

# Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SIXTH DAY—WEDNESDAY, MAY 5, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

Heavenly Father: We know that all that we have and all that we are capable of accomplishing come from You. We are but temporary managers here in the Senate allowed to exercise authority and make decisions as You would will for us. May we be good stewards of the blessings and responsibilities You have entrusted to us as we serve those who elected us. And Merciful Father, be with those individuals and families who have lost so much during these two days of storms, especially where death has come to those in Oklahoma and Kansas. Be with them and grant them comfort and peace with Your presence. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

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

Absent with leave—Senators—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Klarich offered Senate Resolution No. 792, regarding Dr. William M. Harris, which was adopted.

Senator Graves offered Senate Resolution No. 793, regarding Charles A. Lau, St. Joseph, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Wiggins, joined by the entire membership of the Senate, offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, the members of the Missouri Senate are pleased to learn of the latest outstanding accomplishment of George Brett, former All Star third baseman and player for the Kansas City Royals; and

WHEREAS, from 1974 until he retired as a player in 1994, George Brett was the premier player of the Kansas City Royals, leading his team to Division Championships, American League Pennants and in 1985 the ultimate achievement of baseball, the World Series Championship, and became the first player to win the batting championship in 3 consecutive decades; and

WHEREAS, George Brett was throughout his playing career, and has continued thereafter, to be the perfect gentleman on and off the field, the favorite of the fans, the players Player, and the ideal All-American Athlete; and

WHEREAS, George Brett has visited the Missouri Senate on numerous occasions as the guest of his close friend, our colleague, the current Senator from the 10th District, Senator Harry Wiggins, and has given generously of his time and his name to many civic and charitable causes of importance to Kansas City and the State of Missouri; and

WHEREAS, the weekend of July 24, 1999, in Cooperstown, New York, George Brett will receive the greatest honor any baseball player can ever receive when he is inducted as a member of the Baseball Hall of Fame; and

WHEREAS, it is appropriate for the Missouri General Assembly, the Governor and the State of Missouri to take note of

this stupendous accomplishment, to honor George Brett in a special way as the first Royals Player to achieve this honor;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, the House of Representatives concurring therein, do hereby instruct the Missouri Highway Commission and the Department of Transportation to take action immediately to name a section of Interstate 70 from the Missouri-Kansas State Line on the west to Blue Ridge Cut Off at the George Brett Bridge on the east, the George Brett Super Highway to honor this remarkable athlete and gracious human being and to complete this renaming project not later than July 15, 1999.

Senator Wiggins requested unanimous consent that the Rules be suspended and **SCR 19** be taken up for adoption, which request was granted.

On motion of Senator Wiggins, **SCR 19** was adopted by the following vote:

YEAS—Senators

|          |           |         |          |
|----------|-----------|---------|----------|
| Banks    | Bentley   | Bland   | Caskey   |
| Childers | Clay      | DePasco | Ehlmann  |
| Flotron  | Goode     | Graves  | House    |
| Howard   | Johnson   | Kenney  | Kinder   |
| Klarich  | Mathewson | Maxwell | Mueller  |
| Quick    | Russell   | Scott   | Sims     |
| Staples  | Steelman  | Stoll   | Westfall |
| Wiggins  | Yeckel—30 |         |          |

NAYS—Senators—None

Absent—Senators

Rohrbach      Schneider      Singleton—3

Absent with leave—Senator Jacob—1

Senator DePasco offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, Section 21.760 of the Missouri Revised Statutes provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the aforesaid provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other

underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws.

Senator DePasco moved that **HCR 21**, with **SCS**, be taken up for adoption, which motion prevailed.

**SCS** for **HCR 21** was taken up.

Senator DePasco moved that **SCS** for **HCR 21** be adopted, which motion prevailed.

**SCS** for **HCR 21** was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Schneider      Singleton—2

Absent with leave—Senator Jacob—1

**REPORTS OF STANDING COMMITTEES**

Senator Goode, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HB 19**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendments Nos. 1 and 2.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 19, Page 4, Section

19.020, by deleting said section in its entirety.

**SENATE COMMITTEE AMENDMENT NO. 2**

Amend House Bill No. 19, Page 5, Section 19.022, Line 7, by inserting immediately after the word "service" the words "in Missouri".

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HB 17**, begs leave to report that it has considered the same and recommends that the bill do pass.

**HOUSE BILLS ON THIRD READING**

**HCS for HB 13, with SCS, entitled:**

An Act to appropriate money for real property leases, related services, utilities and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1999, and ending June 30, 2000.

Was taken up by Senator Goode.

**SCS for HCS for HB 13, entitled:**

**SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 13**

An Act to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1999, and ending June 30, 2000.

Was taken up.

Senator Goode moved that **SCS for HCS for HB 13** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS for HCS for HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Banks    | Bentley   | Bland   | Caskey    |
| Childers | Clay      | DePasco | Ehlmann   |
| Flotron  | Goode     | Graves  | House     |
| Howard   | Johnson   | Kenney  | Kinder    |
| Klarich  | Mathewson | Maxwell | Mueller   |
| Quick    | Rohrbach  | Russell | Schneider |
| Scott    | Sims      | Staples | Steelman  |
| Stoll    | Westfall  | Wiggins | Yeckel—32 |

NAYS—Senators—None

Absent—Senator Singleton—1

Absent with leave—Senator Jacob—1

The President Pro Tem declared the bill passed.

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

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

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

**HB 15, with SCA 1, introduced by Representative Franklin, entitled:**

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 1999 and ending June 30, 2001.

Was taken up by Senator Goode.

**SCA 1** was taken up.

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

On motion of Senator Goode, **HB 15**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|          |         |         |         |
|----------|---------|---------|---------|
| Banks    | Bentley | Bland   | Caskey  |
| Childers | Clay    | DePasco | Ehlmann |
| Flotron  | Goode   | Graves  | House   |

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Howard    | Johnson   | Kenney    | Kinder    |
| Klarich   | Mathewson | Maxwell   | Mueller   |
| Quick     | Rohrbach  | Russell   | Schneider |
| Scott     | Sims      | Singleton | Staples   |
| Steelman  | Stoll     | Westfall  | Wiggins   |
| Yeckel—33 |           |           |           |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Jacob—1

The President Pro Tem declared the bill passed.

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

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

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

**HB 16**, with **SCA 1**, introduced by Representative Franklin, entitled:

An Act to appropriate money for capital improvement and economic development projects for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

Was taken up by Senator Goode.

**SCA 1** was taken up.

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

Senator Johnson assumed the Chair.

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

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 16, Page 14, Section 16.078, Lines 1-12, by deleting said section and inserting in lieu the following:

"Section 16.078. To the Office of Administration  
For the Department of Corrections

For design, land acquisition, renovation, and construction of correctional facilities in or

nearby the cities of Licking and Charleston, Missouri, provided that for the Licking construction site, none of these funds may be expended by the state for a general contractor or subcontractor who either directly or indirectly fails to contract with a recognized union local for which a pre-existing collective bargaining agreement exists.

Representing expenditures originally authorized under the provisions of House Bill Section 18.135, an Act of the 89th General Assembly, First Regular Session

|                                      |                     |
|--------------------------------------|---------------------|
| From General Revenue Fund.....       | \$131,260,817       |
| From Federal Funds.....              | \$ 9,400,324E       |
| From Fourth State Building Fund..... | \$ <u>2,111,694</u> |
| Total .....                          | \$142,862,835".     |

Senator Steelman moved that the above amendment be adopted.

Senator Kenney offered **SSA 1** for **SA 1**:

**SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 1**

Amend House Bill No. 16, Page 14, Section 16.078, Lines 1-12, by deleting said section and inserting in lieu the following:

"Section 16.078. To the Office of Administration  
For the Department of Corrections

For design, land acquisition, renovation, and construction of correctional facilities in or nearby the cities of Licking and Charleston, Missouri, provided that for the Licking construction site, none of these funds may be expended by the state for a general contractor or subcontractor who either directly or indirectly fails to contract with local laborers.

Representing expenditures originally authorized under the provisions of House Bill Section 18.135, an Act of the 89th General Assembly, First Regular Session

|                                      |                     |
|--------------------------------------|---------------------|
| From General Revenue Fund.....       | \$131,260,817       |
| From Federal Funds.....              | \$ 9,400,324E       |
| From Fourth State Building Fund..... | \$ <u>2,111,694</u> |
| Total .....                          | \$142,862,835".     |

Senator Kenney moved that the above substitute amendment be adopted.

At the request of Senator Kenney, **SSA 1** for **SA 1** was withdrawn.

At the request of Senator Steelman, **SA 1** was withdrawn.

On motion of Senator Goode, **HB 16**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Jacob—1

The President declared the bill passed.

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

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

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

**HB 65**, with **SCS**, introduced by Representatives O’Toole and May (108), entitled:

An Act to repeal sections 86.251, 86.256, 86.260, 86.280, 86.283, 86.287 and 86.810, RSMo Supp. 1998, relating to certain police and firemen retirement benefits, and to enact in lieu thereof seven new sections relating to the same subject.

Was taken up by Senator Scott.

**SCS** for **HB 65**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 65

An Act to repeal section 86.254, RSMo 1994, and sections 86.251, 86.253, 86.256, 86.260, 86.280, 86.283, 86.287, 86.810 and 87.371, RSMo Supp. 1998, relating to certain police and firemen retirement benefits, and to enact in lieu thereof ten new sections relating to the same subject, with an emergency clause for a certain section.

Was taken up.

Senator Scott moved that **SCS** for **HB 65** be adopted.

Senator Scott offered **SS** for **SCS** for **HB 65**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 65

An Act to repeal sections 50.1030, 50.1060, 50.1070, 50.1120, 50.1150, 50.1160, 50.1170, 70.697, 86.254, 104.040, 104.344, 104.370, 104.380 and 104.610, RSMo 1994, sections 50.1000, 50.1020, 50.1040, 50.1090, 50.1100, 50.1110, 50.1140, 50.1180, 86.251, 86.253, 86.256, 86.260, 86.280, 86.283, 86.287, 86.810, 87.371, 104.010, 104.395, 104.401, 104.410, 104.415, 104.420, 104.612, 104.620, 169.010, 169.060, 169.070, 169.075, 169.560, 169.655, 287.815 and 476.520, RSMo Supp. 1998, and both versions of section 169.670 as they appear in RSMo Supp. 1998, relating to certain retirement systems, and to enact in lieu thereof eighty-seven new sections relating to the same subject, with an emergency clause for certain sections and an effective date for certain sections.

