

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FOURTH DAY—WEDNESDAY, APRIL 12, 2000

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl Gauck offered the following prayer:

“We glory in tribulations also, knowing that tribulation produces patience and patience produces endurance and endurance produces hope and hope does not disappoint us.” (Romans 5:3-4)

Heavenly Father, we know the cycles of life and the endless vexations in our work here and among our people. But we also know that such tribulations help us grow in Godly patience and we are better able to endure what comes our way and because of it we experience hope for a better future because of Your grace given to us. And so we thank You for this day and its opportunities whatever may come our way. In all this we give You thanks and praise. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from KOMU-TV, KRCG-TV and the Associated Press were given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney

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

Absent with leave—Senators—None

The Lieutenant Governor was present.

REPORTS OF STANDING COMMITTEES

Senator Caskey, Chairman of the Committee on Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 1353**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1, and be placed on the Consent Calendar.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 1353, Page 1, Section 58.449, Line 5, by inserting after “accident,” the following: “**spouse of or any family member related within the second degree of consanguinity to a person killed in the accident,**”.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 1289**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 1509**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 1321**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 1284**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 1077**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 1631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 1454**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which

were referred **HB 1499** and **HB 1579**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 1659**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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 **SS** for **SCS** for **SB 925**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Stoll moved that **SB 926**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 926** was again taken up.

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

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 926, Page 16, Section 163.031, Lines 4-25 of said page, by striking all of said lines; and

Further amend said bill, Page 17, Section 163.031, Lines 1-13 of said page, by striking all of said lines; and further amend by renumbering the remaining subdivisions accordingly.

Senator Goode moved that the above amendment be adopted.

At the request of Senator Goode, **SA 5** was withdrawn.

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

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 926, Page 17, Section 163.031, Line 13 of said page, by inserting immediately after the word “section” the following: “; **provided that no addition in the payment amount of line 19 shall be made if the district elects, either by adoption of a resolution by the school board or by district voter approval of a majority of voters voting on an issue to forego the addition in the payment amount provided for in this subdivision**”.

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

Senator House offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 926, Page 24, Section 163.031, Line 17 of said page, by inserting after all of said line the following:

“163.036. 1. In computing the amount of state aid a school district is entitled to receive under section 163.031, a school district may use an estimate of the number of eligible pupils for the ensuing year, the number of eligible pupils for the immediately preceding year or the number of eligible pupils for the second preceding school year, whichever is greater. **Except as otherwise provided in subsection 3 of this section**, any error made in the apportionment of state aid because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating eligible pupils exceeds the amount to which the district was actually entitled by more than five percent, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law, the state board of education shall make an adjustment for the immediately preceding year for any increase in the actual number of eligible pupils above the number on which the state aid in section 163.031

was calculated. Said adjustment shall be made in the manner providing for correction of errors under subsection 1 of this section.

3. (1) For any district which has, for at least five years immediately preceding the year in which the error is discovered, adopted a calendar for the school term in which elementary schools are in session for twelve months of each calendar year, any error made in the apportionment of state aid to such district because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091 and subsection 1 of this section, except that if the amount paid exceeds the amount to which the district was actually entitled by more than five percent and the district provides written application to the state board requesting that the deductions be made pursuant to subdivision (2) of this subsection, then the amounts shall be deducted pursuant to subdivision (2) of this subsection.

