current law requires air ambulance providers to carry insurance. This act requires each licensed air ambulance provider to carry no less than \$50 million in general liability insurance, including specific coverage for damage to buildings (Section 190.120).

After August 31, 2002, a new section prohibits the operation of single engine rotary aircraft for air ambulance services and requires full 360 degree access to all patients. An exception is provided for those aircraft already in use prior to that date. All aircraft and personnel must be able to provide an advanced life support level of care (Section 190.122).
ERIN MOTLEY

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1231

SENATE SPONSOR Gibbons

4180S.01I

SB 1231 - This act requires the State Emergency Management Agency to administer an emergency volunteer program in any disaster or emergency. Current law applies only to earthquakes or other natural disasters. The volunteers may donate their time and equipment for the period requested by the state and agreed to by the volunteer. The act also revises the qualified immunity of volunteers for their actions or omissions while assisting the state during a time of emergency.

The act authorizes local governments to utilize volunteers during a time of local emergency. Any work done after the period of emergency is over shall be advertised and bid as required by state and federal law.

The act immunizes any person from liability for the person's actions on behalf of the state or a local government in an emergency if the person, in good faith, believes that such action within the scope of the government's request for emergency assistance. The immunity from liability is qualified with regard to willful or reckless conduct of the person or if the harm was not a necessary or likely result of the person's actions.
JIM ERTLE

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1232

SENATE SPONSOR Singleton

4934S.01I

SB 1232 This act authorizes the filing of a petition by residents within a road district in Jasper County seeking the dissolution of the road district. If signed by a majority of the residents within the district, the county commission shall have the authority, if dissolution is felt to advance the public good, to dissolve the road. The act provides that notice of the proposed dissolution must be published in a newspaper of general circulation in the county.

If the petition is signed by at least 50 registered voters within the district, then the petition is submitted to the voters for their approval. If approved by a majority of the voters within the district, then the district shall be dissolved.

All assets and equipment of the road district shall revert to the county and any taxes levied for the district shall no longer be assessed.

This act is similar to HB 1720 (2002).
JIM ERTLE

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1233

SENATE SPONSOR Yeckel

4536S.02I

SB 1233 - This act makes numerous revisions to laws pertaining to charter schools.

SECTION 160.400 - Charter schools may be operated in the currently authorized territories, even if the existing school district no longer exists or includes that territory. The act clarifies that charter schools may be sponsored by a public 4-year college or university in a county containing an eligible school district, even if the college or university is not in the school district. The act alters the provision concerning school buildings owned or controlled by a school district in which charter schools may be established.

The act constructs a Charter School Sponsor Oversight and Accountability Fund, with grant funding administered by the office of administration. Funds shall be transferred annually by the State Treasurer, based upon the number of charter schools and charter school enrollment the previous year. Approved sponsors shall receive \$23,400 per school sponsored the previous year plus 0.5% of per pupil operating revenues for each student enrolled in such school the previous year. Any sponsor may apply and must

demonstrate compliance of all requirements of law. Grant funds shall be prorated if necessary when funds are inadequate. Unused funds shall be retained and used to reduce the next year's withholding from charter school revenues.

Prior to granting or renewing a charter, sponsors must complete criminal background checks on the members of the Board of Directors of any nonprofit corporation applying to establish a charter school. No member of a charter school board may be employed by the charter school nor have a significant interest in any entity employed by or contracting with the board.

SECTION 160.403 - The section establishes the Public Charter School Board, which shall be responsible for reviewing charter applications and granting or not granting charters. The Public Charter School Board shall notify applicants of a decision, in writing, within sixty days of submissions of applications. The public charter school board shall develop policies and procedures to measure and report the performance of schools and students for whom the board grants charters. The policies and procedures shall be designed to be compatible with the educational concept of the charter and philosophy of charter schools. Student progress shall be measured using data from a variety of vehicles, including but not limited to, the MAP test, the Stanford Nine, student portfolios and other sources of student level data.

The act also creates the Public Charter School Board Fund, which shall be used exclusively for the operation of the public charter school board. Subject to appropriation, the state treasurer shall, on the first business day of each fiscal year, transfer, from general revenue to the public charter school board fund, \$99,000 on an annual basis.

The act mandates that DESE shall provide all administrative support required by the public charter school board while utilizing the same resources and personnel that it currently provides to the state board of education without assigning additional costs to the public charter school board. The department of elementary and secondary education shall not have budgetary authority over the development of budgetary requests or the expenditures of funds.

SECTION 160.405 - The act revises the procedure and time line for chartering a school. A charter school proponent shall provide the local school district and the State Board of Education with copies of the charter school application within five days of submitting the application to the proposed sponsor. The sponsor's decision of approval or denial must be made within 90 days of filing the proposed charter (rather than the current 60); if the charter is denied, written notice must be served on the State Board of Education within 5 days. The State Board has 60 days to deny or grant a proposed charter and shall provide reasons for denial in writing, if applicable.

Charter schools are required to publish audits and financial reports. Charter schools may publish audit reports and annual financial reports via the internet on the secretary of state's

website in lieu of other publishing requirements. A charter may be revoked for failure to provide necessary compliance information, or the sponsor may require specified remedial action of the school.

Charter school board members, officers and employees who willfully violate charter school laws or neglect to perform any duty in the charter school laws are guilty of a misdemeanor as other public school employees are under current law. A charter school board may participate in the Missouri Public Entity Risk Management Fund to the same extent as a school board. The act allows a charter school to be located on the property of a school district without the agreement of the governing board of that district.

SECTION 160.410 - Charter schools must make available the charter, the results of background checks, and the public report card to the parent of guardian of any pupil eligible to seek to enroll at the school. Reasonable fees may be charged for such copies.

SECTION 160.415 - This section alters the payment mechanism for state (and federal) aid to charter schools by mandating that DESE pay the charter schools directly. Currently, DESE pays school districts and the school districts forward the appropriate allotment to the charter schools inside their district. If DESE overpays or underpays the amount due the charter school, such over or under payment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year. Any dispute between DESE, the school district, and a charter school regarding funding shall be resolved by the administrative hearing commission, with the option of judicial review. If a dispute should occur, DESE is mandated to make every administrative and statutory effort to allow the continued education of children in their current public charter school educational setting and not take action which prevents (either directly or indirectly) the continued operation of a charter school. Further, DESE is forbidden to make an arbitrary and capricious decision which negatively impacts the education of a child.

SECTION 160.420 - This section allows district teachers employed in charter schools to retain tenure status and shall retain seniority rights for three years. Charter schools are permitted to hire noncertificated administrators.

SECTION 167.349 - This section allows any campus of the state university located in a county of the third classification (University of Missouri - Rolla) to sponsor charter schools.

SECTION 169.596 - This section permits any school district with a shortage of certified teachers to allow retired certificated teachers from any Missouri public teacher retirement system to teach full-time for up to two years without losing his or her retirement benefits, so long as the total number of such retired certificated teachers does not exceed the greater of ten percent of the total teacher staff for that school district, or

five certificated teachers. Further, any school district with a shortage of non-certificated employees may allow those retired individuals to be employed full-time for up to two years without losing his or her retirement benefits. The total number of such retired non-certificated employees shall not exceed the greater of ten percent of the total non-certificated staff for that school district, or five employees. All necessary costs shall be paid by the hiring school district and shall not exceed the school district's statutory cost limitations. If enacted, this section shall take effect upon its passage and approval.
DONALD THALHUBER

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1234

SENATE SPONSOR Bland

4861S.01I

SB 1234 - This act allows the Public Service Commission to consider the ability to pay as a factor in setting utility rates and may establish programs for low-income residents. The commission may also require public utilities to provide information on the coordination of other programs and other bill related information.

This act is identical to HB 1875 (2002).
SARAH MORROW

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SB 1235

SENATE SPONSOR Bland

4866S.01I

SB 1235 - This act allows the Public Service Commission to refund ratepayers for unauthorized use charges, penalties and refunds from pipelines after an evidentiary hearing.

This act is identical to HB 1482 (2002).
SARAH MORROW

022702 S First Read

S386

EFFECTIVE : August 28, 2002

SRB 1236

SENATE SPONSOR Rohrbach

4675L.01I

SRB 1236 - This act is for the purposes of repealing expired provisions of law and sections made obsolete by expired provisions of law.
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1237

SENATE SPONSOR Stoll

4955S.01I

SB 1237 - This act establishes the "Missouri Statewide Initiative for Scientific Education Enhancement" (MOSISE2) program, with the stated goal of encouraging and supporting science enrichment opportunities for gifted and talented elementary and secondary students in Missouri. The MOSISE2 curriculum may be developed by the coordinating board of higher education.

The participating universities that provide MOSISE2 programs may: conduct programs, seminars, and classes for gifted and talented students within or without the boundaries of any school district and, for that purpose, employ instructors, supervisors, and other personnel and provide necessary equipment and supplies; and transport, or arrange for transportation of, students to or from educational institutions where regularly scheduled programs and classes are being conducted.

The Department of Elementary and Secondary Education will plan, develop, and provide a request for proposals (RFP) structure for two-year and four-year colleges and universities and other scientific research institutions in the State of Missouri to develop programs through a competitive proposal process. The Department shall assemble a twelve-member review panel of experts to review and judge the RFPs. An application shall be approved by the panel for a period of one, two, three or five years, or denied, based on the quality of the plan, in accordance with criteria adopted by the panel. Those criteria shall be reviewed by the twelve-member review panel at least once every three years.

The Commissioner of Education shall: apportion funds to each participating university; assist participating universities, upon their request, to design, implement, and evaluate MOSISE2 programs; ensure the proper expenditure of MOSISE2 funds; encourage the development of locally designed, innovative programs for gifted and talented students; assist school districts in the development and implementation of staff

development programs related to gifted and talented students; and encourage the development of procedures that assure the ongoing participation of parents of gifted and talented students in the planning and evaluation of MOSISE2 funded programs.

A participating university shall be entitled to state aid for participating students who take part in a program. Attendance of participating students at these programs, seminars, and classes shall be included in computing the average daily attendance of a school district for the purposes of apportionments from the state public school fund. Participation in the MOSISE programs may be included as part of a school district's career development and teacher excellence plan.

Program funding will be a shared responsibility between the participating universities and this state. The participating universities will provide a match of one dollar for every two dollars provided by the state.
DONALD THALHUBER

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1238

SENATE SPONSOR Goode

4950S.02I

SB 1238 - This act imposes a tax upon licensed retail pharmacies in Missouri for the privilege of providing outpatient prescription drugs. The tax rate of up to will be based on monthly gross retail prescription receipts of pharmacies, not to exceed 6%.

The Department of Social Services will notify each individual pharmacy of the amount of quarterly tax due. The Department of Revenue will promulgate rules to carry-out the provisions of the act.

The act provides for a credit against the tax on pharmacies for certain taxes paid to the federal government and provides for offsets against any Medicaid payment due the pharmacy from the state.

All revenues from the tax will be deposited in the Pharmacy Tax Fund, created in the act. Moneys in the fund will be used to provide payments for services related to the Medicaid pharmacy program.

The act contains an emergency clause and a sunset of June 30, 2005.

This act is similar to HB 1898 (2002).
JEFF CRAVER

022802 S First Read

EFFECTIVE : Emergency Clause
TERM DATE : June 30, 2005-----
SB 1239

SENATE SPONSOR Klindt

4363S.07I

SB 1239 - This act creates the Missouri Regional Computer Forensics Laboratory (RCFL). RCFL will be under the control of the Highway Patrol. RCFL will combine local, state and federal resources to research and combat computer and Internet-related crimes.

SARAH MORROW

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1240

SENATE SPONSOR Steelman

4951S.01I

SB 1240 - This act requires the Division of Medical Services to annually recalculate the Medicaid nursing home reimbursement amount. The recalculated amount of a nursing home can not be reduced below the rate allowed at the initial recalculation for the first three years following recalculation. The recalculated amount shall not be less than \$90 per day. When recalculating the reimbursement rate of any facility, the Division of Medical Services may not apply a minimum utilization adjustment greater than the current statewide average occupancy minus three percent.

This act will be effective on July 1, 2002 and recalculated rates will be effective on January 1, 2003.

ERIN MOTLEY

022802 S First Read

EFFECTIVE : July 1, 2002

SB 1241

SENATE SPONSOR Coleman

4724L.01I

SB 1241 - This act allows persons to receive "Breast Cancer Awareness" license plates after making an annual \$25 contribution to the Friends of the Missouri Women's Council. The contribution may be only used for breast cancer services. In addition to the

\$25 contribution, the person must pay \$15 plus regular registration fees. No additional fee shall be assessed for the personalization of such plates.