Senator Scott moved that **SS** for **SCS** for **HB 65** be adopted.

Senator Scott offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 111, Section 104.620, Line 6 of said page, by inserting after all of said line the following:

"104.800. 1. Except as otherwise provided by law, any person having earned creditable service

pursuant to the provisions of the state employees' retirement system or pursuant to the provisions of the state transportation department employees' and highway patrol retirement system or having service as a statewide state elective officer or having service as a member of the general assembly or having service pursuant to the provisions of sections 287.812 to 287.855, RSMo, or having service as a judge, as defined in section 476.515, RSMo, may elect prior to retirement and not after retirement, to make a one-time transfer of credit for such service or such creditable service to **or from** any other retirement system or type of service specified in this section or sections 56.800 to 56.840, RSMo, for which the person has accumulated service or creditable service. The amount of transferred credit shall be accumulated with the amount of such creditable service or such service earned by the person in the retirement system or type of service to which the service is transferred for purposes of determining the benefits to which the person is entitled under the retirement system or type of service to which the service is transferred. The transfer of such creditable service or service shall become effective on the first day of the second month following the month in which the person files written notification of the person's election with the retirement boards affected by such service transfer. When the election to transfer creditable service or service becomes effective, the person shall thereby forfeit any claim to any benefit under the provisions of the retirement system or type of service, as the case may be, from which the service or creditable service was transferred regardless of the amount of service or creditable service previously earned in such retirement system or type of service. The amount of service a person shall be entitled to transfer pursuant to the provisions of this section shall not exceed five years.

2. In the event of the death of a member before retirement and prior to exercising transfer rights pursuant to the provisions of this section, survivorship benefits shall be computed as if such person had in fact exercised or not exercised the person's transfer rights to produce the most advantageous benefit possible.

3. Any person that has earned creditable service

pursuant to the provisions governing the Missouri state employees' retirement system or pursuant to the provisions of chapter 287, RSMo, or chapter 476, RSMo, who terminated employment prior to August 13, 1986, shall, upon application to the board of trustees of the Missouri state employees' retirement system, be made, constituted and appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the court from which the person retired, the consultant shall give opinions or be available to give opinions in writing or orally in response to such request. As compensation for such services, the consultant shall be eligible, prior to retirement, to make a one-time transfer of creditable service as provided in this section."; and

Further amend the title and enacting clause accordingly.

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

Senator Graves offered SA 2:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 76, Section 104.370, Line 12 of said page, by inserting after all of said line the following:

**"104.378. Upon the death of a member who has not requested creditable prior service pursuant to subsection 4 of section 104.372, the survivor of such member who is or would be eligible to receive benefits pursuant to section 104.420 may apply to the board of trustees and shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters for the remainder of the surviving spouse's life, and upon request of the board shall give opinions, and be available to give opinions in writing, or orally, in response to such requests. As compensation for such services, such survivor may elect to have the member receive such creditable prior service. Upon making such election, all of the provisions of subsection 4 of section 104.372 shall apply. Any survivor benefits payable shall be**

**calculated as if such creditable prior service had been received by such member on the date of the death of the member.";** and

Further amend the title and enacting clause accordingly.

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

Senator Mathewson assumed the Chair.

Senator Childers offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 93, Section 104.420, Line 8 of said page, by inserting after all of said line the following:

"104.517. 1. The board shall provide or contract, or both, for life insurance benefits for employees pursuant to sections 104.320 to 104.540, persons covered by sections 287.812 to 287.855, RSMo, and for employees who are members of the judicial retirement system as provided in section 476.590, RSMo, and at the election of the state highways and transportation commission shall include employees who are members of the state transportation department employees' and highway patrol retirement system as follows:

(1) Employees are entitled to fifteen thousand dollars of life insurance. **Such life insurance shall provide for triple indemnity in the event the cause of death is a proximate result of a personal injury or disease arising out of and in the course of actual performance of duty as an employee.** Coverage shall be effective on the first day of the month coinciding with or next following the employee's date of membership;

(2) Life insurance benefits shall cease on the date of termination of employment and a conversion of such life insurance benefits shall be available. However, a member eligible to receive a lump sum death benefit as provided in subsection 4 of section 104.515 shall be entitled to convert any amount of terminated life insurance benefit in excess of the benefit provided in said section.

2. (1) In addition to the life insurance authorized by the provisions of subsection 1 of this

section, any person for whom life insurance is provided or contracted for pursuant to such subsection may purchase, at the person's own expense and only if monthly voluntary payroll deductions are authorized, additional life insurance at a cost to be stipulated in a contract with a private insurance company or as may be required by the system if the board of trustees determines that the system should provide such insurance itself. The maximum amount of additional life insurance which may be so purchased on or after January 1, 1998, is that amount which equals six times the amount of the person's annual compensation, except that if such maximum amount is not evenly divisible by one thousand dollars, then the maximum amount of additional insurance which may be purchased is the next higher amount evenly divisible by one thousand dollars. The selection of a private insurance company to provide this life insurance shall be on the basis of competitive bidding.

(2) Any person defined in subdivision (1) of this subsection retiring on or after September 1, 1988, may retain an amount not to exceed ten thousand dollars of life insurance following the date of his or her retirement if such person makes written application for such life insurance at the same time such person's application is made to the board for retirement benefits. Any person, defined in subdivision (1) of this subsection, retiring on or after May 1, 1996, may retain an amount not to exceed sixty thousand dollars of life insurance following the date of the person's retirement if such person makes written application for such life insurance at the same time such person applies to the board for retirement benefits. Such life insurance shall only be provided if such person pays the entire cost of the insurance, as determined by the board, by allowing voluntary deductions from the member's monthly retirement benefits.

(3) Effective January 1, 1998, in addition to the life insurance authorized in subsection 1 of this section, any person for whom life insurance is provided or contracted for pursuant to such subsection may purchase, at the person's own expense and only if monthly voluntary payroll deductions are authorized, life insurance covering the person's children or the person's spouse or both

the person's children and the person's spouse at coverage amounts to be determined by the board at a cost to be stipulated in a contract with a private insurance company or as may be required by the system if the board of trustees determines that the system should provide such insurance itself."; and

Further amend said bill, Page 149, Section 104.1072, Line 23, by inserting after the word and period "**insurance.**" the following: "**Such life insurance shall provide for triple indemnity in the event the cause of death is a proximate result of a personal injury or disease arising out of and in the course of actual performance of duty as an employee.**"; and

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

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

Senator Steelman offered **SA 4**:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Pages 72-76, Section 104.370, by striking all of said section; and

Further amend said bill, Page 76, Section 104.370, Line 12 of said page, by inserting after all of said line the following:

**"104.376. The provisions of section 104.370 to the contrary notwithstanding, effective August 28, 1999, any member of the general assembly initially sworn in on or after January 1, 1999, shall not be eligible to receive any retirement benefits otherwise payable under this chapter. The provisions of this section shall not apply to any service rendered prior to August 28, 1999."**

Senator Steelman moved that the above amendment be adopted.

President Wilson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Flotron offered **SA 1** to **SA 4**, which was read:

#### SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 1, Section 104.376, Line 7, by striking "shall not" and insert in lieu thereof the following "may choose not to".

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

**SA 4**, as amended, was again taken up.

Senator Steelman moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Sims, Flotron, Rohrbach and Singleton.

**SA 4**, as amended, failed of adoption by the following vote:

#### YEAS—Senators

|         |           |          |          |
|---------|-----------|----------|----------|
| Ehlmann | Kinder    | Klarich  | Rohrbach |
| Russell | Singleton | Steelman | Yeckel—8 |

#### NAYS—Senators

|          |         |           |          |
|----------|---------|-----------|----------|
| Banks    | Bentley | Bland     | Caskey   |
| Childers | Clay    | DePasco   | Flotron  |
| Goode    | Graves  | House     | Howard   |
| Johnson  | Kenney  | Mathewson | Maxwell  |
| Mueller  | Quick   | Schneider | Scott    |
| Sims     | Staples | Stoll     | Westfall |

Wiggins—25

Absent—Senators—None

Absent with leave—Senator Jacob—1

Senator Maxwell assumed the Chair.

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

#### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 155, Section 104.1084, Line 17, by deleting the word "twenty-fourth" and inserting in lieu thereof the word "thirtieth".

Senator Rohrbach moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Steelman, Westfall, Kenney and Russell.



**SA 5** failed of adoption by the following vote:

YEAS—Senators

|           |           |          |          |
|-----------|-----------|----------|----------|
| Bentley   | Childers  | Ehlmann  | Flotron  |
| Kenney    | Kinder    | Klarich  | Rohrbach |
| Sims      | Singleton | Steelman | Westfall |
| Yeckel—13 |           |          |          |

NAYS—Senators

|         |           |            |         |
|---------|-----------|------------|---------|
| Banks   | Bland     | Caskey     | DePasco |
| Goode   | Graves    | House      | Howard  |
| Johnson | Mathewson | Maxwell    | Mueller |
| Quick   | Russell   | Schneider  | Scott   |
| Staples | Stoll     | Wiggins—19 |         |

Absent—Senator Clay—1

Absent with leave—Senator Jacob—1

Senator Rohrbach offered **SA 6**, which was read:

**SENATE AMENDMENT NO. 6**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Pages 19 and 20, Section 50.1090, Subsection 5, by deleting all of the subsection.