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

[3.] **4.** For the purposes of distribution of state school aid pursuant to section 163.031, a school district may elect to use the district's equalized assessed valuation for the preceding year, or an estimate of the current year's assessed valuation if the current year's equalized assessed valuation is estimated to be more than ten percent less than the district's equalized assessed valuation for the preceding year. A district shall give prior notice to the department of its intention to use the current year's assessed valuation pursuant to this subsection. Any error made in the apportionment of state aid because of a difference between the actual equalized assessed valuation for the current year

and the estimated equalized assessed valuation for the current year shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating current equalized assessed valuation exceeds the amount to which the district was actually entitled, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

Section B. Because of the need to ensure continued financial solvency of certain school districts, section 163.036 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 163.036 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

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

Senator Flotron offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 926, Page 1, Section A, Line 3, by inserting after all of said line the following:

“99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project

improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any

such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or

redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area, is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is

approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments;

(8) No ordinance adopting a redevelopment plan, project or area, or amendment thereto shall be valid unless first referred to the commission as provided in this section. School districts and other taxing entities entitled to participate on the commission shall have standing to challenge the failure to comply with the provisions of sections 99.800 to 99.865 or any unlawful expenditure of public funds approved pursuant to ordinance, and the provisions of this subdivision shall be considered remedial and applicable to legal actions commenced before or after August 28, 2000. After August 28, 2000, any such action must be brought within ninety days following the adoption of the ordinance adopting a redevelopment plan, project or area, or amendment thereto.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and

designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of, or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.”; and

Further amend the title and enacting clause accordingly.

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

Senator Singleton offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 926, Page 24, Section 163.031, Line 17 of said page, by inserting after all of said line the following:

“Section 1. The provisions of section 164.011, RSMo, to the contrary notwithstanding, any district which is participating in this act and fully in compliance with all requirements of teacher's salary compliance in the current year may transfer funds in the current year between teachers', incidental and capital projects funds without limitation.”; and

Further amend the title and enacting clause accordingly.

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

Senator Mathewson assumed the Chair.

Senator Stoll moved that **SS for SCS for SB 926**, as amended, be adopted, which motion prevailed.

Senator Caskey requested a roll call vote be taken on the perfection of **SS for SCS for SB 926**, as amended, and was joined in his request by Senators Bentley, Childers, Kenney and Kinder.

On motion of Senator Stoll, **SS for SCS for SB 926**, as amended, was declared perfected and ordered printed by the following vote:

YEAS—Senators			
Bentley	Bland	Carter	Childers
DePasco	Ehlmann	Flotron	House
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Scott	Sims
Singleton	Staples	Stoll	Wiggins
Yeckel—21			

NAYS—Senators			
Caskey	Clay	Goode	Graves
Howard	Jacob	Kenney	Rohrbach
Russell	Schneider	Steelman	Westfall—12
Absent—Senator Johnson—1			

Absent with leave—Senators—None

THIRD READING OF SENATE BILLS

SS for SCS for SBs 678 and 742, introduced by Senator Schneider, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 678 and 742**

An Act to repeal sections 56.085, 196.790, 426.220, 426.230, 429.360, 479.150, 512.180, 512.190, 512.200, 512.210, 512.250, 512.270, 512.280, 512.290, 512.300, 512.310, 512.320, 516.500, 517.011, 534.350, 534.360, 535.110, 537.045, 541.020, 550.120, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 1994, and sections 43.503, 67.133, 104.312, 211.185, 302.535, 303.041, 351.025, 354.065, 452.556, 455.040, 455.050, 455.205, 479.500, 482.305, 482.330, 483.310, 483.500, 487.030, 514.440, 534.070, 534.380, 535.030, 537.675, 610.105 and 650.055, RSMo Supp. 1999, relating to judicial and administrative procedures, and to

enact in lieu thereof fifty-one new sections relating to the same subject, with an effective date for certain sections.

Was called from the Informal Calendar and taken up.

On motion of Senator Schneider, **SS** for **SCS** for **SBs 678** and **742** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator House—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Quick moved that **SS No. 2** for **SJR 53** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Quick, **SS No. 2** for **SJR 53** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Carter	Clay	DePasco
Ehlmann	Flotron	Goode	Johnson
Kinder	Klarich	Mathewson	Quick
Schneider	Scott	Sims	Singleton
Staples	Stoll	Wiggins—19	

NAYS—Senators

Bland	Caskey	Childers	Graves
Howard	Jacob	Kenney	Maxwell
Mueller	Rohrbach	Russell	Steelman
Westfall	Yeckel—14		

Absent—Senator House—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Caskey moved that **SB 720** be taken up for perfection, which motion prevailed.