STEPHEN WITTE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1242

SENATE SPONSOR Gibbons

4905S.01I

SB 1242 - This act creates a maximum sales tax which may be levied on any sale. The act also implements a maximum tax which may be levied by a county and a maximum tax which may be levied by a municipality, both of which are in direct proportion with the statewide sales tax rate.

The act has an effective date of January 1, 2003.
JEFF CRAVER

022802 S First Read

EFFECTIVE : January 1, 2003

SB 1243

SENATE SPONSOR Johnson

4940S.01I

SB 1243 - This act changes the term innkeeper in the statutes to lodging establishment. The act also changes posting requirements of certain notices to be placed at the registration desk and in the guest rooms of the lodging establishment.
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1244

SENATE SPONSOR Bland

4961S.01I

SB 1244 - This act allows the continuation of a newborn hearing screening from one facility to the next. Currently, Section 191.925, RSMo, requires health care facilities to perform hearing screenings on newborns prior to discharging them. This act requires the continuation and completion of a hearing screening at a different facility if the newborn is transferred. The transferring facility must notify the receiving facility of

the need for completion of the screening.

This act is identical to HB 1548 (2002).
ERIN MOTLEY

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1245

SENATE SPONSOR Jacob

3529S.01I

SB 1245 - This act makes several changes to Missouri's law regarding outdoor advertising.

LOCAL GOVERNMENTAL CONTROL - This act expands the rights of local governments to regulate, through local zoning, signs 660 feet within the right of way of interstates and the primary system (Section 226.527).

ELIMINATION OF TREES AND VEGETATION - This act stops the current policy of allowing billboard companies to eliminate trees on public highway right of ways to improve billboard visibility. Trees and other vegetation, under the petition may only be removed or trimmed to improve aesthetics or to eliminate safety hazards (Section 226.585).

HALTING OF NEW BILLBOARD CONSTRUCTION - This act stops new billboard construction adjacent to interstate and primary highways after August 28, 2002. However, on-site and official traveler information/tourist and landmark signs would not be affected under the act. Billboards adjacent to such highways existing on August 28, 2002, shall be treated as nonconforming signs (Section 226.595).
STEPHEN WITTE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1246

SENATE SPONSOR Yeckel

4962S.01I

SB 1246 - This act provides that Missouri Assessment Program (MAP) tests may be given at a developmentally appropriate level different from actual grade level for students receiving special education services, upon prior request of the school district and subject to approval of Department of Elementary and Secondary Education. The Department may refuse to allow testing at the level requested and may require testing at the student's actual grade level.

This act is identical to SB 447 (2001).
DONALD THALHUBER

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1247

SENATE SPONSOR Quick

2953S.02I

SB 1247 - This act requires the Kansas City Firefighters Pension Fund to recognize domestic relations orders in dissolutions involving firefighters.
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1248

SENATE SPONSOR Mathewson

4939L.02I

SB 1248 - This act modifies various provisions of law for the purpose of funding the "Schools of the Future Fund". The act:

(1) Allows the State Treasurer to make certain money market mutual fund investments as a part of the Treasurer's investment policy;

(2) Includes in the list of securities to be approved by the Governor and State Auditor, general obligation bonds of any political subdivision in the US rated in the highest category by at least one rating agency;

(3) Revises the Treasurer's method of calculating interest, and such method is to be used by the director of revenue by January 1, 2003;

(4) Modifies the repayment of refunds or overpayments to taxpayers in that no interest shall be applied to a repayment that is made within 120 days of the date of the return or the last day for filing;

(5) Requires that amnesty shall be granted for all interest and additions to tax with respect to unpaid taxes that are paid in full between August 1, 2002, and September 30, 2002; such amnesty shall not apply to persons involved in a criminal or civil litigation related to the tax liability nor to persons involved in an appeal to the Administrative Hearing Commission or

a protest with the department of revenue regarding such tax liability; certain other requirements must be met and a collection fee may be imposed;

(6) Modifies multistate allocation of corporate income for Missouri corporate income tax purposes to apply multistate apportionment principles to the same;

(7) Creates a new section with respect to affiliated groups and related entities; with respect to those parties, the act modifies the way losses and operating expenses are deducted among such parties for various types of property, including intellectual property; minimum standards are established regarding what connections among various corporate entities constitute related parties and affiliated groups for multistate corporate income purposes;

(8) Modifies the carry-back of overpayments to tax with respect to tax credits which are retroactively claimed by a taxpayer by amended return so that such taxpayer will not receive the benefit of retroactive interest for such claimed overpayment;

(9) Permits overcollected or overpaid sales taxes to be credited to a retailer only if the retailer can demonstrate to the satisfaction of the director of revenue that the amounts refunded were or will be returned to the party who originally paid the tax;

(10) Repeals the loss limit on excursion gambling boats; and

(11) Increases the admission fee for embarking on a gambling boat to five dollars from two dollars, of which one dollar will be deposited in the fund listed below.

All additional revenues accrued by any of the above listed modifications or changes to policy shall be deposited in the Schools of the Future Fund, which is created in the act. Money in the fund shall be appropriated solely for the purpose of fully funding state aid to public schools.

JEFF CRAVER

022802 S First Read

EFFECTIVE : Emergency Clause

SB 1249

SENATE SPONSOR Mathewson

4645S.02I

SB 1249 - This act requires additional information when the Department of Economic Development enters into an agreement with a party to provide grants, loans, tax credits or other financial assistance to the party through a program administered by the Department.

The act requires that additional information about the economic incentive and the financial obligation of the party if the requirements of the agreement are not met. The agreement must also list any other financial assistance received by the party for the same project. Any proceeds from an economic incentive that are returned to the Department of Economic Development must be used for worker training and re-training programs administered by the division of workforce development.

The Department of Economic Development must prepare an annual report to the President pro tem of the Senate and the Speaker of the House of Representatives that contains certain information about the economic incentives administered in the past year.

JIM ERTLE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1250

SENATE SPONSOR Yeckel

4973S.01I

SB 1250 - This act requires the State Board of Education to establish an alternative teacher certification program. Any state-approved teacher education program may apply to participate along with one or more school districts.

Candidates selected for the program must have a Bachelor's degree in a certifiable area, demonstrate English proficiency and have basic skills needed to become a successful teacher.

A candidate shall hold employment for two years as a teacher. The teacher must commit to teach for two years and the district shall pay all tuition costs. A candidate shall complete all requirements in a Professional Development Plan. A candidate shall participate in required seminars and meet regularly with a district "mentor" and staff from the teacher education program.

Upon completion of all requirements, the teacher education program shall recommend the candidate for teaching certification.
DONALD THALHUBER

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1251

SENATE SPONSOR Gibbons

4542S.03I

SB 1251 - This act provides that licensed funeral directors and funeral establishments shall not be liable for their actions regarding the funeral arrangements for a deceased person in their care in reliance on a person claiming to be next of kin, provided the licensee makes a good faith, reasonable effort to discover the validity of the claim.

For purposes of this act only, a person can designate any person to be their next of kin by a signed, dated and verified written instrument, including a will or trust.

JIM ERTLE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1252

SENATE SPONSOR Bland

4928S.01I

SB 1252 - This act provides that by September 1, 2002, the P.O.S.T. program incorporate into their training programs a standard protocol for interviewing witnesses when the identity of the suspect is unknown and for composing and conducting photo and line-up identifications. In any case in which the protocol was not followed, after March 1, 2003, the finder of fact in a trial shall be given an instruction that eyewitness evidence may be influenced by a number of factors and that subsequent improperly supervised exposure to an individual with similar characteristics to the perpetrator has resulted in the adoption by a witness of that individual as the suspect.

The act provides that if a witness for the state witnessed an incriminating admission by a defendant while the witness was also incarcerated, and is not a co-defendant, such testimony shall be considered unreliable and inadmissible unless the witness passes a two-step review process. First, a review panel of three prosecutors shall determine whether the testimony is sufficiently corroborated to ensure reliability. Second, the judge shall determine in a pre-trial proceeding whether the testimony shall be admitted.

The act creates a Laboratory Oversight Committee which will provide independent review of laboratory operations and analysis. The Committee shall have the authority to appoint an ombudsman, issue reprimands and probations and establish rules for laboratory personnel. A fee of \$1.00 shall be assessed on each felony and finding of guilt to be allocated to the Committee.

The act provides that the Director of Public Safety shall

promulgate a standard compensation level for Missouri law enforcement officers which shall differentiate between rural and urban pay standards and between new officers and those with experience.

The act provides that the Director of Public Safety shall require all chief law enforcement officer to maintain a monthly report of arrested individuals with information regarding name, gender, age, race, name of arresting officer and whether the charge was submitted to the prosecuting attorney. The names and other personal identifiers shall not be a public record, unless they otherwise qualify.

The act provides that if a prosecutor dismisses a charge or nolle prosequi a complaint, he or she, upon request, shall enter a finding that the individual who was charged is either legally innocent or actually innocent, or enter no finding at all.

The act abolishes the rule of negative inferences as it pertains to criminal cases, and allows evidence as to whether tests were conducted which could include or exclude a defendant as the perpetrator.

ERIC ROSENKOETTER

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1253

SENATE SPONSOR Coleman

4968L.01I

SB 1253 - This act allows persons to receive "Delta Sigma Theta" or "Omega Psi Phi" Greek organization license plates after making an annual \$25 contribution to those organizations. In addition to the \$25 contribution, the person must pay \$15 plus regular registration fees. No additional fee shall be assessed for the personalization of such plates.

STEPHEN WITTE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1254

SENATE SPONSOR Steelman

4970S.01I

SB 1254 - This act designates Pulaski County and the City of Richland as enterprise zones.

This act is identical to HB 1961 (2002).
JEFF CRAVER

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1255

SENATE SPONSOR Steelman

3748S.02I

SB 1255 - This act enables a public owner to disqualify a contractor or subcontractor from bidding on projects for three years if the contractor or subcontractor has had final payment withheld.

The act would also allow the Division of Design and Construction to declare a contractor in default if the contractor fails or refuses to perform or complete the project. Once declared in default the Division of Design and Construction may directly renegotiate the subcontracts to complete the project. The act also allows the Division of Design and Construction to create a contractor certification program.
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1256

SENATE SPONSOR Steelman

4974S.01I

SB 1256 - This act states the Department of Elementary and Secondary Education shall promulgate rules to allow all teacher education students who have been employed for at least two years as teacher assistants to utilize their teacher assistant experience to bypass the practice teaching evaluation and observation process. These rules shall allow the certified teacher working with the teacher assistant to observe and evaluate said teacher assistant's practice teaching.
DONALD THALHUBER

022802 S First Read

EFFECTIVE : August 28, 2002

****SB 1257****

SENATE SPONSOR Loudon

4945S.01I

SB 1257 - This act imposes civil liability on any person violating Missouri's informed consent law for abortion.

Currently, Section 188.028, RSMo, requires informed consent of a minor or her parent or guardian before an abortion may be performed. This act provides for civil liability of any person who knowingly violates this section and enables a minor to obtain an abortion without the required consent.

ERIN MOTLEY

022802 S First Read

EFFECTIVE : August 28, 2002

****SB 1258****

SENATE SPONSOR Loudon

4909S.02I

SB 1258 - This act limits the state's allowable fee for processing adoption documents to \$100 per child, per visit or per multiple children adopted at the same time. Current law allows a fee of \$10 per document.

ERIN MOTLEY

022802 S First Read

EFFECTIVE : August 28, 2002

****SB 1259****

SENATE SPONSOR Loudon

3799S.01I

SB 1259 - This act creates a food recovery program for restaurants to provide food to needy persons. A new Section 192.081 is created and defines the term "donor" to include restaurants, cafeterias, delis or other facilities selling food for consumption. This act expresses the intent of the General Assembly to make surplus food available to nonprofit or charitable organizations or volunteers for the distribution to homeless persons or others in need of food. Donors and organizations should make reasonable efforts to contact each other for the collection of food.

The Department of Health and Senior Services must develop a brochure regarding food recovery and must report to the Governor, Pro Tem, and Speaker by November 1, 2003.