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

Senator Ehlmann offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 65, Page 210, Section 287.815, Line 37, by inserting immediately before said line the following:

"190.060. 1. An ambulance district shall have the following governmental powers, and all other powers incidental, necessary, convenient or desirable to carry out and effectuate the express powers:

(1) To establish and maintain an ambulance service within its corporate limits, and to acquire for, develop, expand, extend and improve such service;

(2) To acquire land in fee simple, rights in land and easements upon, over or across land and leasehold interests in land and tangible and intangible personal property used or useful for the

location, establishment, maintenance, development, expansion, extension or improvement of an ambulance service. The acquisition may be by dedication, purchase, gift, agreement, lease, use or adverse possession;

(3) To operate, maintain and manage the ambulance service, and to make and enter into contracts for the use, operation or management of and to provide rules and regulations for the operation, management or use of the ambulance service;

(4) To fix, charge and collect reasonable fees and compensation for the use of the ambulance service according to the rules and regulations prescribed by the board from time to time;

(5) To borrow money and to issue bonds, notes, certificates, or other evidences of indebtedness for the purpose of accomplishing any of its corporate purposes, subject to compliance with any condition or limitation set forth in sections 190.001 to 190.090 or otherwise provided by the Constitution of the state of Missouri;

(6) To employ or enter into contracts for the employment of any person, firm, or corporation, and for professional services, necessary or desirable for the accomplishment of the objects of the district or the proper administration, management, protection or control of its property;

(7) To maintain the ambulance service for the benefit of the inhabitants of the area comprising the district regardless of race, creed or color, and to adopt such reasonable rules and regulations as may be necessary to render the highest quality of emergency medical care; to exclude from the use of the ambulance service all persons who willfully disregard any of the rules and regulations so established; to extend the privileges and use of the ambulance service to persons residing outside the area of the district upon such terms and conditions as the board of directors prescribes by its rules and regulations;

(8) To provide for health, accident, disability and pension benefits for the salaried members of its organized ambulance district and such other benefits for the members' spouses and minor children, through either, or both, a contributory or noncontributory plan. The type and amount of such

benefits shall be determined by the board of directors of the ambulance district within the level of available revenue of the pension program and other available revenue of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the ambulance district elected by the contributing members. The board of trustees shall not be the same as the board of directors; [and]

(9) To purchase insurance indemnifying the district and its employees, officers, volunteers and directors against liability in rendering services incidental to the furnishing of ambulance services. Purchase of insurance pursuant to this section is not intended to waive sovereign immunity, official immunity or the Missouri public duty doctrine defenses; **and**

**(10) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement, and other employee-type fringe benefits for the volunteer members of any organized ambulance district and such other benefits for their spouses and minor children, either through a contributory or noncontributory plan, or both. The type and amount of such benefits shall be determined by the board of directors of the ambulance district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district.**

2. The use of any ambulance service of a district shall be subject to the reasonable regulation and control of the district and upon such reasonable terms and conditions as shall be established by its board of directors.

3. A regulatory ordinance of a district adopted pursuant to any provision of this section may provide for a suspension or revocation of any rights or privileges within the control of the district for a violation of any regulatory ordinance.

4. Nothing in this section or in other provisions of sections 190.001 to 190.245 shall be construed to authorize the district or board to establish or

enforce any regulation or rule in respect to the operation or maintenance of the ambulance service within its jurisdiction which is in conflict with any federal or state law or regulation applicable to the same subject matter.

5. After August 28, 1998, the board of directors of an ambulance district that proposes to contract for the total management and operation of the ambulance service, when that ambulance district has not previously contracted out for said service, shall hold a public hearing within a thirty-day period and shall make a finding that the proposed contract to manage and operate the ambulance service will:

(1) Provide benefits to the public health that outweigh the associated costs;

(2) Maintain or enhance public access to ambulance service;

(3) Maintain or improve the public health and promote the continued development of the regional emergency medical services system.

6. (1) Upon a satisfactory finding following the public hearing in subsection 5 of this section and after a sixty-day period, the ambulance district may enter into the proposed contract, however said contract shall not be implemented for at least thirty days.

(2) The provisions of subsection 5 of this section shall not apply to contracts which were executed prior to August 28, 1998, or to the renewal or modification of such contracts or to the signing of a new contract with an ambulance service provider for services that were previously contracted out."; and

Further amend said bill, page 213, Section 287.815, line 15, by inserting the following:

"320.320. 1. A volunteer firefighter serving a rural, volunteer or subscription fire department or organization is serving the state of Missouri in an official capacity as a fire protection volunteer and is hereby declared to be a public safety officer of the state of Missouri serving without [compensation] **wages, salary or certain other employee-type fringe benefits described in**

**subsection 2 of this section.**

2. The designation of a volunteer firefighter as a public safety officer of the state of Missouri in subsection 1 of this section does not entitle a volunteer firefighter to any rights, privileges or benefits provided to an employee or official of the state of Missouri, including retirement benefits and participation in the state legal defense fund; **except as provided in subsection 3 of this section.**

**3. Notwithstanding the provisions of subsection 2 of this section, any rural, volunteer or subscription fire department or organization, or volunteer fire protection association as defined in section 320.300, may provide life insurance, accident, sickness, health, disability, annuity, length of service, retirement, pension, and other employee-type fringe benefits for volunteer firefighters who are members of any such department, organization or association and such other benefits for their spouses and minor children as the governing board deems appropriate, either through a contributory or noncontributory plan, or both. The type and extent of such benefits shall be determined by the governing board of the department, organization or association, whichever is applicable. The provision and receipt of such benefits shall not make the recipient an employee of the district, association or organization. Directors or board members who are also volunteer firefighters may receive such benefits while serving as a director or board member of the district, association or organization.**

321.220. For the purpose of providing fire protection to the property within the district, the district and, on its behalf, the board shall have the following powers, authority and privileges:

- (1) To have perpetual existence;
- (2) To have and use a corporate seal;
- (3) To sue and be sued, and be a party to suits, actions and proceedings;
- (4) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the district, including

contracts with any municipality, district or state, or the United States of America, and any of their agencies, political subdivisions or instrumentalities, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service relating to the control or prevention of fires, including the installation, operation and maintenance of water supply distribution, fire hydrant and fire alarm systems; provided, that a notice shall be published for bids on all construction or purchase contracts for work or material or both, outside the authority contained in subdivision (9) of this section, involving an expense of ten thousand dollars or more;

(5) Upon approval of the voters as herein provided, to borrow money and incur indebtedness and evidence the same by certificates, notes or debentures, and to issue bonds, in accordance with the provisions of this chapter;

(6) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, fire stations, fire protection and firefighting apparatus and auxiliary equipment therefor, and any interest therein, including leases and easements;

(7) To refund any bonded indebtedness of the district without an election. The terms and conditions of refunding bonds shall be substantially the same as those of the original issue of bonds, and the board shall provide for the payment of interest, at not to exceed the legal rate, and the principal of such refunding bonds in the same manner as is provided for the payment of interest and principal of bonds refunded;

(8) To have the management, control and supervision of all the business and affairs of the district, and the construction, installation, operation and maintenance of district improvements therein;

(9) To hire and retain agents, employees, engineers and attorneys, including part-time or volunteer firemen;

(10) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property within the district necessary to the exercise of the powers herein

granted;

(11) To receive and accept by bequest, gift or donation any kind of property. Notwithstanding any other provision of law to the contrary, any property received by the fire protection district as a gift or any property purchased by the fire protection district at a price below the actual market value of the property may be returned to the donor or resold to the seller if such property is not used for the specific purpose for which it was acquired;

(12) To adopt and amend bylaws, fire protection and fire prevention ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the board and of the district, and refer to the proper authorities for prosecution any infraction thereof detrimental to the district. Any person violating any such ordinance is hereby declared to be guilty of a misdemeanor, and upon conviction thereof, shall be punished as is provided by law therefor. The prosecuting attorney for the county in which the violation occurs shall prosecute such violations in the circuit court of that county. The legal officer or attorney for the fire district may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the prosecution of any such violation. The enactments of the fire district in delegating administrative authority to officials of the district may provide standards of action for the administrative officials, which standards are declared as industrial codes adopted by nationally organized and recognized trade bodies;

(13) To pay all court costs and expenses connected with the first election or any subsequent election in the district;

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter;

(15) To provide for health, accident, disability and pension benefits for the salaried members of its organized fire department of the district and such

other benefits for their spouses and minor children, through either or both a contributory or noncontributory plan. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within the level of available revenues of the pension program and other available revenues of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the fire district elected by the contributing members, which shall not be the same as the board of directors;

(16) To contract with any municipality that is contiguous to a fire protection district for the fire protection district to provide fire protection to the municipality for a fee as hereinafter provided;

**(17) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement, and other employee-type fringe benefits for the volunteer members of any organized fire department of the district and such other benefits for their spouses and minor children, through either a contributory or noncontributory plan, or both. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district;**

**(18) To contract for services with any rural, volunteer or subscription fire department or organization, or volunteer fire protection association, as defined in section 320.300, for the purpose of providing the benefits described in subdivision (17) of this section.**

321.600. For the purpose of providing fire protection to the property within the district, the district and, on its behalf, the board shall have the following powers, authority and privileges:

- (1) To have perpetual existence;
- (2) To have and use a corporate seal;
- (3) To sue and be sued, and be a party to suits,

actions and proceedings;

(4) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the district, including contracts with any municipality, district or state, or the United States of America, and any of their agencies, political subdivisions or instrumentalities, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service relating to the control or prevention of fires, including the installation, operation and maintenance of water supply distribution, fire hydrant and fire alarm systems; provided, that a notice shall be published for bids on all construction or purchase contracts for work or material or both, outside the authority contained in subdivision (9) of this section, involving an expense of ten thousand dollars or more;

(5) Upon approval of the voters, as herein provided, to borrow money and incur indebtedness and evidence the same by certificates, notes or debentures, and to issue bonds, in accordance with the provisions of sections 321.010 to 321.450;

(6) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, fire stations, fire protection and fire-fighting apparatus and auxiliary equipment therefor, and any interest therein, including leases and easements;

(7) To refund any bonded indebtedness of the district without an election. The terms and conditions of refunding bonds shall be substantially the same as those of the original issue of bonds, and the board shall provide for the payment of interest, at not to exceed the legal rate, and the principal of such refunding bonds in the same manner as is provided for the payment of interest and principal of bonds refunded;

(8) To have the management, control and supervision of all the business and affairs of the district, and the construction, installation, operation and maintenance of district improvements therein;

(9) To hire and retain agents, employees, engineers and attorneys, including part-time or

volunteer firemen;

(10) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property within the district necessary to the exercise of the powers herein granted;