Senator Caskey offered **SS** for **SB 720**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 720

An Act to repeal section 149.071, RSMo 1994, relating to the sale of cigarettes, and to enact in lieu thereof one new section relating to the same subject.

Senator Caskey moved that **SS** for **SB 720** be adopted.

President Wilson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Johnson assumed the Chair.

Senator Klarich offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 720, Page 1, Section A, Line 3 of said page, by inserting immediately after said line the following:

“149.015. 1. A tax shall be levied upon the sale of cigarettes at an amount equal to eight and one-half mills per cigarette, until such time as the general assembly appropriates an amount equal to

twenty-five percent of the net federal reimbursement allowance to the health initiatives fund, then the tax shall be six and one-half mills per cigarette beginning July first of the fiscal year immediately after such appropriation. As used in this section, "net federal reimbursement allowance" shall mean that amount of the federal reimbursement allowance in excess of the amount of state matching funds necessary for the state to make payments required by subsection 1 of section 208.471, RSMo, or, if the payments exceed the amount so required, the actual payments made for the purposes specified in subsection 1 of section 208.471, RSMo.

2. The tax shall be evidenced by stamps which shall be furnished by and purchased from the director or by an impression of the tax by the use of a metering machine when authorized by the director as provided in this chapter, and the stamps or impression shall be securely affixed to one end of each package in which cigarettes are contained. All cigarettes must be stamped before being sold in this state.

3. Cigarette tax stamps shall be purchased only from the director. All stamps shall be purchased by the director in proper denominations, shall contain such appropriate wording as the director may prescribe, and shall be of such design, character, color combinations, color changes, sizes and material as the director may, by his rules and regulations, determine to afford the greatest security to the state. It shall be the duty of the director to manufacture or contract for revenue stamps required by this chapter; provided that if the stamps are contracted for, the manufacturer thereof shall be within the jurisdiction of the criminal and civil courts of this state, unless the stamps cannot be obtained in this state at a fair price or of acceptable quality. If stamps are manufactured outside of the state, the director shall take any precautions which he deems necessary to safeguard the state against forgery and misdelivery of any stamps. The director may require of the manufacturer from whom stamps are purchased a bond in an amount to be determined by him commensurate with the monetary value of the stamps, containing such conditions as he may deem necessary in order to protect the state against loss.

4. It shall be the intent of this chapter that the impact of the tax levied hereunder be absorbed by the consumer or user and when the tax is paid by any other person, the payment shall be considered as an advance payment and shall thereafter be added to the price of the cigarettes and recovered from the ultimate consumer or user with the person first selling the cigarettes acting as an agent of the state for the payment and collection of the tax to the state, except that in furtherance of the intent of this chapter no refund of any tax collected and remitted by a retailer upon gross receipts from a sale of cigarettes subject to tax under this chapter shall be claimed under chapter 144, RSMo, for any amount illegally or erroneously overcharged or overcollected as a result of imposition of sales tax by the retailer upon amounts representing the tax imposed under this chapter.

5. In making sales of cigarettes in the state, a wholesaler shall keep a record of the amount of tax on his gross sales. The tax shall be evidenced by appropriate stamps attached to each package of cigarettes sold. **Notwithstanding anything in this chapter to the contrary, no such stamp need be attached to a package of cigarettes transported in the state between distributors unless and until such package is sold to a retailer or consumer.**

6. The tax on any cigarettes contained in packages of four, ten, twenty or similar quantities to be used solely for distribution as samples shall be computed on a per cigarette basis at the rate set forth in this section, and payment of the tax shall be remitted to the director at such time and in such manner as he may prescribe.