ERIN MOTLEY

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1260

SENATE SPONSOR Loudon

4786L.01I

SB 1260 - This act revises the operation of the Cafeteria Plan for State employees. The act requires the Commissioner of Administration to include in the Cafeteria Plan, products from vendors if: 1)the product is eligible under the United States Code; 2) the vendor is approved by the Office of Administration; and 3) the vendor is receiving at least \$500,000 annually from State employees through voluntary payroll deductions.
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1261

SENATE SPONSOR Dougherty

4504S.02I

SB 1261 - This act authorizes the governing body of St. Louis to abate the property owner's dwelling at the owner's expense after a child has been identified as having an elevated blood level. The city may issue fines and penalties, attach a property lien on the owner's real property or publicize the owner's noncompliance with the local papers on a weekly basis. These remedies are in addition to those provided by law.
STEPHEN WITTE

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1262

SENATE SPONSOR Kenney

4924S.01I

SB 1262 - This act allows certification or licensure for the practice of naturopathic medicine.

Terms related to naturopathic medicine are defined. The practice of naturopathic medicine without certification or licensure is prohibited under these sections (Section 324.650). Application procedures are outlined for candidates for licensure as naturopathic medical doctors (Section 324.653).

The State Board of Naturopathic Medicine is established,

consisting of six members, including one public member. The Board will retain subpoena power. Any person who reports to the Board in good faith will not be civilly liable (Section 324.656). The duties of the Board are outlined, including setting fees, adopting rules, and employing personnel (Section 324.659). Any person holding a license or certificate must display the document in plain view (Section 324.662).

Applicants must sit for an examination and must achieve a score of at least 75%. Components of the examination are outlined. The Board may accept an applicant's passage of a substantially similar exam. Physicians and chiropractors may waive the exam requirement if they have obtained an equivalent degree in naturopathic medicine (Section 324.665).

Naturopathic medical students may engage in clinical training programs. A certificate must be issued and students may only perform approved tasks (Section 324.668). Graduates of naturopathic medical schools may also do internships (Section 324.671).

Doctors of naturopathic medicine may dispense a substance or device to a patient under certain circumstances. Before doing so, a written statement must be provided notifying the patient of the option for the prescription to be filled by the naturopath or by a pharmacy (Section 324.674). Violators of this act will be guilty of a Class A misdemeanor (Section 324.677).

Continuing education is required as a condition for license renewal. Procedures for renewal are also outlined (Sections 324.680 and 324.683). The Board may charge a registration fee (Section 324.686).

The Board may refuse to issue or renew a license or certificate, or issue a license subject to limitations. The Board may file a complaint for certain reasons and administrative hearing provisions will apply. If a revocation occurs, the Board may prohibit reinstatement for two to seven years. During an investigation, the Board may review patient medical records as they relate to the applicant or licensee (Section 324.689).

The Board must publish a quarterly list of licensees and a disciplinary report (Section 324.692). If a licensee presents a clear and present danger to the public, the Board may suspend or restrict the certificate or license. The licensee must be notified of such by certified mail with a copy of all pertinent information. Administrative hearing provisions will apply (Section 324.695).

Any person who falsely issues a diploma or certificate of graduation or anyone who accepts such a document without completing the appropriate curriculum requirements will be guilty of a Class A misdemeanor (Section 324.698).

This act is similar to HB 416 (2001).
ERIN MOTLEY

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1263

SENATE SPONSOR Kenney

4946S.01I

SB 1263 - This act regulates competition between public and private providers of cable television services. Political subdivisions may not prefer the public cable service over private cable service; fail to apply cable regulations on a nondiscriminatory basis; or fail to pay all applicable fees or their equivalent. Political subdivisions may not have extraterritorial public cable service recipients in excess of 50% of the number of participants within the political subdivision or unreasonably withhold a request to modify terms of a franchise.

Political subdivisions are required to provide notice of consideration of certain ordinances relating to provision of cable service. Notice must be at least 45 days prior to the enactment of the ordinance, must be in writing and delivery requirements are specified. Political subdivisions are required to prepare and publish annual accountings. Disputes must first be submitted to arbitration and thereafter may bring a civil action. In certain circumstances a political subdivision may bring a civil action for declaratory relief. Issues which may be considered by the court are specified.

CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1264

SENATE SPONSOR Kenney

4937S.01I

SB 1264 - This act eliminates lienholder possession on motor vehicle certificates of title. The owner of the motor vehicle is required to list the lienholder on the application for title and failure to do so is a Class C felony. The process for perfection for lienholders and subordinate lienholders is specified. Once a lien is satisfied, the lienholder must mail or deliver a release stating satisfaction of the lien in a form prescribed by the Director of Revenue.

For lienholders holding certificates of title for liens perfected prior to August 28, 2002, the lienholder must mail the certificate of title to the owner of the motor vehicle by August 28, 2003, provided the owner prepays a transfer fee of up to \$25.

CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

SB 1265

SENATE SPONSOR Kenney

4969S.01I

SB 1265 - This act creates enforcement provisions regarding tobacco sales to minors. Beginning January 1, 2003, the Division of Liquor Control shall submit an annual report to the General Assembly regarding the effectiveness of reducing tobacco possession by minors and related enforcement activities. The act prohibits sale of tobacco products to any person that the seller believes is less than eighteen, punishable by a fine of \$250 for the first violation and \$500 for subsequent violations. The act requires retailers to post signs reflecting the prohibition.

Individual packs of cigarettes or smokeless tobacco products shall be sold only through vending machines from a display located behind the check-out counter or within the unobstructed sight of the sales clerk. Vending machines shall be within sight of the clerk, or equipped with a lock-out device which will allow a single sale when activated. No person or entity shall sell tobacco products to minors, or sell individual cigarettes to any person. Violators shall be fined from \$25 to \$250. Any owner or operator of the outlet where the products are sold in violation shall be penalized by the Division of Liquor Control, with certain exemptions if the establishment has an in-house training program for employees. If the offense is enforced by state authorities the state penalty applies, if enforced by local authorities local law applies.

A driver's license shall be displayed upon request of a Liquor Control agent or owner or employee of an establishment that sells tobacco. Any person who alters a license shall be guilty of a misdemeanor, punishable by up to a \$1000 fine and up to 1 year in jail, or both.

No person under eighteen shall purchase or possess cigarettes, with certain exceptions. A violation shall be an infraction, and the person must complete a tobacco education program upon any subsequent violation.

The act prohibits sale of tobacco products without a state retail sales tax license. The Division shall not use minors in enforcement actions without meeting mandatory guidelines.

This act is identical to portions of HB 381 (2001).
CINDY KADLEC

022802 S First Read

EFFECTIVE : August 28, 2002

****SB 1266****

SENATE SPONSOR Kenney

4854S.01I

SB 1266 - "GREY MARKET" CIGARETTE SALES - This act provides that any illegally paid or overcharged cigarette taxes shall be either refunded to the person who paid the tax and not the retailer, or retained by the Director of Revenue. No stamp is required to be attached until the package is sold to a retailer or consumer. The act prohibits a tax stamp from being affixed to any package of cigarettes unless certain federal requirements are met. No stamp shall be affixed to any package labeled as not intended for sale inside the United States or has a label that has been altered. Any violation is a Class D felony, whether committed knowingly or recklessly, and is also deemed an unlawful trade practice.

This act is identical to portions of HB 381 (2001).
CINDY KADLEC

022802 S First Read

EFFECTIVE : Emergency Clause

****SB 1267****

SENATE SPONSOR Westfall

4859S.02I

SB 1267 - This act provides that a contract involving multiple political subdivisions located in three or more counties may be filed only with the Secretary of State. Under current law, the political subdivision must also file a copy with the County Recorder of Deeds in which each political subdivision is located.

JIM ERTLE

030102 S First Read

EFFECTIVE : August 28, 2002

****SB 1268****

SENATE SPONSOR Westfall

4741S.01I

SB 1268 - This act requires individuals to file statements rather than affidavits when applying for motor vehicle registrations. This act also makes it a Class A misdemeanor for anyone to file a false statement to the Director of Revenue.

STEPHEN WITTE

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1269

SENATE SPONSOR Cauthorn

4981S.01I

SB 1269 - This act repeals the law relating to the repurchase of industrial, maintenance, and construction power equipment and outdoor power equipment used for lawn, garden, golf course, landscaping, or grounds maintenance upon cancellation of contracts. The act replaces the term "farm implements" in the definition of inventory with the terms "equipment" and "implements" in the law relating to the repurchase of farm machinery inventory on the termination of a dealership. This act requires wholesalers, manufacturers, or distributors to repurchase equipment, implements, machinery, and attachments at 100% of the net cost and to repurchase repair parts at 95% of the current net price at the termination of a contract, with some exceptions.

This act is identical to HB 1958 (2002).
SARAH MORROW

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1270

SENATE SPONSOR Klindt

4985S.01I

SB 1270 - This act designates the portion of U.S. Highway 136 in Harrison County, from the eastern city limits of Bethany to the Harrison-Mercer County line, as the "Babe Adams Highway".
STEPHEN WITTE

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1271

SENATE SPONSOR Klindt

4512S.03I

SB 1271 - This act prescribes that the sale of bonds, notes or other evidence of indebtedness issued by any housing authority shall be sold at public sale, after giving reasonable notice of such sale, at the best price obtainable, and may bear interest at a rate not exceeding fourteen percent per annum. Current law states that said bond sales may be sold at any sale.

The provision that allows the issuing jurisdiction to adopt

a resolution setting forth clear justification why the sale should be a private sale as well as the statement that private activity bonds may be sold either at public or private sale has been removed.
DONALD THALHUBER

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1272

SENATE SPONSOR Klindt

4980S.01I

SB 1272 - This act prohibits the sale or storage of gasoline with more than one-half of one percent by volume of MBTE additive.

This act is identical to HB 1750 (2002).
SARAH MORROW

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1273

SENATE SPONSOR Goode

4977S.01I

SB 1273 - This act allows water corporations to file a petition with the Public Service Commission to establish additional charges or change rate schedule to allow for the recovery of costs associated with securing the water facilities or underground facilities. The Commission will conduct an examination of the proposed rate change and hold a hearing on the proposed changes.
SARAH MORROW

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1274

SENATE SPONSOR Gibbons

4930S.02I

SB 1274 - This act divides the roll-back requirement into personal property, taken in the aggregate, and each individual subclass of real property, as those subclasses are defined in the Constitution. Similar language is carried throughout the remainder of Section 137.073, as necessary, to effectuate this

change (Section 137.073).

If a county lowers the rate below the rate ceiling, the lower rate becomes the new ceiling (Section 137.073.5).

When reporting to the Clerk of the County Commission, each taxing authority must report its proposed tax rate calculated to four decimal points (Section 137.073.6).

The threshold for requiring a physical inspection of the property is lowered from seventeen percent increased assessed valuation to fifteen percent (Section 137.115.10).

Before a physical inspection is completed the assessor must notify the property owner of his or her rights regarding the inspection. The property owner can request an interior inspection within thirty days (Section 137.115.11).

The elements of the physical inspection are set forth in greater detail. A mere "drive-by inspection" is not considered sufficient (Section 137.115.12).

A tax collector can accept credit cards as a form of payment for taxes, but shall not add a surcharge in excess of the actual fees charged by the credit card bank (Section 137.115.13).

A taxpayer can bring suit to enforce any of the provisions of Section 137.115, and receive attorney's fees and expenses if they prevail (Section 137.115.14).

When appealing an assessment to the board of equalization, the assessor shall have the burden of proving that the assessment reflects the true market value of the property. If the assessor cannot meet this burden, the property owner shall prevail as a matter of law (Section 138.060.1).

The Boards of Equalizations in first class charter counties must provide a taxpayer who has appealed an assessment a written finding of facts and conclusions of law (Section 138.100.3).
JEFF CRAVER

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1275

SENATE SPONSOR Gibbons

4931S.02I

SB 1275 - This act is entitled the "The Missouri Homestead Preservation Act".

The act limits the maximum increase to the property tax liability of a homeowner, when compared to the prior assessment period, to five percent. The act provides a 'pop-up' exemption

to a portion of the assessed valuation of the property, when the tax liability exceeds the five percent increase cap. The exemption is limited to the amount necessary to stay within the five percent cap. However, calculation the five percent increase shall not include: (1) Increases due to new construction or improvements; (2) Increases due to any voter approved levy or increase to levy; (3) Increases due to a change in the assessed valuation based on a sale of the property (Section 137.106).

The state must reimburse the counties for lost revenue due to the cap. A taxpayer can bring suit to enforce any of the provisions of Section 137.106, and receive attorney's fees and expenses if they prevail.

JEFF CRAVER

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1276

SENATE SPONSOR Gibbons

3483S.01I

SB 1276 - This act concerns school district boundary changes. The act provides the option of judicial review should a board of arbitrators render a negative decision regarding boundary changes. The provision prohibiting for two years the reintroduction of the same or similar petition, should a negative decision occur, remains.

DONALD THALHUBER

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1277

SENATE SPONSOR Caskey

4986S.01I

SB 1277 - This act allows for transfers of creditable service between the Judicial plan and Prosecuting Attorneys plan in certain circumstances.