(11) To receive and accept by bequest, gift or donation any kind of property. Notwithstanding any other provision of law to the contrary, any property received by the fire protection district as a gift or any property purchased by the fire protection district at a price below the actual market value of the property may be returned to the donor or resold to the seller if such property is not used for the specific purpose for which it was acquired;

(12) To adopt and amend bylaws, fire protection and fire prevention ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the board and of the district, and refer to the proper authorities for prosecution any violation thereof detrimental to the district. Any person violating any such ordinance is hereby declared to be guilty of a class B misdemeanor, and upon conviction thereof shall be punished as is provided herein:

(a) The prosecuting attorney for the county in which the violation occurs shall prosecute such violations in the circuit court of that county. The legal officer or attorney for the fire district may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the prosecution of any such violation; or

(b) The board may adopt a specific ordinance to impose a fine or a series of fines for specific offenses of not more than five hundred dollars. The accused person may either appear in court at a set date or make payment to the officer appointed by the board, either in person or through the United States mail, with the moneys handled as are all other moneys of the district. If the fine is not paid by the deadline imposed, the violation and the failure to pay the fine or appear in court at the set date may be further prosecuted as provided in

paragraph (a) of this subdivision. The enactments of the fire district in delegating administrative authority to officials of the district may provide standards of action for the administrative officials, which standards are declared as industrial codes adopted by nationally organized and recognized trade bodies;

(13) To pay all court costs and expenses connected with the first election or any subsequent election in the district;

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of sections 321.010 to 321.450;

(15) To provide for health, accident, disability, and pension benefits, through either or both a contributory or noncontributory plan, of the salaried members and such other benefits for their spouses and minor children of its organized fire department of the district. Such benefits shall be determined by the board of directors of the fire protection district within the level of available revenues of the pension program and other available revenues of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the fire district elected by the contributing members, which shall not be the same as the board of directors;

**(16) To provide for life insurance, accident, sickness, health, disability, annuity, uniform, length of service, pension, retirement, and other employee-type fringe benefits, through either a contributory or noncontributory plan or both, for the volunteer members and such other benefits for their spouses and minor children of any organized fire department of the district. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits**

**while serving as a director of the district;**

**(17) To contract for services with any rural, volunteer or subscription fire department or organization, or volunteer fire protection association, as defined in section 320.300, for the purpose of providing the benefits described in subdivision (16) of this section."**; and

Further amend the title and enacting clause accordingly.

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

President Pro Tem Quick assumed the Chair.

Senator Scott moved that **SS** for **SCS** for **HB 65**, as amended, be adopted, which motion prevailed.

On motion of Senator Scott, **SS** for **SCS** for **HB 65**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Banks     | Bentley | Bland     | Caskey    |
| Childers  | Clay    | DePasco   | Goode     |
| House     | Howard  | Johnson   | Mathewson |
| Mueller   | Quick   | Schneider | Scott     |
| Sims      | Staples | Stoll     | Wiggins   |
| Yeckel—21 |         |           |           |

NAYS—Senators

|         |           |          |             |
|---------|-----------|----------|-------------|
| Ehlmann | Flotron   | Graves   | Kenney      |
| Kinder  | Klarich   | Maxwell  | Rohrbach    |
| Russell | Singleton | Steelman | Westfall—12 |

Absent—Senators—None

Absent with leave—Senator Jacob—1

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

|           |           |         |         |
|-----------|-----------|---------|---------|
| Banks     | Bentley   | Bland   | Caskey  |
| Childers  | Clay      | DePasco | Ehlmann |
| Flotron   | Goode     | Graves  | House   |
| Johnson   | Kenney    | Kinder  | Klarich |
| Mathewson | Maxwell   | Mueller | Quick   |
| Russell   | Schneider | Scott   | Sims    |

Staples            Steelman        Stoll            Westfall  
Wiggins            Yeckel—30

NAYS—Senators  
Rohrbach        Singleton—2

Absent—Senator Howard—1

Absent with leave—Senator Jacob—1

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

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

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

## RESOLUTIONS

Senator Ehlmann offered Senate Resolution No. 794, regarding Gerry Boehm, St. Charles, which was adopted.

Senator Rohrbach offered Senate Resolution No. 795, regarding Bryan Wolford, California, which was adopted.

Senator Rohrbach offered Senate Resolution No. 796, regarding the Family Benefit Life Insurance Company, Jefferson City, which was adopted.

Senator Rohrbach offered Senate Resolution No. 797, regarding Dustin Wayne Knipp, Tipton, which was adopted.

Senator DePasco offered Senate Resolution No. 798, regarding Carol Jean Marcks, Independence, which was adopted.

Senator Schneider offered Senate Resolution No. 799, regarding Ian Russell McClymont, Florissant, which was adopted.

Senator Schneider offered Senate Resolution No. 800, regarding David Andrew Trotter, Florissant, which was adopted.

Senator Singleton offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 801

WHEREAS, upon occasion the Missouri Senate will pause in

its legislative endeavors to recognize those Show-Me State residents whose contributions of time and effort have made a lasting impression upon the institutions of higher learning where they have diligently labored; and

WHEREAS, Richard W. Massa arrived on the Missouri Southern State College campus as an Associate Professor in 1972 after garnering impressive teaching credentials that include B.J. and M.A. degrees from the University of Missouri—Columbia (MU), post graduate studies at MU and the University of Arkansas—Fayetteville, and teaching experience from MU, Mississippi State University for Women, University of Science and Arts for Oklahoma, and Northeast Missouri State University (now Truman State University); and

WHEREAS, Head of the Communications Department since its founding in 1980, Richard Massa has served as Director of the Institute of International Studies since 1996; and

WHEREAS, Richard Massa has an extensive practical background in journalism that includes special assignments for The New York Times; work as a columnist, reporter, and reviewer for the Chickasha, Oklahoma, Daily Express; and correspondent for the Birmingham, Alabama, Daily News, Memphis, Tennessee, Courier-Journal, Oklahoma City, Oklahoma, Daily Oklahoman, and the Christian Science Monitor; and

WHEREAS, vice president and co-owner of Interpersonal Communication Consultants, Richard Massa taught a wide spectrum of communication, journalism, literature, and writing courses; provided a stellar college service record which includes advisement to The Chart, numerous leadership positions on committees and the Faculty Senate, and management of KXMS-FM and MSTV; authorship of many free-lance newspaper and magazine articles; co-authoring and co-editing texts; and producing many video works on such subjects as Franz Liszt; poetry, music, and song creation; and Missouri Southern College:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join unanimously to congratulate Richard Massa for an exemplary communications career at Missouri Southern State College and to offer our sincerest wishes that the future will provide just as much fulfillment and satisfaction as have the nearly fifty years in journalism and college teaching; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for retiring Professor Richard W. Massa of Missouri Southern State College.

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **SS** for **SCS** for **SB 338**, entitled:

An Act to repeal sections 143.141, 376.421, 376.424, 376.960, 376.961, 376.966, 376.986,

379.930, 379.938, 379.940, 379.943, 379.952 and 630.003, RSMo 1994, relating to mental health insurance, and to enact in lieu thereof twenty-five new sections relating to the same subject, with an effective date for certain sections.

With House Amendments Nos. 1, 2, 3 and 4.

#### HOUSE AMENDMENT NO. 1

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 338, Page 1, Section A, Lines 14-15, by deleting the following: "and section 376.811, RSMo Supp. 1998,"; and

Further amend said bill, page 88, section 376.771, line 21, by deleting the words: "such a policy" and inserting in lieu thereof the following: **"the policy forms for individual health insurance coverage with the largest, and next largest, premium volume of all such policy forms offered by the insurer in this state"**; and

Further amend said bill, page 96, section 376.772, lines 9-10, by deleting all of said lines and inserting in lieu thereof the following: **"376.771, if any, in accordance with provisions of this section. If the association fails to submit a"**; and

Further amend said bill, page 110, section 376.775, line 22, by deleting all of said line and inserting in lieu the following:

**"b. An individual accident and sickness insurance policy that provides comprehensive medical expense coverage;"**.

#### HOUSE AMENDMENT NO. 2

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 338, Page 1, In the Title, Lines 4 and 5 of said page, by deleting the word and numbers ", 379.952 and 630.003" and inserting in lieu thereof the word and number "and 379.952"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 1, Section A,

Lines 13 and 14 of said page, by deleting the word and numbers "379.943, 379.952 and 630.003" and inserting in lieu thereof the word and numbers "379.943 and 379.952"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by deleting the word "twenty" and inserting in lieu thereof the word "nineteen"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the number "630.003,"; and

Further amend said bill, Page 79, Section 630.003, Lines 15 to 24 of said page, by deleting all of said lines.

#### HOUSE AMENDMENT NO. 3

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 338, Page 87, Section 2, Line 12, by inserting immediately after said line the following:

"Section 3. 1. For all taxable years beginning after December 31, 1999, a resident individual may deduct from such individual's Missouri taxable income an amount equal to one hundred percent of the amount paid by such individual for health insurance premiums to the extent such amount is included in the individual's federal taxable income and to the extent such amount is not otherwise deductible from the individual's Missouri taxable income pursuant to Missouri law.

2. The deduction provided in this section shall be available to an individual whether such individual elects to itemize his or her deductions or elects to deduct the Missouri standard deduction. A married individual filing a Missouri income tax return separately from his or her spouse shall be allowed to make a deduction pursuant to this section in an amount equal to the proportion of such individual's payment of health insurance premiums.

3. The director of the department of revenue shall place a line on all Missouri individual income tax returns for the deduction created by this section."; and

Further amend the title and enacting clause



accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 338, Pages 80-83, Section 630.003, Line 1, by deleting all of said pages from said bill; and

Further amend page 84, lines 1-6, by deleting all of said lines from bill.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 2** and has taken up and passed **CCS for SCS for HCS for HB 2**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 3** and has taken up and passed **CCS for SCS for HCS for HB 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 4**, as amended, and has taken up and passed **CCS for SCS for HCS for HB 4**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 5**, as amended, and has taken up and passed **CCS for SCS for HCS for HB 5**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference

Committee Report on **SCS for HCS for HB 6**, as amended, and has taken up and passed **CCS for SCS for HCS for HB 6**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 7** and has taken up and passed **CCS for SCS for HCS for HB 7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 8** and has taken up and passed **CCS for SCS for HCS for HB 8**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 9** and has taken up and passed **CCS for SCS for HCS for HB 9**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **SCS for HCS for HB 10**, as amended, are allowed to exceed the differences.