The act also allows judges with at least ten years service to receive additional credited service for previous employment with the state in certain circumstances.

CINDY KADLEC

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1278

SENATE SPONSOR Bland

4979S.01I

SB 1278 - This act provides that first degree and second degree arson, which typically are Class B and Class C felonies, respectively, shall be a Class A felonies if the arson occurs to a church or other place of worship and was motivated because of the race, color, religion, national origin, sex, sexual orientation or disability of the victims.

This act is similar to HB 1058.
ERIC ROSENKOETTER

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1279

SENATE SPONSOR Kinder

4657S.05I

SB 1279 - This act creates several community development projects.

KANSAS AND MISSOURI METROPOLITAN CULTURAL DISTRICT - This act authorizes annual appropriations of up to \$9.8 million to fund projects undertaken and partially funded by a retail sales tax relating to the Kansas and Missouri Metropolitan Cultural District. Appropriated moneys shall only be used if the cumulative annual sales tax revenue generated exceeds the cumulative annual appropriation. No moneys shall be appropriated until the cultural district retail sales tax is renewed or extended.

ST. LOUIS CARDINALS BALLPARK AND BALLPARK VILLAGE - This act creates the "The Sports Center Redevelopment Authority Act".

St. Louis may establish a "Sports Center Redevelopment Authority". The Authority will consist of a nine-member board of commissioners. The Authority is granted the power of eminent domain.

When a sports center redevelopment plan is adopted by the city and the authority, for a period not to exceed thirty-five years, economic activity taxes generated within the sports center redevelopment area shall be deposited into the special allocation fund of the city for the purposes enumerated, including paying project costs and obligations.

The maximum state appropriation shall not exceed \$7 million per year for a maximum of 30 years, for debt service financing that will provide a net sum not to exceed \$100 million.

SPRINGFIELD - Allows for the annual appropriation for funding of an exposition center in Springfield. Beginning in FY 2005, the state shall annually appropriate one half of the new state revenues from the redevelopment area. However, in no event shall the capitalized value of the state's contribution exceed \$9 million.

BRANSON - Allows for the annual appropriation for funding of a convention center and arena in Branson. Beginning in FY 2005, the state shall annually appropriate one half of the new state revenues from the redevelopment area. However, in no event shall the capitalized value of the state's contribution exceed \$32 million.

LOCAL ECONOMIC OPPORTUNITIES FUND - One half of the increased state revenues from sales taxes and income taxes withheld in certain development areas less the debt service obligations will be deposited in the Local Economic Opportunities Fund. The fund is then further subdivided into four regional funds and the regions are established. Funds from the regional subaccounts may be appropriated for infrastructure improvements and economic stimulus projects. Certain political subdivisions receiving funding are excluded from appropriations from the regional subaccounts. The Department of Economic Development shall establish an application and prioritization process. Political subdivisions shall not receive more than 25% of a subaccount and may not receive appropriations for more than five consecutive years.

JACKSON COUNTY RESEARCH PARK - The Curators of the University of Missouri are authorized to establish a research, development and office park in Jackson County to foster life sciences related business development.
CINDY KADLEC

030102 S First Read

EFFECTIVE : August 28, 2002

SB 1280

SENATE SPONSOR Rohrbach

4860S.01I

SB 1280 - This act expands the applicability of the emergency powers of the Governor to acts of bioterrorism that present a clear and present danger to the safety and welfare of the inhabitants of this State.

ERIC ROSENKOETTER

030102 S First Read

EFFECTIVE : August 28, 2002

SCR 035

SENATE SPONSOR Stoll

3863S.01I

SCR 35 - This resolution would urge Congress to redesign the ambulance fee schedule for Medicare reimbursement to take into consideration current actual cost data and support of advanced life support emergency medical services because without these considerations, Missourians cannot be assured that they will receive the level of medical services they need in times of a medical emergency.

RON KIRCHOFF

011402	S First Read	S79-80
011502	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S93
012402	Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee	
020702	Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee	
020702	Reported From S Rules, Joint Rules, Resolutions and Ethics Committee to Floor	S229
022602	S adopted	S361-362
022602	H First Read	

SCR 036

SENATE SPONSOR Bentley

3833L.01I

SCR 36 - This resolution would extend the Joint Interim Committee on Education Funding created by Senate Concurrent Resolution No. 26 to the First Regular Session of the Ninety-second General Assembly.

RON KIRCHOFF

011502	S First Read	S93
011602	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S103
012402	Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee	

SCR 037

SENATE SPONSOR Dougherty

4131L.01I

SCR 37 - This resolution urges the United States Congress to adopt legislation requiring the Medicare program to cover all oral anti-cancer drugs.

RON KIRCHOFF

012202 S First Read	S129-130
012302 Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S136
013102 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	
020702 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee	
020702 Reported From S Rules, Joint Rules, Resolutions and Ethics Committee to Floor	S229
021202 S adopted	S267
021302 H First Read	H276-277
021402 H Second Read	H283

SCR 038

SENATE SPONSOR Klarich

3916S.01I

SCR 38 - This resolution permanently disapproves and suspends that portion of 13 CSR 70-20.031(3), List of Excludable Drugs for Which Prior Authorization is Required, that reads "Itraconazole Oral -- Noncosmetic uses"; and that portion of 13 CSR 70-20.034(2), List of Non-Excludable Drugs for Which Prior Authorization is Required, that reads "Non-sedating antihistamines -- unrestricted use by patients 18 years of age and younger and medically accepted uses following acceptable trial of unrestricted alternatives for patients older than 18 years of age".
RON KIRCHOFF

012302 S First Read	S135
012402 Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S152
012802 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	
012802 Voted Do Pass S Rules, Joint Rules, Resolutions & Ethics Committee	
012802 Reported From S Rules, Joint Rules, Resolutions & Ethics Committee to Floor	S159
022602 Stricken from Calendar	

SCR 039

SENATE SPONSOR Caskey

4176S.03I

SCR 39 - This resolution would recognize the Northern Cherokee Indian People of Missouri.
RON KIRCHOFF

012402 S First Read	S148
012802 Second Read and Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S159

013102 Hearing Conducted S Rules, Joint Rules, Resolutions
& Ethics Committee

SCR 040

SENATE SPONSOR Sims

4202S.01I

SCR 40 - This resolution supports the assembly by the Governor of the Task Force on the Ford-Hazelwood Retention and directs the Task Force to immediately develop and execute a strategic plan to obtain the continued occupation and operation of the Hazelwood Ford Assembly Plant by Ford Motor Company.
RON KIRCHOFF

012402 S First Read	S148
012802 Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S159
013102 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	
020702 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee	
020702 Reported From S Rules, Joint Rules, Resolutions and Ethics Committee to Floor	S229
021102 S adopted	S240
021102 H First Read	H243-244

SCR 041

SENATE SPONSOR Rohrbach

3909S.01I

SCR 41 - This resolution establishes the "Joint Interim Committee on Primary Care Workplace Adequacy in Missouri". This Committee shall examine the rural and urban primary care workforce issues facing the State of Missouri, examine the imbalance between primary care and specialty care in the urban areas and its effect on the cost and access to health care, examine the issue of primary care shortage in the rural areas and its effect on the cost and access to health care in the rural areas, and examine current Department of Health and Senior Services programs which support primary care training.
RON KIRCHOFF

012902 S First Read	S164
013002 Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S184
020702 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	

****SCR 042****

SENATE SPONSOR Klindt

4194L.01I

SCR 42 - This resolution designates "Menfro soil" as the official state soil of Missouri.
RON KIRCHOFF

020402 S First Read S198-199
020502 Referred S Rules, Joint Rules, Resolutions & Ethics S211
Committee
020702 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

****SCR 043****

SENATE SPONSOR Loudon

4348S.01I

SCR 43 - This resolution urges the General Assembly of the State of Illinois to enact a law to require parental consent prior to allowing a minor to obtain an abortion.
RON KIRCHOFF

020502 S First Read S208-209
020602 Referred S Rules, Joint Rules, Resolutions & Ethics S221
Committee
021402 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

****SCR 044****

SENATE SPONSOR Cauthorn

4663S.01I

SCR 44 - This resolution urges Congress to authorize funding for the construction of 1,200-foot locks on the Upper Mississippi and Illinois Rivers' Inland Waterways Transportation System.
RON KIRCHOFF

021102 S First Read S239-240
021202 Referred S Rules, Joint Rules, Resolutions & Ethics S259
Committee
021402 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

SCR 045

SENATE SPONSOR Gross

4243S.03I

SCR 45 - This resolution urges the United States House of Representatives to adopt House Joint Resolution No. 81 which allows freedom of religious expression.
RON KIRCHOFF

021202	S First Read	S253-254
021302	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S277
022102	Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	

SCR 046

SENATE SPONSOR Dougherty

4496L.01I

SCR 46 - This resolution supports the passage of H.R. 3113, the Temporary Assistance for Needy Families (TANF) Reauthorization Act of 2001.
RON KIRCHOFF

021302	S First Read	S273-274
021402	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S288
022102	Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee	

SCR 047

SENATE SPONSOR Childers

4658S.02I

SCR 47 - This resolution creates the "Poultry Industry Committee" to review and evaluate both the economic impact of the poultry industry, and environmental impacts of this industry in the state.
RON KIRCHOFF

021802	S First Read	S294-295
021902	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S313
022102	Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	

SCR 048

SENATE SPONSOR Sims

4806S.01I

SCR 48 - This concurrent resolution opposes increased Corporate Average Fuel Economy (CAFÉ) standards.
ERIC ROSENKOETTER

- 021902 S First Read S305-306
- 022002 Referred S Rules, Joint Rules, Resolutions & Ethics Committee S325
- 022102 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
- 022102 Voted Do Pass S Rules, Joint Rules, Resolutions & Ethics Committee
- 022102 Reported From S Rules, Joint Rules, Resolutions & Ethics Committee to Floor S334
- 022602 S adopted S370
- 022702 H First Read

SCR 049

SENATE SPONSOR Rohrbach

4453L.01I

SCR 49 - This concurrent resolution authorizes the Revisor of Statutes to print and bind copies of the session laws with indexes.
RON KIRCHOFF

- 021902 S First Read S306
- 022002 Referred S Rules, Joint Rules, Resolutions & Ethics Committee S325
- 022102 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee
- 022802 Voted Do Pass S Rules, Joint Rules, Resolutions & Ethics Committee
- 022802 Reported From S Rules, Joint Rules, Resolutions & Ethics Committee to Floor
- 030402 S Resolutions Calendar

SCR 050

SENATE SPONSOR Bentley

4793S.01I

SCR 50 - This resolution urges the Governor to distribute budget reductions more equitably and asks members of the General Assembly to agree to review proposed cuts to the Division of Tourism to ensure that the Division's ability to produce tax revenues is not detrimentally affected.
RON KIRCHOFF

022102 S First Read S330-331
 022502 Referred S Rules, Joint Rules, Resolutions & Ethics S351
 Committee
 022802 Hearing Conducted S Rules, Joint Rules, Resolutions &
 Ethics Committee

 SCR 051

SENATE SPONSOR Mathewson

4809S.01I

SCR 51 - This resolution asserts that the Veterans' Commission Capital Improvement Trust Fund shall be utilized with the utmost efficiency. To achieve this end, the Missouri State Auditor is requested to conduct a performance review, on an annual basis, pertaining to the efficiency in the administration of the Missouri Veterans' Commission Capital Improvement Trust Fund.

The resolution also requires the director of the Missouri Veterans Commission to report, on an annual basis, to the General Assembly the status concerning the adequacy and solvency of the Missouri Veterans' Commission Capital Improvement Trust Fund.

The resolution states that the Missouri Veterans' Commission shall neither expand upon existing programs nor further obligate the Missouri Veterans' Commission Capital Improvement Trust Fund without first considering the impact on the future solvency of the fund.

DONALD THALHUBER

022602 S First Read S375
 022702 Referred S Rules, Joint Rules, Resolutions & Ethics S386
 Committee
 022802 Hearing Conducted S Rules, Joint Rules, Resolutions &
 Ethics Committee
 022802 Voted Do Pass (w/SCA 1) S Rules, Joint Rules,
 Resolutions & Ethics Committee (4809S01.01S)
 022802 Reported From S Rules, Joint Rules, Resolutions &
 Ethics Committee to Floor w/SCA 1
 030402 S Resolutions Calendar w/SCA 1

 SCR 052

SENATE SPONSOR Kennedy

4957S.01I

SCR 52 - This resolution urges the Governor to restrict trucks from Mexico and other foreign nations from entering the State of Missouri until there is full compliance by the owners and drivers of those trucks with all highway safety, environmental and drug enforcement laws.

RON KIRCHOFF

022802 S First Read

SJR 022

SENATE SPONSOR Schneider

3215S.01I

SJR 22 - This proposed constitutional amendment would, if approved by the voters, repeal current legislative term limits and impose limits of 12 consecutive years in either house of the General Assembly. This act would also impose legislative leadership term limits. Time served after January 5, 1994, shall be counted. Service to complete the term of another person shall not be counted. The proposal shall be submitted to voters at the April, 2002, municipal election.

This resolution is similar to SJR 1 (2001) as perfected.
DONALD THALHUBER

120101 Prefiled

010902 S First Read

S56

011702 Second Read and Referred S Judiciary Committee

S113

021202 Hearing Conducted S Judiciary Committee

EFFECTIVE : Contingent

SJR 023

SENATE SPONSOR Singleton

3083S.02I

SJR 23 - This proposed constitutional amendment provides that upon voter approval, the candidate of each party for Governor and Lieutenant Governor shall be nominated and elected jointly. The two candidates shall be the party's joint candidates at the general election, and the official ballot shall show them as joint candidates.

DONALD THALHUBER

120101 Prefiled

010902 S First Read

S56

012102 Second Read and Referred S Rules, Joint Rules,
Resolutions & Ethics Committee

S125

012402 Hearing Conducted S Rules, Joint Rules, Resolutions
& Ethics Committee

013102 Voted Do Pass S Rules, Joint Rules, Resolutions &
Ethics Committee

013102 Reported From S Rules, Joint Rules, Resolutions &
Ethics Committee to Floor

S189

020602 SS S offered (Singleton)

(3083S.03F)

S220

020602 SA 1 to SS S offered (DePasco)	S220
020602 SSA 1 for SA 1 to SS S offered (DePasco)	S220
020602 Bill Placed on Informal Calendar	S220
030402 S Informal Calendar S Bills for Perfection	

EFFECTIVE : Contingent

SJR 024

SENATE SPONSOR Johnson

2583S.01I

SJR 24 - This constitutional amendment, if approved by voters, excludes service resulting from elections to finish partial terms and elections held prior to December 3, 1992, from the calculation of term limits for members of the General Assembly.

Currently, members are limited to serving eight years in any one chamber of the General Assembly, but service resulting from an election prior to November 3, 1992 is not counted.

This act is identical to SJR 4 (2001).
DONALD THALHUBER

120101 Prefiled	
010902 S First Read	S56
012102 Second Read and Referred S Judiciary Committee	S125
021202 Hearing Conducted S Judiciary Committee	

EFFECTIVE : Contingent

SJR 025

SJR 25

SENATE SPONSOR Klarich

3145S.02I

SJR 25 - This proposed constitutional amendment, if approved by the voters, would remove the current authorization for political subdivisions to use an inflationary growth factor to calculate the increase in assessed valuation of property in revising its tax levy. The amendment would also require that the St. Louis County Assessor be an elected official beginning in 2004.

JEFF CRAVER

120101 Prefiled	
010902 S First Read	S56
012102 Second Read and Referred S Ways & Means Committee	S125
012202 Hearing Conducted S Ways & Means Committee	
020502 Voted Do Pass S Ways & Means Committee	

EFFECTIVE : Contingent

SJR 026

SENATE SPONSOR Klarich

3078S.01I

SJR 26 - This resolution, if approved by the voters, would modify the Constitution to allow the General Assembly to provide not less than 5% of the state revenue funds to the State Road Fund whenever the State Road Fund is insufficient to construct and maintain the highway system.
STEPHEN WITTE

120101 Prefiled
010902 S First Read S56
012102 Second Read and Referred S Ways & Means Committee S125
021902 Hearing Conducted S Ways & Means Committee

EFFECTIVE : Contingent

SJR 027

SENATE SPONSOR Yeckel

3042S.01I

SJR 27 - This proposed constitutional amendment, if approved by the voters, provides that school bond issues may be approved by simple majority vote at all election dates. Currently, school bond issues must obtain a four-sevenths majority for approval at municipal, primary and general elections and a two-thirds majority for all other elections.

This act is identical to SJR 11 (2001).
DONALD THALHUBER

120101 Prefiled
010902 S First Read S56
012102 Second Read and Referred S Education Committee S125
021302 Hearing Conducted S Education Committee

EFFECTIVE : Contingent

SJR 028

SENATE SPONSOR Bland

2905S.01I

SJR 28 - This act, if approved by the voters, would ratify the Equal Rights Amendment to the United States Constitution.

This act is identical to SJR 7 (2001).
CINDY KADLEC

120101 Prefiled
010902 S First Read S56

03/01/02

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012102 Second Read and Referred S Judiciary Committee S125

EFFECTIVE : Contingent

SJR 029

SENATE SPONSOR Gross

SJR 29 - Joint Resolution withdrawn.

120101 Prefiled

121001 Bill Withdrawn

EFFECTIVE : Contingent

SJR 030

SENATE SPONSOR Cauthorn

2352S.01I

SJR 30 - This constitutional amendment, if approved by the voters, allows a school district to provide transportation for private school pupils, provided that any such pupil, or the pupil's parent or other guardian, reimburses the district for the proportionate share of the actual operating and capital expenses incurred in providing the transportation services.

CINDY KADLEC

120101 Prefiled

010902 S First Read

S56

012102 Second Read and Referred S Education Committee

S125

022002 Hearing Conducted S Education Committee

EFFECTIVE : Contingent

SJR 031

SENATE SPONSOR Gross

3657S.01I

SJR 31 - This proposed constitutional amendment submits two separate proposals to voters regarding funds obtained by the State as a result of any legal settlement or award resulting from a final order in a dispute between the state and tobacco companies. The proposal receiving the greater majority of votes would become law.

The first proposal excludes the funds from the calculation of total state revenues, and designates that the funds are allocated to the following Accounts:

Healthy Families Trust Fund - Seniors and Catastrophic Prescription Drug Account;

Healthy Families Trust Fund - Health Care Treatment and Access Account;

Healthy Families Trust Fund - Tobacco Prevention, Education, and Cessation Account;

Healthy Families Trust Fund - Life Sciences Research Account; and

Healthy Families Trust Fund - Early Childhood Care and Education Account.

The second proposal includes the tobacco settlement proceeds in the calculation of total state revenue. Any of the moneys not subject to a refund shall be allocated to the same accounts as with the first proposal.

CINDY KADLEC

122701 Prefiled
010902 S First Read S56
012102 Second Read and Referred S Pensions & General Laws S125
Committee
013002 Hearing Cancelled S Pensions & General Laws Committee

EFFECTIVE : Voter Approval

SJR 032

SENATE SPONSOR House

3677S.01I

SJR 32 - This proposed constitutional amendment modifies the Constitution to allow gambling boat admission fees to be used for public transit purposes. There is a separate companion act which establishes a \$2 admission fee for public transit purposes and establishes the Public Transit Subaccount Fund.

STEPHEN WITTE

010902 S First Read S58
012102 Second Read and Referred S Transportation Committee S125
020502 Hearing Conducted S Transportation Committee

EFFECTIVE : Voter Approval

SJR 033

SENATE SPONSOR Loudon

4314S.01I

SJR 33 - This proposed constitutional amendment allows the Highways and Transportation Commission to conduct feasibility studies, fund, design, acquire, construct, maintain and operate toll facilities. The Commission shall fix and collect tolls for the use of all toll facilities. After the costs of paying a toll road has been paid off, the facility shall discontinue collecting

fees and the facility shall become part of the state system.

The Commission may issue toll facility revenue refunding bonds for the construction of toll roads. The bonds are to be paid off from toll fees and if necessary from the state road fund. The bonds may be sold at either public or private sale. The proceeds of the bonds shall be deposited in the appropriate toll facility fund. The resolution allows the Commission to transfer moneys from the state road fund to a toll facility fund to finance the feasibility studies if there are funds available. The moneys from the state road fund shall be repaid with interest.

The Commission may enter into contracts with other entities in order to construct the toll roads. The Commission may relocate or incorporate existing public roads for the construction of a toll facility. Revenue generated from the toll roads shall not be included as a part of total state revenue for the purposes of the Hancock Amendment.

This resolution is similar to HJR 7 (2001).
STEPHEN WITTE

020602 S First Read	S221
021102 Second Read and Referred S Transportation Committee	S248
022602 Hearing Conducted S Transportation Committee	

EFFECTIVE : Voter Approval

SJR 034

SENATE SPONSOR Gibbons

4341S.01I

SJR 34 - This constitutional amendment, if approved by the voters, would allow joint boards or commissions established by a joint contract between municipalities or political subdivisions of this state to own joint projects and to issue bonds in compliance with applicable requirements of law. The bonds shall not be an indebtedness of the state or any political subdivision. The activities of such joint boards or commissions are not subject to the jurisdiction of the Public Service Commission.
JIM ERTLE

021102 S First Read	S241
021902 Second Read and Referred S Commerce & Environment Committee	S313
030502 Hearing Scheduled S Commerce & Environment Committee	

EFFECTIVE : Voter Approval

****SJR 035****

SENATE SPONSOR Jacob

4480S.01I

SJR 35 - Subject to approval of voters at the next general election, or at a special election called by the Governor, this constitutional amendment repeals legislative term limits.
ERIC ROSENKOETTER

021102 S First Read S241
021902 Second Read and Referred S Judiciary Committee S313

EFFECTIVE : Voter Approval

****SJR 036****

SENATE SPONSOR Jacob

4687S.02I

SJR 36 - This proposed constitutional amendment creates the "Revenue Stabilization Fund" which will be used to receive excess funds during a given fiscal year. The fund shall hold the money in lieu of the excess being distributed pro rata to taxpayers. In years of a fiscal shortfall, the General Assembly may make use of the revenue in the fund as necessary.
JEFF CRAVER

021902 S First Read S306
022702 Second Read and Referred S Ways & Means Committee S387

EFFECTIVE : Voter Approval

****SJR 037****

SENATE SPONSOR Klindt

4777S.01I

SJR 37 - This proposed constitutional amendment allows the Highways and Transportation Commission to conduct feasibility studies, fund, design, acquire, construct, maintain and operate toll facilities.

The Commission shall fix and collect tolls for the use of all toll facilities. After the costs of paying a toll road has been paid off, the facility shall discontinue collecting fees and the facility shall become part of the state system.

The Commission may issue toll facility revenue refunding bonds for the construction of toll roads. The bonds are to be paid off from toll fees and if necessary from the state road fund. The bonds may be sold at either public or private sale. The proceeds of the bonds shall be deposited in the appropriate toll facility fund. The resolution allows the Commission to transfer moneys from the state road fund to a toll facility fund

to finance the feasibility studies if there are funds available. The moneys from the state road fund shall be repaid with interest.

The Commission may enter into contracts with other entities in order to construct the toll roads. To obtain authorization from the General Assembly for any proposed toll facility, other than on interstate highway, the Commission must submit a plan describing the location of the proposed toll facility along with a feasibility study. The plan will become effective no later than 45 calendar days after the plan is submitted to the General Assembly, unless the General Assembly disapproves it by a concurrent resolution. If no concurrent resolution is introduced within 14 calendar days of the submission of the plan, the plan shall become effective immediately.

The Commission may relocate or incorporate existing public roads for the construction of a toll facility. Revenue generated from the toll roads shall not be included as a part of total state revenue for the purposes of the Hancock Amendment.

This resolution is similar to SJR 33 (2002) and HJR 7 (2001).
STEPHEN WITTE

022002 S First Read S324
022702 Second Read and Referred S Transportation Committee S387

EFFECTIVE : Voter Approval

SJR 038

SENATE SPONSOR Cauthorn

3393S.01I

SJR 38 - This proposed constitutional amendment, if approved by the voters, requires the question of whether to continue to impose the Conservation sales tax to be resubmitted to the voters every four years beginning at the general election in 2006. The proposal shall be submitted to voters at the November, 2002, General Election.

CINDY KADLEC

022502 S First Read S345-346

EFFECTIVE : Voter Approval

SJR 039

SENATE SPONSOR Gross

3671S.01I

SJR 39 - This act amends the constitution to extend an exemption from property taxation to all property owned by veterans' organizations.

JEFF CRAVER

022702 S First Read

S383

EFFECTIVE : Voter Approval

SJR 040

SENATE SPONSOR Westfall

4936S.01I

SJR 40 - This proposed constitutional amendment modifies Article IV of the Missouri Constitution. The resolution raises the motor fuel tax by 5 cents beginning January 1, 2003. The motor fuel tax increase will terminate on December 31, 2012, unless the people vote for its continuation in a future election.