On motion of Senator DePasco, the Senate recessed until 2:15 p.m.

#### RECESS

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

Senator Maxwell assumed the Chair.

#### PRIVILEGED MOTIONS

Senator Howard moved that the Senate refuse to concur in **HS for HCS for SS for SCS for SB 338**, as amended, and request the House to take up and pass the bill and failing to do so grant the Senate a conference thereon, which motion prevailed.

Senator Quick moved that the Senate refuse to concur in **HCS** for **SS No. 2** for **SB 288**, as amended, and request the House to recede from its position and, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Banks moved that the Senate refuse to concur in **SB 76**, with **HAs 1, 2, 3** and **4**, and request the House to recede from its position and, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Caskey moved that the Senate grant the House a further conference on **HS** for **HCS** for **SB 291**, as amended, which motion prevailed.

**CONCURRENT RESOLUTIONS**

Senator Johnson moved that **HCR 16**, with **SCS**, be taken up for adoption, which motion prevailed.

**SCS** for **HCR 16** was taken up.

Senator Johnson moved that **SCS** for **HCR 16** be adopted, which motion prevailed.

**SCS** for **HCR 16** was adopted by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | DePasco   | Flotron | Goode    |
| Graves    | House     | Howard  | Jacob    |
| Johnson   | Kenney    | Kinder  | Klarich  |
| Mathewson | Maxwell   | Mueller | Rohrbach |
| Russell   | Schneider | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senators—None

Absent—Senators

|      |         |       |           |
|------|---------|-------|-----------|
| Clay | Ehlmann | Quick | Staples—4 |
|------|---------|-------|-----------|

Absent with leave—Senators—None

**MESSAGES FROM THE HOUSE**

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so, grant the House a conference

thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 548** and has again taken up and passed **SCS** for **HB 548**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 866** and has again taken up and passed **SCS** for **HB 866**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCR 11** and has again taken up and passed **SS** for **HCR 11**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HCR 3** and has again taken up and passed **SCS** for **HCS** for **HCR 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCR 28** and has again taken up and passed **SCS** for **HCR 28**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HCR 19** and has again taken up and passed **SCS** for **HCS** for **HCR 19**.

**REPORTS OF STANDING COMMITTEES**

Senator Goode, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

## PRIVILEGED MOTIONS

Senator Goode moved that the Senate conferees be allowed to exceed the differences on **SCS** for **HCS** for **HB 10**, as amended, which motion prevailed.

## CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SB 291**, as amended: Senators Caskey, Quick, Mathewson, Sims and Bentley.

## HOUSE BILLS ON THIRD READING

Senator Goode requested unanimous consent of the Senate to suspend the rules for the purpose of taking **HB 17** up for 3rd reading and final passage, which request was granted.

**HB 17**, introduced by Representative Franklin, entitled:

An Act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

Was taken up by Senator Goode.

On motion of Senator Goode, **HB 17** was read the 3rd time and passed by the following vote:

### YEAS—Senators

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

### NAYS—Senators—None

### Absent—Senators

Clay                      Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Goode requested unanimous consent of the Senate to suspend the rules for the purpose of taking **HCS** for **HB 18**, with **SCS**, up for 3rd reading and final passage, which request was granted.

President Pro Tem Quick assumed the Chair.

**HCS** for **HB 18**, with **SCS**, entitled:

An Act to appropriate money for planning, expenses, lease-purchases, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and for operating expenses of the Senate and the House of Representatives and to transfer money among certain funds.

Was taken up by Senator Goode.

**SCS** for **HCS** for **HB 18**, entitled:

### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 18

An Act to appropriate money for planning, expenses, lease-purchases, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 18** be adopted.

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

### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 18, Section 18.225, Line 3, by deleting the words "Organizational Maintenance Shop" and

inserting in lieu thereof the word "Armory".

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

Senator Wiggins offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.100, Line 5, by adding after said line one new section to read as follows:

"Section 18.101. To the Office of Administration For Public Television Stations Statewide pursuant to Sections 37.205 to 37.250 RSMo.

For cost of Federal Compliance of transition to digital television

From General Revenue Fund.....\$800,000".

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

Senator Goode moved that **SCS** for **HCS** for **HB 18**, as amended, be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 18**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | Clay      | DePasco | Ehlmann  |
| Flotron   | Goode     | Graves  | House    |
| Johnson   | Kenney    | Kinder  | Klarich  |
| Mathewson | Maxwell   | Mueller | Quick    |
| Rohrbach  | Russell   | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senators—None

Absent—Senators

|        |       |           |           |
|--------|-------|-----------|-----------|
| Howard | Jacob | Schneider | Staples—4 |
|--------|-------|-----------|-----------|

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

Senator DePasco moved that motion lay on the

table, which motion prevailed.

Senator Goode requested unanimous consent of the Senate to suspend the rules for the purpose of taking **HB 19**, with **SCAs 1** and **2**, up for 3rd reading and final passage, which request was granted.

**HB 19**, with **SCAs 1** and **2**, introduced by Representative Franklin, entitled:

An Act to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

Was taken up by Senator Goode.

**SCA 1** was taken up.

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

**SCA 2** was taken up.

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

On motion of Senator Goode, **HB 19**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|          |          |           |           |
|----------|----------|-----------|-----------|
| Banks    | Bentley  | Bland     | Caskey    |
| Childers | Clay     | DePasco   | Ehlmann   |
| Flotron  | Goode    | Graves    | House     |
| Howard   | Jacob    | Johnson   | Kenney    |
| Kinder   | Klarich  | Mathewson | Maxwell   |
| Mueller  | Quick    | Rohrbach  | Russell   |
| Scott    | Sims     | Singleton | Steelman  |
| Stoll    | Westfall | Wiggins   | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

|           |           |
|-----------|-----------|
| Schneider | Staples—2 |
|-----------|-----------|

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

Senator DePasco announced that photographers from the Columbia Daily Tribune had been given permission to take pictures in the Senate Chamber today.

|               |           |           |          |
|---------------|-----------|-----------|----------|
| YEAS—Senators |           |           |          |
| Bentley       | Bland     | Caskey    | Childers |
| Clay          | DePasco   | Ehlmann   | Flotron  |
| Goode         | House     | Howard    | Jacob    |
| Johnson       | Kenney    | Kinder    | Klarich  |
| Mathewson     | Maxwell   | Mueller   | Quick    |
| Rohrbach      | Russell   | Schneider | Scott    |
| Sims          | Singleton | Steelman  | Stoll    |
| Westfall      | Wiggins   | Yeckel—31 |          |

**PRIVILEGED MOTIONS**

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2**, submitted the following conference committee report:

**CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 2**

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

**FOR THE SENATE: FOR THE HOUSE:**

- |                     |                     |
|---------------------|---------------------|
| /s/ Wayne Goode     | /s/ Dick Franklin   |
| /s/ Harry Wiggins   | /s/ Deleta Williams |
| /s/ Joe Maxwell     | /s/ Scott B. Lakin  |
| /s/ John T. Russell | /s/ Ken Legan       |
| /s/ Morris Westfall | /s/ Jewell Patek    |

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

|                       |           |
|-----------------------|-----------|
| NAYS—Senator Graves—1 |           |
| Absent—Senators       |           |
| Banks                 | Staples—2 |

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 2**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

|               |           |           |          |
|---------------|-----------|-----------|----------|
| YEAS—Senators |           |           |          |
| Bentley       | Bland     | Caskey    | Childers |
| Clay          | DePasco   | Ehlmann   | Flotron  |
| Goode         | House     | Howard    | Jacob    |
| Johnson       | Kenney    | Kinder    | Klarich  |
| Mathewson     | Maxwell   | Mueller   | Quick    |
| Rohrbach      | Russell   | Schneider | Scott    |
| Sims          | Singleton | Steelman  | Stoll    |
| Westfall      | Wiggins   | Yeckel—31 |          |

NAYS—Senator Graves—1

|                 |           |
|-----------------|-----------|
| Absent—Senators |           |
| Banks           | Staples—2 |

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

Senator Johnson assumed the Chair.

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 3

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- |                     |                     |
|---------------------|---------------------|
| /s/ Wayne Goode     | /s/ Dick Franklin   |
| /s/ Harry Wiggins   | /s/ Deleta Williams |
| /s/ Joe Maxwell     | /s/ Scott B. Lakin  |
| /s/ John T. Russell | /s/ Ken Legan       |
| /s/ Morris Westfall | /s/ Gary Burton     |

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

|       |           |
|-------|-----------|
| Banks | Staples—2 |
|-------|-----------|

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 3**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

|           |          |           |           |
|-----------|----------|-----------|-----------|
| Banks     | Bentley  | Bland     | Caskey    |
| Childers  | Clay     | DePasco   | Ehlmann   |
| Flotron   | Goode    | Graves    | House     |
| Howard    | Jacob    | Johnson   | Kenney    |
| Kinder    | Klarich  | Mathewson | Maxwell   |
| Mueller   | Quick    | Rohrbach  | Russell   |
| Schneider | Sims     | Singleton | Steelman  |
| Stoll     | Westfall | Wiggins   | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

|       |           |
|-------|-----------|
| Scott | Staples—2 |
|-------|-----------|

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 4

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.

2. That the House recede from its position on House Committee Substitute for House Bill No. 4.

3. That the attached Conference Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Wayne Goode /s/ Dick Franklin
/s/ Harry Wiggins /s/ Deleta Williams
/s/ Joe Maxwell /s/ Timothy P. Green
/s/ John T. Russell /s/ Ken Legan
/s/ Morris Westfall /s/ Chuck Gross

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Table with 4 columns: Banks, Bentley, Bland, Caskey; Childers, Clay, DePasco, Ehlmann

Table with 4 columns: Flotron, Goode, Graves, House; Jacob, Johnson, Kenney, Kinder; Klarich, Mathewson, Maxwell, Mueller; Quick, Rohrbach, Russell, Schneider; Scott, Sims, Singleton, Steelman; Stoll, Westfall, Wiggins, Yeckel—32

NAYS—Senator Howard—1

Absent—Senator Staples—1

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Table with 4 columns: Banks, Bentley, Bland, Caskey; Childers, Clay, DePasco, Ehlmann; Flotron, Goode, Graves, House; Howard, Jacob, Johnson, Kenney; Kinder, Klarich, Mathewson, Maxwell; Mueller, Quick, Rohrbach, Russell; Scott, Sims, Singleton, Steelman; Stoll, Westfall, Wiggins, Yeckel—32

NAYS—Senators—None

Absent—Senators

Schneider Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Goode moved that the vote by which

the bill passed be reconsidered.