The resolution modifies the cost of collecting the fuel tax by limiting the amount of the deduction for costs to 3% of the amount collected after June 1, 2003.

The resolution modifies the language of subsection 5 of Section 30(a) regarding Hancock limitations by stating that the net fuel proceeds to counties and cities will not be considered an "expense of state government".

The costs for collecting highway user fees is limited to 3% of the tax or fee collected beginning June 30, 2003. The resolution phases out the amount of highway user fees that can be used to pay the costs of the Highway Patrol. After June 30, 2007, no amount shall be appropriated from highway user fees and taxes for administering and enforcing state motor vehicle laws. The costs of maintaining the highway related activities of the MoDOT (workers' comp and retirement) is not deducted before the user fees and taxes are deposited in the Road Fund. Instead, these costs are treated as an expense of the Road Fund.

The distribution formula of the motor vehicle sales tax is altered. The state road fund will receive an additional one percent (from 74% to 75%) by eliminating the 1% the state transportation fund currently receives from the sales tax on motor vehicles.

Beginning July 1, 2003, the current 50% of the sales tax on motor vehicles which currently goes to general revenue is deposited in the State Highway Patrol Fund to pay for their expenses. The amounts the fund receives is phased in over time. After June 30, 2007, the fund will receive all the proceeds. The

fund shall only be used for state highway patrol purposes. The fund is subject to the appropriation process of the General Assembly.

The motor vehicle sales tax allocated to this provision shall not include the Conservation taxes nor the Proposition C tax.

Beginning January 1, 2003, this resolution imposes a 5/8 sales and use tax. The tax imposed by this provision shall be effective without action of the General Assembly.

The additional 5/8 sales tax is distributed as follows:

1. 80% to the State Road Fund (stands appropriated without legislative action); and
2. 20% to the State Transportation Fund (created in Section 30(c)).

The sales tax expires on December 31, 2012, unless renewed by the voters. The sales tax shall not be included within the definition of "total state revenues" nor in "expense of state government". The resolution sets forth the ballot language that must be submitted to the voters for their approval.

The state transportation fund will receive 20% of the one-half portion of the motor vehicle sales tax and any other appropriations. The fund will be used for non-highway purposes. The monies in the fund stand without appropriation.
STEPHEN WITTE

022802 S First Read

EFFECTIVE : Voter Approval

SR 0863

SENATE SPONSOR Kenney

SR 863 - Temporary Senate Rules

010902 S First Read	S2
010902 SA 1 S offered & defeated (Jacob)	S2
010902 S adopted	S2

SR 0864

SENATE SPONSOR Kenney

SR 864 - Senate Duly Convened

010902 S First Read S4
010902 S Adopted S4

SR 0865

SENATE SPONSOR Staples

3777S.02I

SR 865 - Relating to Senate Chamber

010902 S First Read S4
010902 Referred S Rules, Joint Rules, Resolutions & Ethics S4
Committee
012402 Hearing Conducted S Rules, Joint Rules, Resolutions
and Ethics Committee

SR 0877

SENATE SPONSOR Kenney

SR 877 - Temporary Senate Rules

011002 S First Read
011002 S adopted

SR 0879

SENATE SPONSOR Jacob

SR 0879 - Notice of proposed rule change - Rule 97

011002 S First Read S65-68
011602 S defeated S101-102

SR 0881

SENATE SPONSOR Schneider

SR 881 - Notice of proposed rule change - Rule 97

011002 S First Read	S68-69
011602 SS S offered (Schneider)	S101
011602 SA 1 to SS S offered (Jacob)	S101
011602 SSA 1 for SA 1 to SS S offered & adopted (Schneider)	S101
011602 SS, as amended, S adopted	S101
011602 S adopted	S101

SR 0908

SENATE SPONSOR Steelman

3842S.01I

SR 908 - Proposed Rule Change - Rule 93

011602 S First Read	S99
012202 S adopted	S130

SR 0913

SENATE SPONSOR Kenney

SR 913 - Employee Resolution

011702 S First Read	S107-108
012102 S adopted	S123

SR 0951

SENATE SPONSOR Rohrbach

SR 951 - Use of the Senate Chamber.

012102 S First Read	S121
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SR 0969

SENATE SPONSOR Sims

3664L.01i

SR 969 - Use of the Senate Chamber by the Heart of Missouri
Girl Scout Council.

012402 S First Read

SR 0978

SENATE SPONSOR Rohrbach

4365L.01I

SR 978 - Use of Senate Chamber by the Jefferson City
Rotary Club - March 25, 2002.

012902 S First Read

S163-164

012902 S adopted

S163-164

SR 1023

SENATE SPONSOR Caskey

SR 1023 - This resolution calls on the Senate Rules, Joint
Rules, Resolutions and Ethics Committee to investigate
allegations of possible conflicts of interest.
RON KIRCHOFF

021102 S First Read

S238-239

021102 Motion to adopt resolution

S239

021102 Sub Motion to refer to S Rules, Joint Rules,
Resolutions & Ethics Committee - Adopted

S239

021102 Referred S Rules, Joint Rules, Resolutions & Ethics
Committee

S239

021402 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

SR 1026

SENATE SPONSOR Jacob

4671S.01I

SR 1026 - This resolution proposes a Senate rule change
regarding parliamentary procedure.
RON KIRCHOFF

021202 S First Read

S252-253

021302 SA 1 S offered (Schneider)	S272-273
021302 Placed on Resolutions Calendar	S273
021302 S Resolution taken up	S276
021302 Placed on Resolutions Calendar	S276
030402 S Resolutions Calendar	

SR 1028

SENATE SPONSOR Schneider

4689S.01I

SR 1028 - This resolution proposes a Senate rule change regarding the granting of advice and consent of the Senate to gubernatorial appointments.
RON KIRCHOFF

021202 S First Read	S256-257
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SR 1054

SENATE SPONSOR Singleton

4711S.02I

SR 1054 - This resolution proposes a Senate rule change regarding the duties of the Senate Budget Control Committee.
RON KIRCHOFF

021302 S First Read	S278
021402 Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S288
022102 Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	
022102 Voted Do Pass S Rules, Joint Rules, Resolutions & Ethics Committee	
022102 Reported From S Rules, Joint Rules, Resolutions & Ethics Committee to Floor	S334
022602 Motion to adopt resolution withdrawn	S369
030402 S Resolutions Calendar	

SR 1058

SENATE SPONSOR Rohrbach

0004SR.01

SR 1058 - This resolution authorizes the use of the Senate Chamber by the Silver Haired Legislature.
RON KIRCHOFF

021402 S First Read	S283-284
021402 S adopted	S283

SR 1109

SENATE SPONSOR Caskey

4894S.01I

SR 1109 - This resolution urges Congress to instruct the Department of Education to fully fund literacy programs as provided by "Reading First" legislation.
RON KIRCHOFF

022502 S First Read S343-344
022502 Referred S Rules, Joint Rules, Resolutions & Ethics S343
Committee
022802 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

SR 1122

SENATE SPONSOR Klindt

4911S.02I

SR 1122 - This resolution urges the federal government not to adopt any proposal that would negatively impact beneficial uses of the lower Missouri and Mississippi Rivers.
RON KIRCHOFF

022702 S First Read S399-400
022802 Referred S Rules, Joint Rules, Resolutions & Ethics S399
Committee

SR 1123

SENATE SPONSOR Jacob

SR 1123 - This resolution allows the use of the Senate chamber by the Missouri Girls State on June 25, 2002.
RON KIRCHOFF

022702 S First Read S400

MISSOURI SENATE

BILL STATUS

HOUSE BILLS

****HB 1037****SCS HS HCS HBs 1037, et al
SENATE HANDLER Klarich

HOUSE SPONSOR Monaco

2842S.07C

SCS/HS/HCS/HBs 1037, 1188, 1074 & 1271 - This act removes the statute of limitations for the crimes of forcible rape and forcible sodomy so that a prosecution may be commenced at any time when a suspect is apprehended.

This act contains an emergency clause.
JIM ERTLE

120301 Prefiled (H)
010902 Read first time (H) H14
011002 Read second time (H) H38
011002 Referred: Judiciary (H) H39
012202 Public Hearing Held (H)
012302 Executive Session Held (H)
012302 HCS Reported Do Pass (H) H121
012802 House Substitute offered (H)
012802 HS adopted in House (H)
012802 Perfected (H)
012902 Reported perfected & printed (H)
012902 Third read and passed (H)
012902 S First Read S165
013102 Second Read and Referred S Judiciary Committee S193
020502 Hearing Conducted S Judiciary Committee
021902 SCS Voted Do Pass (SCS HS HCS HBs 1037, et al)
S Judiciary Committee (2842S.07C)
022002 Reported From S Judiciary Committee to Floor w/SCS S325
022602 SCS S adopted S367
022602 S Third Read and Passed - EC adopted S367
022702 H Refused to concur in SCS /S385
022702 H Requested S recede or grant conference /S385
022802 S Refused to recede & granted conference
022802 S Conferees Appointed
Klarich, Singleton, Schneider, Caskey & Klindt
022802 H Conferees Appointed
Hosmer, Monaco, Clayton, Crowell & Richardson
030402 In Conference

EFFECTIVE : Contingent

****HB 1134****

HCS HBS 1134, 1100 & 1559

HOUSE SPONSOR Relford

2694L.02P

HCS/HBs 1134, 1100 & 1559 - This act creates a cost-share incentive program to promote sustainable forestry practices on tracts of at least 40 acres for up to 50% of the costs of the forest management activities, such as protecting water quality, ensuring efficient use and availability of forest resources. This program is limited to \$5,000 per year for each individual enrolled in the program. Lands designated as forest croplands are

not eligible.

The act also makes it a Class A misdemeanor to knowingly release swine to live in a wild state, public or unfenced private land. Hogs not conspicuously identified by ear tags may be killed without liability on public lands or on private lands with the permission of the landowner.

This act also requires anyone convicted of illegally taking or possessing an antlered deer to remit to the Conservation Commission an amount ranging from \$1,500 to \$7,500, depending on the deer's Boone & Crockett score. Resident landowners on their own property and individuals guilty of minor tagging or checking violations are exempt. The commission may allocate up to 25% of the funds for grants that promote anti-poaching activities. Courts are required to notify the commission if anyone fails to appear at a hearing or pay a fine for taking wildlife illegally. The commission may consider this information in permit suspension, revocation, or denial actions.

SARAH MORROW

120401	Prefiled (H)	
010902	Read first time (H)	H18
011002	Read second time (H)	H38
012402	Referred: Conservation, State Parks, and Mining	H127
020502	Public Hearing Held (H)	
020502	Executive Session Held (H)	
020602	HCS Reported Do Pass (H)	H206
021102	HCS adopted in House (H)	H239
021102	Perfected (H)	H239
021202	Reported perfected and printed (H)	H252
021302	Third read and passed (H)	H267-268
021302	S First Read	S277

HB 1150

HCS HBs 1150, 1237 & 1327

HOUSE SPONSOR Bray

2610L.03P

HCS/HBs 1150, 1237 & 1327 - This act authorizes the Department of Revenue and the Administrative Hearing Commission to negotiate the tax liability of a taxpayer with the taxpayer or agent thereof in certain situations.

A tax amnesty program is authorized by the act for penalties, additions to tax, and interest on delinquencies which occurred prior to December 31, 2001. To be eligible for the program, a taxpayer must submit and pay all unpaid taxes due between August 1, 2002, and September 30, 2002. All new revenues resulting from the tax amnesty program will be deposited in the State School Moneys Fund, unless otherwise earmarked by the Missouri Constitution, or unless they are revenues not belonging to the state. The tax amnesty program is subject to an emergency clause.

JEFF CRAVER

120601	Prefiled (H)	
010902	Read first time (H)	H19
011002	Read second time (H)	H38
011002	Referred: Ways and Means (H)	H40
012202	Public Hearing Held (H)	
020502	Executive Session Held (H)	
020602	HCS Reported Do Pass (H)	H208
021202	HCS adopted in House (H)	H257
021202	Perfected with amendments (H)	H252
021302	Reported perfected and printed (H)	H267
021402	Referred: Fiscal Review and Government Reform	H285
022002	Public Hearing Held (H)	
022502	Executive Session Held (H)	
022502	Reported Do Pass (H)	H357
022802	Third read and Passed - EC defeated (H)	
022802	S First Read - EC defeated	

EFFECTIVE : Varies

HB 1151

HOUSE SPONSOR Smith (011)

3300L.01P

HB 1151 - This act corrects an error in an intersectional reference concerning the administration of trusts that was enacted in a bill in 2001.

JIM ERTLE

120601	Prefiled (H)	
010902	Read first time (H)	H19
011002	Read second time (H)	H38
011002	Referred: Civil and Administrative Law (H)	H40
012302	Public Hearing Held (H)	
013002	Executive Session Held (H)	
013102	Reported Do Pass by Consent (H)	H176
021102	Perfected by Consent (H)	H240
021102	Reported perfected and printed (H)	H240
021202	H Third Read and Passed	H257-258
021202	S First Read	S266-267

HB 1154

HOUSE SPONSOR Smith (011)

3278L.02P

HB 1154 - This act requires the juvenile court, in cases involving juvenile misconduct, when determining the care, guidance, and control necessary for the child, to consider the safety of the community, accountability for crimes committed, and the development of skills necessary to make the child a productive member of society.

SARAH MORROW

120601	Prefiled (H)	
010902	Read first time (H)	H19
011002	Read second time (H)	H38
011002	Referred: Civil and Administrative Law (H)	H40
012302	Public Hearing Held (H)	
013002	Executive Session Held (H)	
013102	HCS Reported Do Pass (H)	H176
020502	HCS adopted in House (H)	H196
020502	Perfectred (H)	H196
020602	Reported perfected and printed (H)	H204
020702	Third read and passed (H)	H216-217
020702	S First Read	S231

HB 1192

HOUSE SPONSOR Harding

3087L.01P

HB 1192 - This act expands the definition of "project" in the law relating to industrial development corporations to include child or adult day care facilities operated by not-for-profit organizations.

JIM ERTLE

121101	Prefiled (H)	
010902	Read first time (H)	H21
011002	Read second time (H)	H38
011002	Referred: Children, Families, and Health	H41
011702	Public Hearing Held (H)	
012402	Executive Session Held (H)	
012402	Reported Do Pass by Consent (H)	H129
020602	Perfectred by Consent (H)	H206
020602	Reported perfected and printed (H)	H206
020702	Third read and passed (H)	H222-223
020702	S First Read	S232

HB 1338

HOUSE SPONSOR Relford

3349L.01P

HB 1338 - This act makes several changes to the process by which disciplinary action may be imposed on the holder of a certificate of license to teach or when teachers' licenses may be denied. The act adds new reasons for denial of a license or for discretionary revocation including:

- (1) Deception in obtaining a license;
- (2) Disciplinary action on an existing license from another jurisdiction;

The act adds furnishing child pornography to a minor to the

list of offenses that require license revocation.

The act clarifies that the State Board of Education as well as the school district may file certain licensure charges, that cases may be settled informally by agreements or voluntary surrender of license, and that licensure decisions are subject to judicial review. The State Board of Education may refuse to issue or renew a license or may suspend or revoke a license of a person who has surrendered his or her license or has failed to renew it, for any of the grounds mentioned in this act.

DONALD THALHUBER

122701	Prefiled (H)	
010902	Read first time (H)	H30
011002	Read second time (H)	H38
011502	Referred: Education-Elementary and Secondary (H)	H65
011702	Public Hearing Held (H)	
012102	Executive Session Held (H)	
012102	Reported Do Pass (H)	H92
012402	Perfected (H)	H127
012802	Reported perfected and printed (H)	H139
012802	Third Read and Passed (H)	H139-140
012902	S First Read	S165

HB 1342

HOUSE SPONSOR Farnen

2912L.02P

HB 1342 - This act provides that no election will be held for party committeeman or committeeman if only one candidate for committeeman or committeewoman in a district files prior to the deadline.

This act contains an emergency clause.
JIM ERTL

122801	Prefiled (H)	
010902	Read first time (H)	H30
011002	Read second time (H)	H38
012402	Referred: Elections (H)	H128
020502	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	Reported Do Pass by Consent (H)	H268
022502	Perfected by Consent (H)	
022502	Reported perfected and printed (H)	
022602	Third read and passed - EC adopted (H)	
022602	S First Read w/EC	S369

EFFECTIVE : Emergency Clause

****HB 1348****

HOUSE SPONSOR Myers

2818L.01P

HB 1348 - This act extends the time period for voters to vote to continue their assessments related to boll weevil suppression or eradication from at least once every five years to at least once every ten years.

SARAH MORROW

010201	Prefiled (H)	
010902	Read first time (H)	H30
011002	Read second time (H)	H38
012402	Referred: Agriculture (H)	H128
013002	Public Hearing Held (H)	
020602	Executive Session Held (H)	
021202	Reported Do Pass by Consent (H)	H259
022502	Perfectured by Consent (H)	
022502	Reported perfectured and printed (H)	
022702	Third read and passed (H)	
022702	S First Read	S399

EFFECTIVE : August 28, 2002

****HB 1375****

HOUSE SPONSOR Luetkenhaus

3254L.01P

HB 1375 - This act increases the limit on the amount of mortgage insurance that can be issued on real estate from 100% to 103% of the fair market value of the real estate.

This act is similar to SB 729 (2002).
STEPHEN WITTE

010302	Prefiled (H)	
010902	Read first time (H)	H32
011002	Read second time (H)	H38
012402	Referred: Insurance (H)	H128
020502	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	Reported Do Pass by Consent (H)	H272
022502	Perfectured by Consent (H)	
022502	Reported perfectured and printed (H)	
022702	Third read and passed (H)	
022702	S First Read	H399

EFFECTIVE : August 28, 2002

****HB 1381****

HOUSE SPONSOR Luetkenhaus

3559L.01P

HB 1381 - This act allows insurance companies to provide their policies in a language other than English, as long as an English version is also included. The English version will control in the event of a dispute regarding the translation.

This act is similar to SB 656 (2001).
STEPHEN WITTE

010402	Prefiled (H)	
010902	Read first time (H)	H32
011002	Read second time (H)	H38
012402	Referred: Insurance (H)	H129
020502	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	Reported Do Pass by Consent (H)	H272
022502	Perfected by Consent (H)	
022502	Reported perfected and printed (H)	
022602	Third read and passed (H)	
022602	S First Read	S369

EFFECTIVE : August 28, 2002

****HB 1386****

HCS HBs 1386 & 1038

SENATE HANDLER Yeckel

HOUSE SPONSOR O'Connor

3338L.02T

HCS/HBs 1386 & 1038 - This act permits the use of sun screening material with a light transmission of 35% or more, plus or minus 3%, and a luminous reflectance of 35% or less, plus or minus 3%, on front windows and sidewing vents located to the left and right of motor vehicles registered in Missouri. The Department of Public Safety may issue a permit to any person to operate a vehicle with sun screening with less light transmission and more luminous reflectance if the person has a serious medical condition and the sun screening is prescribed by a physician. The permit allows the operation of the motor vehicle by any titleholder or relative within the second degree of consanguinity who resides in the household.

The act does not prohibit the use of labels, stickers, decalcomania, or informational signs on motor vehicles; the application of tinting or solar screening material on recreational vehicles; or factory-installed tinted glass. This act also removes any restrictions on tinting of rear side windows and rear windows. The degree of sun tinting on vehicle windows will no longer be a part of motor vehicle inspections.

The act has an emergency clause.

This act is similar to SCS/SBs 727 & 703 (2002).
STEPHEN WITTE

010702	Prefiled (H)	
010902	First Read (H)	H32
011002	Read second time (H)	H38
011002	Referred H Motor Vehicle & Traffic Regulations (H)	H41
011002	Public Hearing Held (H)	
011002	Executive Session Held (H)	
011002	HCS Voted Do Pass (H)	
011002	HCS Reported Do Pass (H)	H65
011002	HCS adopted in House (H)	H65
011502	Perfected with amendments (H)	H65
011602	Reported Perfected and printed (H)	H73
011602	Third read and passed - EC adopted (H)	H73-74
011602	S First Read (w/EC)	S103
012202	Second Read and Referred S Transportation Committee	S130
012902	Hearing Conducted S Transportation Committee	
013002	Voted Do Pass S Transportation Committee	
013102	Reported From S Transportation Committee to Floor	S192
020602	S Third Read and Passed - EC adopted	S219
020602	Truly Agreed to and Finally Passed (w/EC)	H210
020702	Bill Typed as Truly Agreed to	H216
020702	Signed by House Speaker	H216
020702	Signed by Senate President	S229
020702	Delivered to Governor (w/EC)	H216
021402	Signed by Governor (w/EC)	H293

****HB 1398****
HCS HB 1398

HOUSE SPONSOR Ward

3700L.04P

HCS/HB 1398 - This act permits veterans who were residents of Missouri at the time of their death to participate in the World War II medallion program. This act also alters the ending date for active service from September 30, 1945, to December 31, 1946, and changes the deadline for filing applications for World War II medals from January 1, 2002, to July 1, 2003.

This act grants spouses of eligible, deceased veterans the privilege of applying medals.

The act contains an emergency clause.
DONALD THALHUBER

010902	Introduced and read first time (H)	H33
011002	Read second time (H)	H38
012402	Referred: Public Safety, Law Enforcement and Veteran	H129
020502	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	HCS Reported Do Pass (H)	H274
021802	HCS adopted in House (H)	H300
021802	Perfected (H)	H300
021902	Reported perfected and printed (H)	H310
021902	Referred: Fiscal Review and Government Reform	H312
022502	Public Hearing Held (H)	

022502 Executive Session Held (H)
 022502 Reported Do Pass (H) H357
 022802 Third read and passed - EC adopted (H)
 030102 S First Read (w/EC)

EFFECTIVE : August 28, 2002

HB 1399
 HS HB 1399

HOUSE SPONSOR Ransdall

3635L.02P

HS/HB 1399 - This act changes the deadline for filing applications for World War II medals from January 1, 2002, to July 1, 2003.
 DONALD THALHUBER

010902 Introduced and read first time (H) H33
 011002 Read second time (H) H38
 011402 Referred: Public Safety, Law Enforcement and Veteran H50
 012202 Public Hearing Held (H)
 012202 Executive Session Held (H)
 012202 Reported Do Pass (H) H100
 012402 House Substitute offered (H) H127
 012402 HS adopted in House (H) H127
 012402 Perfected (H) H127
 012402 Reported perfected and printed (H) H127
 012402 Referred: Fiscal Review and Government Reform H127
 013102 Public Hearing Held (H)
 013102 Executive Session Held (H)
 012402 Reported Do Pass (H) H172
 013102 Third read and passed - EC adopted (H) H172-173
 013102 S First Read (w/EC) S194

 HB 1421

HOUSE SPONSOR McKenna

3557L.01P

HB 1421 - This act excludes capital appropriations to community college districts from the maintenance and repair appropriation. The act also provides that appropriations for operating purposes to community college districts are also exclusive of capital appropriations.
 CINDY KADLEC

011002 Introduced and read first time (H) H42
 011402 Read second time (H) H49
 013102 Referred: Miscellaneous Bills and Resolutions (H) H174
 021302 Public Hearing Held (H)
 021302 Executive Session Held (H)
 021302 Reported Do Pass by Consent (H) H274
 022502 Perfected by Consent (H)
 022502 Reported perfected and printed (H)

022602 Third read and passed (H)
022602 S First Read

S369

EFFECTIVE : August 28, 2002

HB 1425
HCS HB 1425

HOUSE SPONSOR Smith (011)

3810L.02P

HCS/HB 1425 - This act prohibits the disclosure of non-public health information. A new Section 191.890 is created to define terms such as "federal privacy rules", "health information", and "nonpublic personal health information".

This act prohibits the disclosure of personal health information for the following purposes:

- for profit;
- for marketing of goods or services;
- to aid in an employment decision;
- for decisions regarding a persons' credit;
- to deliberately or maliciously cause harm to the person to whom the information pertains.

Any person who knowingly violates the provisions of this section will be charged an administrative penalty of up to \$500 and may be civilly liable. The Director of the Department of Insurance shall enforce this act.

Licensees (insurance companies) complying with HIPAA privacy rules will be deemed in compliance with this act. Until April 14, 2003, non-licensees subject to federal law will be in compliance with this act upon a showing of good faith. Personal health information, however, may not be disclosed for marketing purposes even if compliance is established. Licensees complying with the model regulation, "Privacy of Consumer Financial and Health Information Regulation", will also be deemed in compliance.

This act does not apply to information disclosed in for the following purposes:

- if prior written consent is given;
- if disclosure is pursuant to state or federal law;
- for consumer reporting purposes;
- in connection with the transfer of a business, operating unit, or loans if the disclosure is not the primary reason for the transfer.