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

Senator Mathewson assumed the Chair.

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5**, as amended, submitted the following conference committee report:

**CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 5**

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

**FOR THE SENATE: FOR THE HOUSE:**

|                     |                     |
|---------------------|---------------------|
| /s/ Wayne Goode     | /s/ Dick Franklin   |
| /s/ Harry Wiggins   | /s/ Sam Leake       |
| /s/ Joe Maxwell     | /s/ Timothy Green   |
| /s/ John T. Russell | /s/ Ken Legan       |
| /s/ Morris Westfall | /s/ Charlie Shields |

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

|          |         |           |         |
|----------|---------|-----------|---------|
| Banks    | Bentley | Bland     | Caskey  |
| Childers | Clay    | DePasco   | Ehlmann |
| Flotron  | Goode   | Graves    | House   |
| Howard   | Jacob   | Johnson   | Kenney  |
| Kinder   | Klarich | Mathewson | Maxwell |

|           |          |          |           |
|-----------|----------|----------|-----------|
| Mueller   | Quick    | Rohrbach | Russell   |
| Schneider | Scott    | Sims     | Steelman  |
| Stoll     | Westfall | Wiggins  | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

Singleton      Staples—2

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 5**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 5**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

**YEAS—Senators**

|           |          |           |           |
|-----------|----------|-----------|-----------|
| Banks     | Bentley  | Bland     | Caskey    |
| Childers  | Clay     | DePasco   | Ehlmann   |
| Flotron   | Goode    | Graves    | House     |
| Howard    | Jacob    | Johnson   | Kenney    |
| Kinder    | Klarich  | Mathewson | Maxwell   |
| Mueller   | Quick    | Rohrbach  | Russell   |
| Schneider | Scott    | Sims      | Steelman  |
| Stoll     | Westfall | Wiggins   | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

Singleton      Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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



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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL NO. 6

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

|                     |                      |
|---------------------|----------------------|
| /s/ Wayne Goode     | /s/ Dick Franklin    |
| /s/ Harry Wiggins   | /s/ May Scheve       |
| /s/ Joe Maxwell     | /s/ Marilyn Williams |
| /s/ John T. Russell | /s/ Ken Legan        |
| /s/ Morris Westfall | /s/ James E. Graham  |

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

|           |          |           |           |
|-----------|----------|-----------|-----------|
| Banks     | Bentley  | Bland     | Caskey    |
| Childers  | Clay     | DePasco   | Ehlmann   |
| Flotron   | Goode    | Graves    | House     |
| Howard    | Jacob    | Johnson   | Kenney    |
| Kinder    | Klarich  | Mathewson | Maxwell   |
| Mueller   | Quick    | Rohrbach  | Russell   |
| Schneider | Scott    | Sims      | Steelman  |
| Stoll     | Westfall | Wiggins   | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

Singleton      Staples—2

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 6**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE  
FOR HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

|           |          |           |           |
|-----------|----------|-----------|-----------|
| Banks     | Bentley  | Bland     | Caskey    |
| Childers  | Clay     | DePasco   | Ehlmann   |
| Flotron   | Goode    | Graves    | House     |
| Howard    | Jacob    | Johnson   | Kenney    |
| Kinder    | Klarich  | Mathewson | Maxwell   |
| Mueller   | Quick    | Rohrbach  | Russell   |
| Schneider | Scott    | Sims      | Steelman  |
| Stoll     | Westfall | Wiggins   | Yeckel—32 |

NAYS—Senators—None

Absent—Senators

Singleton      Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Goode moved that the vote by which

the bill passed be reconsidered.

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 7

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

- 1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
- 2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
- 3. That the attached Conference Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Wayne Goode /s/ Dick Franklin
- /s/ Harry Wiggins /s/ May Scheve
- /s/ Joe Maxwell /s/ Marilyn Williams
- /s/ John T. Russell /s/ Ken Legan
- /s/ Morris Westfall /s/ Emmy McClelland

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

|          |         |           |         |
|----------|---------|-----------|---------|
| Banks    | Bentley | Bland     | Caskey  |
| Childers | Clay    | DePasco   | Ehlmann |
| Flotron  | Goode   | Graves    | House   |
| Howard   | Jacob   | Johnson   | Kenney  |
| Kinder   | Klarich | Mathewson | Maxwell |

|           |       |          |           |
|-----------|-------|----------|-----------|
| Mueller   | Quick | Rohrbach | Russell   |
| Schneider | Scott | Sims     | Singleton |
| Steelman  | Stoll | Westfall | Wiggins   |
| Yeckel—33 |       |          |           |

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and the Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Goode moved that the vote by which

the bill passed be reconsidered.

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 8

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- |                     |                    |
|---------------------|--------------------|
| /s/ Wayne Goode     | /s/ Dick Franklin  |
| /s/ Harry Wiggins   | /s/ Sam Leake      |
| /s/ Joe Maxwell     | /s/ Scott B. Lakin |
| /s/ John T. Russell | /s/ Ken Legan      |
| /s/ Morris Westfall | /s/ Larry Crawford |

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

|          |         |           |         |
|----------|---------|-----------|---------|
| Banks    | Bentley | Bland     | Caskey  |
| Childers | Clay    | DePasco   | Ehlmann |
| Flotron  | Goode   | Graves    | House   |
| Howard   | Jacob   | Johnson   | Kenney  |
| Kinder   | Klarich | Mathewson | Maxwell |
| Mueller  | Quick   | Rohrbach  | Russell |

|           |       |          |           |
|-----------|-------|----------|-----------|
| Schneider | Scott | Sims     | Singleton |
| Steelman  | Stoll | Westfall | Wiggins   |
| Yeckel—33 |       |          |           |

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 9**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 9

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after open, free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.

2. That the House recede from its position on House Committee Substitute for House Bill No. 9.

3. That the attached Conference Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Wayne Goode /s/ Dick Franklin
/s/ Harry Wiggins /s/ Charles Q. Troupe
/s/ Joe Maxwell /s/ Glenda Kelly
/s/ John T. Russell /s/ Pat Kelley
/s/ Morris Westfall /s/ Ken Legan

Senator Goode moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Table with 4 columns of names: Banks, Childers, Flotron, Howard, Kinder, Mueller, Schneider, Steelman, Yeckel-33; Bentley, Clay, Goode, Jacob, Klarich, Quick, Scott, Stoll; Bland, DePasco, Graves, Johnson, Mathewson, Rohrbach, Sims, Westfall; Caskey, Ehlmann, House, Kenney, Maxwell, Russell, Singleton, Wiggins

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1999 and ending June 30, 2000.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Table with 4 columns of names: Banks, Childers, Flotron, Howard, Kinder, Mueller, Schneider, Stoll; Bentley, Clay, Goode, Jacob, Klarich, Quick, Scott, Westfall; Bland, DePasco, Graves, Johnson, Mathewson, Rohrbach, Singleton, Wiggins; Caskey, Ehlmann, House, Kenney, Maxwell, Russell, Steelman, Yeckel-32

NAYS—Senators—None

Absent—Senators

Sims Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Caskey, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 348**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 348

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 348, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

- 1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 348;
2. That the House recede from its position on House Committee Substitute for House Bill No. 348;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: /s/ Harold Caskey /s/ John E. Scott /s/ Jim Mathewson /s/ Betty Sims /s/ Roseann Bentley
FOR THE HOUSE: /s/ Phil Smith /s/ Randall Relford /s/ D. J. Davis Charlie Ballard Matt Bartle

Senator Johnson assumed the Chair.

Senator Caskey moved that the above conference committee report be adopted, which motion prevailed by the following vote:

Table with 4 columns: Senator Name, Senator Name, Senator Name, Senator Name. Rows include YEAS—Senators and NAYS—Senators—None.

NAYS—Senators—None
Absent—Senators
Bentley Staples—2
Absent with leave—Senators—None

On motion of Senator Caskey, CCS for SCS for HCS for HB 348, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 348

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the registration of juvenile sex offenders, with penalty provisions.

Was read the 3rd time and passed by the following vote:

Table with 4 columns: Senator Name, Senator Name, Senator Name, Senator Name. Rows include YEAS—Senators and NAYS—Senators—None.

NAYS—Senators—None
Absent—Senators
Bentley Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Banks moved that the Senate refuse to concur in HS for HCS for SCS for SBs 8 and 173, as amended, and request the House to recede from its position and failing to do so, grant the House a conference thereon, which motion prevailed.

Senator Maxwell moved that the Senate refuse to concur in HS for SB 310, as amended, and request the House to recede from its position and, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Howard moved that the Senate refuse to concur in **HCS** for **SCS** for **SBs 31** and **285**, as amended, and request the House to recede from its position and, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Caskey moved that **SS** for **SCS** for **SB 467**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Caskey moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | Ehlmann   | Flotron | Goode    |
| Graves    | House     | Howard  | Jacob    |
| Johnson   | Kenney    | Kinder  | Klarich  |
| Mathewson | Maxwell   | Mueller | Quick    |
| Russell   | Schneider | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senator Rohrbach—1

Absent—Senators

|      |         |           |
|------|---------|-----------|
| Clay | DePasco | Staples—3 |
|------|---------|-----------|

Absent with leave—Senators—None

**HA 2** was taken up.

Senator Caskey moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | DePasco   | Flotron | Goode    |
| Graves    | House     | Howard  | Jacob    |
| Johnson   | Kenney    | Kinder  | Klarich  |
| Mathewson | Maxwell   | Mueller | Quick    |
| Rohrbach  | Russell   | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senators—None

Absent—Senators

|      |         |           |           |
|------|---------|-----------|-----------|
| Clay | Ehlmann | Schneider | Staples—4 |
|------|---------|-----------|-----------|

Absent with leave—Senators—None

On motion of Senator Caskey, **SS** for **SCS** for **SB 467**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|          |           |           |          |
|----------|-----------|-----------|----------|
| Banks    | Bentley   | Bland     | Caskey   |
| Childers | DePasco   | Ehlmann   | Flotron  |
| Goode    | Graves    | House     | Howard   |
| Jacob    | Johnson   | Kenney    | Kinder   |
| Klarich  | Mathewson | Maxwell   | Mueller  |
| Quick    | Russell   | Schneider | Scott    |
| Sims     | Steelman  | Stoll     | Westfall |
| Wiggins  | Yeckel—30 |           |          |

NAYS—Senators

|          |             |
|----------|-------------|
| Rohrbach | Singleton—2 |
|----------|-------------|

Absent—Senators

|      |           |
|------|-----------|
| Clay | Staples—2 |
|------|-----------|

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Scott moved that **SCS** for **SB 405**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 405**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 405

An Act to repeal section 67.750, RSMo 1994, and sections 67.792, 67.793, 67.794, 67.795, 67.796, 67.797 and 67.799, RSMo Supp. 1998, relating to recreational systems of political subdivisions, and to enact in lieu thereof ten new sections relating to the same subject.

Was taken up.

Senator Scott moved that **HCS** for **SCS** for **SB 405**, as amended, be adopted, which motion

prevailed by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | Clay      | DePasco | Ehlmann  |
| Flotron   | Goode     | House   | Howard   |
| Jacob     | Johnson   | Kenney  | Kinder   |
| Mathewson | Maxwell   | Mueller | Quick    |
| Rohrbach  | Russell   | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senators

Graves Klarich—2

Absent—Senators

Schneider Staples—2

Absent with leave—Senators—None

On motion of Senator Scott, **HCS for SCS for SB 405**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|           |           |         |          |
|-----------|-----------|---------|----------|
| Banks     | Bentley   | Bland   | Caskey   |
| Childers  | Clay      | DePasco | Ehlmann  |
| Flotron   | Goode     | House   | Howard   |
| Jacob     | Johnson   | Kenney  | Kinder   |
| Klarich   | Mathewson | Maxwell | Mueller  |
| Quick     | Russell   | Scott   | Sims     |
| Singleton | Steelman  | Stoll   | Westfall |
| Wiggins   | Yeckel—30 |         |          |

NAYS—Senator Graves—1

Absent—Senators

Rohrbach Schneider Staples—3

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Mathewson assumed the Chair.

Senator Johnson moved that **SB 33**, with **HCS**,

as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SB 33**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 33

An Act to repeal section 144.517, RSMo Supp. 1998, relating to sales and use taxation on college textbook sales, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

Senator Johnson moved that **HCS for SB 33**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

|           |           |           |          |
|-----------|-----------|-----------|----------|
| Banks     | Bentley   | Bland     | Caskey   |
| Childers  | Clay      | DePasco   | Ehlmann  |
| Flotron   | Goode     | Graves    | House    |
| Howard    | Jacob     | Johnson   | Kenney   |
| Kinder    | Klarich   | Mathewson | Maxwell  |
| Mueller   | Rohrbach  | Russell   | Sims     |
| Singleton | Steelman  | Stoll     | Westfall |
| Wiggins   | Yeckel—30 |           |          |

NAYS—Senators—None

Absent—Senators

Quick Schneider Scott Staples—4

Absent with leave—Senators—None

On motion of Senator Johnson, **HCS for SB 33**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Quick Schneider Staples—3

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Russell moved that **SB 115**, with **HCA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCA 1** was again taken up.

Senator Russell moved that the above amendment be adopted.

At the request of Senator Russell, the motion to adopt **HCA 1** was withdrawn.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCA 1** to **HB 415** and has again taken up and passed **HB 415**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 789** and has taken up and passed **CCS** for **SCS** for **HB 789**.

#### REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **HCR 35**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

#### CONCURRENT RESOLUTIONS

Senator Clay moved that **SCR 1**, with **HA 1**, be taken up for adoption, which motion prevailed.

**HA 1** was taken up.

Senator Clay moved that the above amendment be adopted, which motion prevailed by the following vote:

##### YEAS—Senators

|           |           |          |          |
|-----------|-----------|----------|----------|
| Banks     | Bland     | Caskey   | Childers |
| Clay      | DePasco   | Ehlmann  | Goode    |
| House     | Jacob     | Johnson  | Kinder   |
| Klarich   | Mathewson | Maxwell  | Quick    |
| Schneider | Scott     | Steelman | Stoll    |
| Wiggins   | Yeckel—22 |          |          |

##### NAYS—Senators

|            |          |        |           |
|------------|----------|--------|-----------|
| Bentley    | Graves   | Howard | Kenney    |
| Mueller    | Rohrbach | Sims   | Singleton |
| Westfall—9 |          |        |           |

##### Absent—Senators

|         |         |           |
|---------|---------|-----------|
| Flotron | Russell | Staples—3 |
|---------|---------|-----------|

##### Absent with leave—Senators—None

Senator Clay moved that **SCR 1**, as amended, be adopted, which motion prevailed by the following vote:

##### YEAS—Senators

|          |         |           |           |
|----------|---------|-----------|-----------|
| Banks    | Bland   | Caskey    | Childers  |
| Clay     | DePasco | Ehlmann   | Goode     |
| House    | Jacob   | Johnson   | Mathewson |
| Maxwell  | Quick   | Schneider | Scott     |
| Steelman | Stoll   | Wiggins   | Yeckel—20 |

##### NAYS—Senators

|         |         |           |             |
|---------|---------|-----------|-------------|
| Bentley | Graves  | Howard    | Kenney      |
| Kinder  | Klarich | Mueller   | Rohrbach    |
| Russell | Sims    | Singleton | Westfall—12 |

##### Absent—Senators

|         |           |
|---------|-----------|
| Flotron | Staples—2 |
|---------|-----------|

##### Absent with leave—Senators—None

Senator Caskey moved that **SCR 5**, with **HCS**, be taken up for adoption, which motion prevailed.



**HCS for SCR 5** was taken up.

Senator Caskey moved that **HCS for SCR 5** be adopted, which motion prevailed by the following vote:

YEAS—Senators

|         |         |           |           |
|---------|---------|-----------|-----------|
| Banks   | Bland   | Caskey    | Clay      |
| DePasco | Ehlmann | Flotron   | Goode     |
| House   | Howard  | Jacob     | Johnson   |
| Kinder  | Klarich | Mathewson | Maxwell   |
| Mueller | Quick   | Schneider | Scott     |
| Sims    | Stoll   | Wiggins   | Yeckel—24 |

NAYS—Senators

|            |          |           |          |
|------------|----------|-----------|----------|
| Bentley    | Childers | Graves    | Kenney   |
| Rohrbach   | Russell  | Singleton | Steelman |
| Westfall—9 |          |           |          |

Absent—Senator Staples—1

Absent with leave—Senators—None

**HCS for SCR 5** was adopted by the following vote:

YEAS—Senators

|          |         |           |           |
|----------|---------|-----------|-----------|
| Banks    | Bentley | Bland     | Caskey    |
| Childers | Clay    | DePasco   | Ehlmann   |
| Flotron  | Goode   | House     | Howard    |
| Jacob    | Johnson | Kinder    | Mathewson |
| Maxwell  | Mueller | Quick     | Schneider |
| Scott    | Sims    | Singleton | Steelman  |
| Stoll    | Wiggins | Yeckel—27 |           |

NAYS—Senators

|         |            |         |          |
|---------|------------|---------|----------|
| Graves  | Kenney     | Klarich | Rohrbach |
| Russell | Westfall—6 |         |          |

Absent—Senator Staples—1

Absent with leave—Senators—None

**REFERRALS**

President Pro Tem Quick referred **HCR 37** to the Committee on Rules, Joint Rules and Resolutions.

**PRIVILEGED MOTIONS**

Senator Goode moved that the Senate refuse to recede from its position on **SCS for HCS for**

**HB 13** and grant the House a conference thereon, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 13**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

**PRIVILEGED MOTIONS**

Senator Childers, on behalf of the conference committee appointed to act with a like committee from the House on **SCS for HB 789**, submitted the following conference committee report:

**CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 789**

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Bill No. 789, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Bill No. 789;
2. That the House recede from its position on Senate Committee Substitute for House Bill No. 789;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE:      FOR THE HOUSE:

|                      |                        |
|----------------------|------------------------|
| /s/ Jim Mathewson    | /s/ Gracia Backer      |
| /s/ Stephen M. Stoll | /s/ Judy Berkstresser  |
| /s/ J. T. Howard     | /s/ Linda Bartelsmeyer |
| /s/ Doyle Childers   | /s/ Marilyn Williams   |
| /s/ Franc Flotron    | /s/ Rita D. Days       |

Senator Childers moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Banks     | Bentley | Bland     | Caskey    |
| Childers  | Clay    | DePasco   | Ehlmann   |
| Flotron   | Goode   | Graves    | House     |
| Howard    | Jacob   | Johnson   | Kenney    |
| Kinder    | Klarich | Mathewson | Maxwell   |
| Mueller   | Quick   | Rohrbach  | Russell   |
| Schneider | Scott   | Sims      | Singleton |
| Steelman  | Stoll   | Westfall  | Wiggins   |

Yeckel—33

## NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

On motion of Senator Childers, **CCS** for **SCS** for **HB 789**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE  
FOR SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 789

An Act to repeal section 29.230, RSMo 1994, relating to the powers of the state auditor, and to enact in lieu thereof one new section relating to the same subject.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Banks     | Bentley | Bland     | Caskey    |
| Childers  | Clay    | DePasco   | Ehlmann   |
| Flotron   | Goode   | Graves    | House     |
| Howard    | Jacob   | Johnson   | Kenney    |
| Kinder    | Klarich | Mathewson | Maxwell   |
| Mueller   | Quick   | Rohrbach  | Russell   |
| Schneider | Scott   | Sims      | Singleton |
| Steelman  | Stoll   | Westfall  | Wiggins   |

Yeckel—33

## NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Childers moved that the vote by which

the bill passed be reconsidered.

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

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**, as amended with House Perfecting Amendment No. 1.