This act is identical to SB 1171 (2002).
ERIN MOTLEY

011002 Introduced and read first time (H)	H43
011402 Read second time (H)	H49
013102 Referred: Civil and Administrative Law (H)	H174
020602 Public Hearing Held (H)	
021302 Executive Session Held (H)	

021402 HCS Reported Do Pass (H)	H288
021902 HCS adopted in House (H)	H311
021902 Perfected with amendments (H)	H310
022002 Reported perfected and printed (H)	H322
022102 H Third read and passed (H)	H333-334
022102 S First Read	S337

EFFECTIVE : August 28, 2002

HB 1432

HOUSE SPONSOR Foley

3532L.01P

HB 1432 - The act provides new definitions regarding emergency communications. Counties may establish an emergency communications commission composed of seven members. Such counties may levy an additional property tax or sales tax, upon voter approval in order to operate the system. All moneys collected must be deposited in the Emergency Communications System Fund. Obligations by the county may be paid out of the fund or by the issuance of bonds.

This act is similar to SB 795 (2002).
JIM ERTLE

011002 Introduced and read first time (H)	H43
011402 Read second time (H)	H49
013102 Referred: Miscellaneous Bills and Resolutions (H)	H174
021302 Public Hearing Held (H)	
021302 Executive Session Held (H)	
021902 Reported Do Pass (H)	H313
022102 Perfected (H)	H339
022502 Reported perfected and printed (H)	H356
022802 Third read and passed (H)	
030102 S First Read	

EFFECTIVE : August 28, 2002

HB 1451
HCS HB 1451

HOUSE SPONSOR Kreider

2736L.04P

HCS/HB 1451 - This act adds the Speaker of the House of Representatives and the President Pro Tempore of the Senate or their designees to the Missouri Board of Public Buildings. The Board currently consists of the Governor, Lt. Governor and Attorney General.

The Missouri Board of Public Buildings has general supervision of state owned public property located in Jefferson City.
CINDY KADLEC

011402	Introduced and read first time (H)	H51
011502	Read second time (H)	H57
013102	Referred: Miscellaneous Bills and Resolutions (H)	H175
021302	Public Hearing Held (H)	
021302	Executive Session Held (H)	
021302	HCS Reported Do Pass (H)	H274
021802	HCS adopted in House (H)	H300
021802	Perfected (H)	H300
021902	Reported perfected and printed (H)	H310
022002	Third read and passed (H)	H323
022002	S First Read	S325

EFFECTIVE : August 28, 2002

HB 1492

HOUSE SPONSOR Seigfreid

3793L.01P

HB 1492 - Current law provides that a continuing committee must file required disclosure reports no later than the seventh day before an election. This act changes the filing date to no later than the eighth day before an election. When no disclosure reports are required, a committee treasurer must file a statement indicating that the committee has not exceeded thresholds for that reporting period.

The act changes the aggregate amount that may be contributed by one person from \$250 to \$275 before certain campaign finance disclosure reports must be filed.

JIM ERTLE

011602	Introduced and read first time (H)	H76
011702	Read second time (H)	H81
013102	Referred: Elections (H)	H175
021202	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	Reported Do Pass by Consent (H)	H269
022502	Perfected by Consent (H)	
022502	Reported perfected and printed (H)	
022602	Third read and passed (H)	
022602	S First Read	S369

EFFECTIVE : August 28, 2002

HB 1495

HOUSE SPONSOR Seigfreid

3794L.01P

HB 1495 - This act provides that a candidate filing an exemption statement from certain campaign finance disclosure requirements must include in the statement that no contribution from a single contributor exceeds \$275. Currently, the amount is \$250.

Candidates for certain judicial positions no longer must file exemption statements from campaign finance disclosure requirements. Under current law, no nonpartisan candidate needed to file such exemption statements.

JIM ERTL

011602	Introduced and read first time (H)	H76
011702	Read second time (H)	H81
013102	Referred: Elections (H)	H175
021202	Public Hearing Held (H)	
021202	Executive Session Held (H)	
021302	Reported Do Pass by Consent (H)	H269
022502	Perfectured by Consent (H)	
022502	Reported perfected and printed (H)	
022702	Third read and passed (H)	
022702	S First Read	S399

EFFECTIVE : August 28, 2002

HB 1498
HS HB 1498

HOUSE SPONSOR Johnson

3976L.03P

HS/HB 1498 - This act makes sexual contact with a resident of a skilled nursing facility or Alzheimer facility a class B misdemeanor. Second and subsequent violations are class A misdemeanors. Sexual intercourse or deviant sexual intercourse with residence of a skilled nursing facility or an Alzheimer facility is a class D felony. Second and subsequent violations are a class C felony. Consent is not a defense for either sexual misconduct or sexual intercourse.

This act prohibits the act of bestiality. A person committing an act of bestiality is guilty of a class D felony. If a person commits the act of bestiality in the presence of a minor or causes any animal serious injury shall be guilty of a class C felony. In addition to the penalty, the defendant may be prohibited from harboring animals, may be required to relinquish and forfeit all animals to an animal shelter or humane society and may undergo psychological evaluation and counseling.

This act also creates the crime of sexual conduct with an inmate. This prohibits employees of a jail, prison or correctional facility from engaging in sexual intercourse or deviate sexual intercourse with an inmate. Sexual conduct with an inmate is a class D felony. Consent of the victim is not a defense.

SARAH MORROW

011602	Introduced and read first time (H)	H76
011702	Read second time (H)	H81
011702	Referred: Criminal Law (H)	H83
013002	Public Hearing Held (H)	
021102	Executive Session Held (H)	

021302	Reported Do Pass (H)	H268
022002	House Substitute offered (H)	H322
022002	HS adopted in House (H)	H322
022002	Perfected with amendments (H)	H322
022102	Reported perfected and printed (H)	H333
022802	Third read and passed (H)	
030102	S First Read	

EFFECTIVE : August 28, 2002

HB 1519

HOUSE SPONSOR Boucher

3715L.01P

HB 1519 - This act designates April 19 as "Patriots Day" to commemorate the beginning of the American Revolution.

CINDY KADLEC

011702	Introduced and read first time (H)	H85
012102	Read second time (H)	H92
012402	Referred: Public Safety, Law Enforcement and Veteran	H129
012902	Public Hearing Held (H)	
012902	Executive Session Held (H)	
012902	Reported Do Pass by Consent (H)	H152
020602	Perfected by Consent (H)	H206
020602	Reported perfected and printed (H)	H206
020702	Third read and passed (H)	H221-222
020702	S First Read	S232

EFFECTIVE : August 28, 2002

HB 1634

HOUSE SPONSOR Hoppe

4105.01P

HB 1634 - This act allows land trusts in Jackson, St. Charles and St. Louis counties to retain revenue from land sales to pay salaries and expenses of the trust. If there are insufficient funds available to pay the salaries and other expenses of the land trust, additional funds may be requisitioned from the county and city not to exceed \$25,000 per year without consent of the county and city. The additional funds cannot exceed \$25,000 per year without the consent of the county and city.

Performance audits may be conducted by the State Auditor or the Kansas City Auditor. Cost of performance audits must be paid for by the land trust and made available to the public within 30 days of completion.

ERIC ROSENKOETTER

012402	Introduced and read first time (H)	H130
012802	Read second time (H)	H139

020702 Referred: Local Government and Related Matters (H)	H226
021202 Public Hearing Held (H)	
021202 Executive Session Held (H)	
021402 Reported Do Pass (H)	H288
021902 Perfected (H)	H312
022002 Reported perfected and printed (H)	H322
022102 Third read and passed (H)	H334-335
022102 S First Read	S337

EFFECTIVE : August 28, 2002

HB 1711
HCS HB 1711

HOUSE SPONSOR Graham

3884L.04P

HCS/HB 1711 - This act pertains to definitions affecting the state school funding formula. This act adds a definition of "district equalized assessed valuation" which averages a district's assessed valuation from the first and second preceding years. The act also modifies the definition of "guaranteed tax base" to include the average of the third and fourth preceding years, instead of basing the amount on only the third preceding year.

This act contains an emergency clause.

This act is similar to SB 1136.
DONALD THALHUBER

013002 Introduced and read first time (H)	H163
013102 Read second time (H)	H171
013102 Referred: Budget (H)	H176
021202 Public Hearing Held (H)	
021202 Executive Session Held (H)	
021202 HCS Reported Do Pass (H)	H252
021402 HCS adopted in House (H)	H285
021402 Perfected (H)	H283
021802 Reported perfected and printed (H)	H300
021802 Referred: Fiscal Review and Government Reform	H300
022502 Public Hearing Held (H)	
022502 Executive Session Held (H)	
022502 Reported Do Pass (H)	H357
022802 Third read and passed - EC adopted (H)	
022802 S First Read (w/EC)	

EFFECTIVE : August 28, 2002

HCR 001

HOUSE SPONSOR Crump

3768L.01

HCR 1 - Invites the Chief Justice of the Supreme Court of Missouri to deliver a State of the Judiciary message to a Joint Session of the General Assembly on January 16, 2002.

010902 H First Read	H8
010902 H adopted	H8-9
010902 S First Read	S58
011402 S adopted	S78/H57

HCR 002

HOUSE SPONSOR Crump

3769.01I

HCR 2 - Invites the Governor of the State of Missouri to deliver a State of the State address to a Joint Session of the General Assembly on January 23, 2002.

010902 H First Read	H9-10
010902 H adopted	H10
010902 S First Read	S58-59
011402 S adopted	S78/H57

HCR 003

HOUSE SPONSOR Hampton

2465L.01

HCR 3 - This resolution authorizes the Governor to approve a land annexation into the City of Licking of two hundred five acres previously given to the state for construction of a correctional facility.
RON KIRCHOFF

010902 Introduced and read first time (H)	H12
011002 Read second time (H)	H38
011702 Referred: Correctional & State Institutions (H)	H81
020502 Public Hearing Held (H)	
021902 Executive Session Held (H)	
022102 Reported Do Pass (H)	H342
022802 Third read and passed (H)	
022802 S First Read	

HCR 005

HOUSE SPONSOR Reynolds

3400L.01

HCR 5 - This resolution urges the Governor to establish a "Deaf Awareness Week" in September which coincides with the International Deaf Awareness Week.
RON KIRCHOFF

011002	Read first time (H)	H41
011402	Read second time (H)	H49
011702	Referred: Miscellaneous Bills and Resolutions (H)	H81
013002	Public Hearing Held (H)	
020602	Executive Session Held (H)	
020602	Reported Do Pass (H)	H207
020702	HCR Adopted and Third Read (H)	H217
021102	S First Read	S242-243
021202	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S259
022802	Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	

HCR 006

HOUSE SPONSOR Jetton

3928L.01

HCR 6 - This resolution condemns the terrorists who planned and carried out the attacks of September 11, 2001.
RON KIRCHOFF

011402	Introduced and read first time (H)	H50
011502	Read second time (H)	H56
011702	Referred: Miscellaneous Bills and Resolutions (H)	H81
020602	Public Hearing Held (H)	
020602	Executive Session Held (H)	
020602	Reported Do Pass (H)	H207
020702	HCR Adopted and Third Read (H)	H220
021102	S First Read	S243
021202	Referred S Rules, Joint Rules, Resolutions & Ethics Committee	S259
022802	Hearing Conducted S Rules, Joint Rules, Resolutions & Ethics Committee	

HCR 007

HOUSE SPONSOR Boykins

3832L.01

HCR 7 - This resolution requests the federal government to be the state's first response for financial assistance in the event of an act of bioterrorism.
ERIN MOTLEY

011502	Read first time (H)	H65
011602	Read second time (H)	H72
011702	Referred: Miscellaneous Bills and Resolutions (H)	H81
013002	Public Hearing Held (H)	
020602	Executive Session Held (H)	
020602	Reported Do Pass (H)	H207
020702	H adopted	H219
020702	S First Read	S231-232

021202 Referred S Rules, Joint Rules, Resolutions & Ethics S259
Committee

022802 Hearing Conducted S Rules, Joint Rules, Resolutions &
Ethics Committee

HCR 015
HS HCR 15

HOUSE SPONSOR O'Toole

4271L.02

HS/HCR 15 - This resolution urges Congress to protect
employee retirement savings programs by enacting federal
legislation to prevent what happened with the collapse of the
Enron Corporation from happening again.
RON KIRCHOFF

020502 Read first time (H) H197
020602 Read second time (H) H204
021302 Referred: Miscellaneous Bills and Resolutions (H) H268
021902 Public Hearing Held (H)
022002 Executive Session Held (H)
022102 Reported Do Pass (H) H343
022802 Third read and passed (H)
022802 S First Read