#### HOUSE PERFECTING AMENDMENT NO. 1

Amend Conference Committee Substitute for House Bill No. 10, Page 39, Section 10.705, Line 3 of said page, by inserting after the word "infertility" a comma ","; and

Further amend said section, Page 41, Line 11 of said page, by striking out the comma "," and inserting in lieu thereof a semicolon ";"; and

Further amend said section, Page 42, Line 2 of said page, by striking out the word "inferility" and inserting in lieu thereof the word "infertility".

#### REPORTS OF STANDING COMMITTEES

Senator Maxwell, Chairman of the Committee on Commerce and Environment, submitted the following report:

Mr. President: Your Committee on Commerce and Environment, to which was referred **HCS** for **HBs 192** and **945**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Mathewson, Chairman of the Committee on Local Government and Economic Development, submitted the following report:

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HCS** for **HB 389**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Jacob, Chairman of the Committee on Insurance and Housing, submitted the following report:

Mr. President: Your Committee on Insurance and Housing, to which was referred **HCS** for **HB 599**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Scott, Chairman of the Committee on Pensions and General Laws, submitted the following report:

Mr. President: Your Committee on Pensions and General Laws, to which was referred **HCS** for **HBs 430** and **648**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wiggins assumed the Chair.

**RESOLUTIONS**

Senator Kinder offered Senate Resolution No. 802, regarding the Fiftieth Wedding Anniversary of

Mr. and Mrs. Charles Walton, Cedar City, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Howard introduced to the Senate, Derotha Skaggs and Mary Findlay, Poplar Bluff.

Senator Banks introduced to the Senate, the Physician of the Day, Susan Colbert Threats, M.D., St. Louis.

Senator Westfall introduced to the Senate, forty fifth and sixth grade students from Bronaugh School; and Daniel Bley, Suzanne Green, Will Daniels and Jessica Langford were made honorary pages.

Senator Bland introduced to the Senate, State Representative Terry Riley, Kansas City.

Senator Flotron introduced to the Senate, one hundred fourth grade students from Rose Acres Elementary School, St. Louis.

On motion of Senator DePasco, the Senate adjourned until 9:30 a.m., Thursday, May 6, 1999.

SENATE CALENDAR

SIXTY-SEVENTH DAY—THURSDAY, MAY 6, 1999

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 472-House  
SCS for SB 440-Schneider  
(In Budget Control)

SS for SCS for SBs 347, 40, 241  
& 301-House  
SS for SCS for SBs 75,  
381 & 204-Wiggins

SENATE BILLS FOR PERFECTION

1. SB 274-House, et al,  
with SCS

2. SBs 18, 49 & 167-  
Goode, et al, with SCS

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| <ul style="list-style-type: none"> <li>3. SBs 398 &amp; 376-Maxwell,<br/>with SCS</li> <li>4. SB 507-Childers</li> <li>5. SB 413-Johnson, et al</li> <li>6. SJR 16-Schneider,<br/>with SCS</li> <li>7. SB 98-Kenney</li> </ul> | <ul style="list-style-type: none"> <li>8. SJR 29-Caskey</li> <li>9. SB 16-Mathewson,<br/>et al, with SCA 1</li> <li>10. SB 52-Klarich and<br/>Flotron</li> <li>11. SB 236-Stoll</li> <li>12. SB 447-Stoll</li> </ul> |
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### HOUSE BILLS ON THIRD READING

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| <ul style="list-style-type: none"> <li>1. HCS for HB 676, with<br/>SCS (Stoll)<br/>(In Budget Control)</li> <li>2. HS for HB 516-Gaw,<br/>with SCS (Jacob)</li> <li>3. HCS for HB 139, with<br/>SCS (Russell)</li> <li>4. HB 401-Barry, et al,<br/>with SCS (Caskey)</li> <li>5. HCS for HB 490 &amp; HCS<br/>for HB 308, with SCS<br/>(Sims)</li> <li>6. HB 542-Barry, with<br/>SCS (House)</li> <li>7. HB 191-Dougherty, et al,<br/>with SCS (Maxwell)</li> <li>8. HCS for HB 267, with<br/>SCS (Scott)<br/>(In Budget Control)</li> <li>9. HS for HCS for HB 852-<br/>Hosmer, with SCS<br/>(Caskey)<br/>(In Budget Control)</li> <li>10. HS for HCS for HB 701-<br/>Rizzo, with SCS<br/>(Mathewson)</li> <li>11. HCS for HB 60, with<br/>SCS (Staples)</li> <li>12. HCS for HBs 316, 660</li> </ul> | <ul style="list-style-type: none"> <li>&amp; 203, with SCS<br/>(Howard)</li> <li>13. HS for HCS for HBs 246 &amp;<br/>405-Bray, with SCS (Clay)<br/>(In Budget Control)</li> <li>14. HB 541-Kreider, et al<br/>(Mathewson)</li> <li>15. HCS for HB 889<br/>(In Budget Control)</li> <li>16. HCS for HBs 603, 722<br/>&amp; 783, with SCS<br/>(Goode)<br/>(In Budget Control)</li> <li>17. HCS for HB 780, with<br/>SCS (Stoll)</li> <li>18. HS for HCS for HB 793-<br/>Treadway, with SCS<br/>(Mathewson)</li> <li>19. HB 368-Murray and<br/>Franklin, with SCS<br/>(Goode)</li> <li>20. HB 64-Long (Russell)</li> <li>21. HS for HCS for HB 822-<br/>Liese, with SCS (Clay)<br/>(In Budget Control)</li> <li>22. HCS for HBs 321 &amp; 493,<br/>with SCAs 1 &amp; 2 (Jacob)</li> <li>23. HCS for HBs 192 &amp; 945,<br/>with SCS</li> </ul> |
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24. HCS for HB 389, with SCS  
25. HCS for HB 599, with SCS

26. HCS for HBs 430 & 648,  
with SCS

### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 425-Stoll, et al

#### SENATE BILLS FOR PERFECTION

SB 5-Wiggins, with SS,  
SA 2 & point of order  
(pending)

SB 30-Howard, with SCS  
(pending)

SB 78-Russell, with SA 4  
(pending)

SB 97-Maxwell and Sims

SB 179-Goode, with SA 3 &  
SSA 1 for SA 3 (pending)

SB 203-Wiggins

SB 208-House, with SCS &  
SS for SCS (pending)

SB 235-Stoll, with SS &  
SA 2 (pending)

SB 316-Schneider and  
Ehlmann

SB 318-Jacob, et al, with  
SCS & SS for SCS  
(pending)

SB 336-Caskey, with SS#2  
(pending)

SB 339-Howard and Sims,  
with SCS & SS#2 for  
SCS (pending)

SB 345-Johnson, with SS  
(pending)

SB 397-Maxwell, with SCS

SB 417-Quick, with SS#2 &  
SA 1 (pending)

SBs 429, 430 & 407-Jacob,  
with SCS & SA 2  
(pending)

#### HOUSE BILLS ON THIRD READING

HS for HB 162-Luetkenhaus (House)

HCS for HB 343, with SCS  
(pending) (Caskey)

HCS for HB 349, with SCS  
& SS for SCS (pending)  
(Clay)

HS for HB 450-Relford,  
with SCS (Maxwell)

HB 468-Koller, with SCS  
(pending) (Staples)

HS for HCS for HB 618-  
Harlan, with SCS, SS  
for SCS & SA 6  
(pending) (Maxwell)

HB 779-Skaggs, with SCS  
(Quick)

HCS for HB 888, with SCS  
(Mathewson)

HJR 5-Barry, et al, with  
SCA 1 & SSA 1 for  
SCA 1 (pending) (Stoll)

### CONSENT CALENDAR

#### House Bills

Reported 4/13

HB 775-Hosmer, with SCS  
(Bentley)

Reported 4/14

HB 680-Leake, et al, with  
SCA 1 (Stoll)  
HB 903-Auer (Jacob)

HB 926-Liese and Ward  
(Jacob)

Reported 4/15

HB 812-Berkowitz, et al,  
with SCS (Maxwell)  
HB 988-Backer (Wiggins)

HB 399-Bray (Wiggins)  
HB 472-Nordwald (House)

### SENATE BILLS WITH HOUSE AMENDMENTS

SB 115-Russell, with HCA 1  
SB 196-DePasco, with HCS,  
as amended

SB 294-Staples, with HA 1,  
HA 2, HA 3, HA 4,  
HA 6 & HA 7

### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

#### In Conference

SB 219-Caskey, with HCS,  
as amended  
SB 291-Caskey, with HS  
for HCS, as amended  
(Further conference granted)

SCS for SB 436-Quick,  
with HS for HCS, as  
amended

HCS for HB 10, with SCS,  
as amended (Goode)  
(House adopted CCR and  
passed CCS, with HPA 1)  
HCS for HB 11, with SCS,  
as amended (Goode)

HCS for HB 12, with SCS  
(Goode)  
HCS for HB 13, with SCS  
(Goode)

Requests to Recede or Grant Conference

SCS for SBs 8 & 173-Banks,  
with HS for HCS, as amended  
(Senate requests House  
recede or grant conference)  
SCS for SBs 31 & 285-Howard,  
with HCS, as amended  
(Senate requests House  
recede or grant conference)  
SB 76-Banks, with HA 1,  
HA 2, HA 3 & HA 4  
(Senate requests House  
recede or grant conference)  
SS#2 for SB 288-Quick,  
with HCS, as amended  
(Senate requests House  
recede or grant conference)

SB 310-Maxwell, with HS,  
as amended  
(Senate requests House  
recede or grant conference)  
SS for SCS for SB 338-  
Howard and Sims, with  
HS for HCS, as amended  
(Senate requests House pass  
the bill or grant conference)  
HCS for HCRs 6 & 7 (Staples),  
with SA 1, as amended & SA 2  
(Senate refuses to recede and  
requests House grant conference)

RESOLUTIONS

SR 359-Ehlmann  
SCR 9-Mueller  
SCR 14-Quick, with HCA 1

SCR 13-Stoll, with HA 1  
SCR 20-DePasco

Reported from Committee

HCR 17-Barnett (Graves)  
HCS for HCR 29, with SCS  
(Howard)  
HCR 30-Clayton, with SCS  
(Wiggins)

HCS for HCRs 24 & 15,  
with SCS  
SR 588-Sims  
HCR 35-Gaw, et al

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