7. The revenue generated by the additional two mills tax imposed effective August 13, 1982, less any three percent reduction allowed under the provisions of section 149.021, shall be placed in a separate fund entitled "The Fair Share Fund". Such moneys in the fair share fund shall be distributed to the schools in this state on an average daily attendance basis, except as provided in section 163.031, RSMo.

8. The revenue generated by the additional two mills tax imposed effective October 1, 1993, less any three percent reduction allowed under the provisions of section 149.021, shall be deposited in

the health initiatives fund created in section 191.831, RSMo. When the general assembly appropriates an amount equal to twenty-five percent of the net federal reimbursement allowance to the health initiatives fund, this subsection shall expire. The additional two mills tax levied under this section shall not apply to an amount of stamped cigarettes in the possession of licensed wholesalers on October 1, 1993, up to thirty-five percent of the total cigarette sales made by such licensed wholesaler during the six months immediately preceding October 1, 1993.”; and

Further amend the title and enacting clause accordingly.

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

Senator DePasco offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate bill No. 720, Page 7, Section 149.071, Line 1 of said page, by inserting after all of said line the following:

“Section 1. The provisions of subsection 2 to 9 of section 149.071, RSMo, shall only become effective when all tobacco product manufacturers manufacturing cigarettes for distribution and sale in this state certify to the director of revenue that any manufacturers rebates or buy downs offered to retailers as an incentive to sell such manufacturers tobacco products are offered equally to all retailers selling such manufacturers tobacco products in this state.”; and

Further amend the title and enacting clause accordingly.

Senator DePasco moved that the above amendment be adopted.

Senator Caskey requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Childers, Ehlmann, Mueller and Sims.

Senator Mathewson assumed the Chair.

SA 2 failed of adoption by the following vote:

YEAS—Senators

DePasco	Ehlmann	Goode	Graves
Kenney	Mueller	Schneider	Singleton—8

NAYS—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	Flotron	House
Howard	Jacob	Johnson	Kinder
Klarich	Mathewson	Maxwell	Quick
Rohrbach	Russell	Scott	Sims
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—26		

Absent—Senators—None

Absent with leave—Senators—None

Senator Flotron offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 720, Page 7, Section 149.071, Line 1, by adding after said line the following:

“11. The provisions of subsections 2 through 10 of this act shall not apply to cigarettes for which payments are made pursuant to sections 196.1000 through 196.1003 RSMo, the director of revenue shall certify those cigarettes for which payment is made.”.

Senator Flotron moved that the above amendment be adopted.

At the request of Senator Caskey, **SB 720**, with **SS** and **SA 3** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Pensions and General Laws, to which was referred **HB 1486**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions and General Laws, to which was referred **HB 1647**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Caskey, Chairman of the Committee on Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 1097**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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 **SS** for **SB 902**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

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

RECESS

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

RESOLUTIONS

Senator Steelman offered Senate Resolution No. 1515, regarding Leona G. Gradel, Freeburg, which was adopted.

Senator Bland offered Senate Resolution No. 1516, regarding Floyd Nicholson, Kansas City, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Goode moved that **SB 772** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Mathewson assumed the Chair.

On motion of Senator Goode, **SB 772** was declared perfected and ordered printed.

Senator Klarich moved that **SB 744** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 744, Page 1, In the Title, Line 3, by inserting after “subject” the following: “, with a referendum clause”; and

Further amend said bill, page 1, Section 451.022, Line 6, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2000, pursuant to the applicable laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”.

Senator Klarich moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Caskey, Childers, Ehlmann and Kinder.

Senator Stoll assumed the Chair.

SA 1 was adopted by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	House	Howard	Kenney
Kinder	Klarich	Rohrbach	Russell
Singleton	Stelman	Westfall	Wiggins
Yeckel—17			

NAYS—Senators

Bland	Carter	Caskey	Clay
Goode	Jacob	Johnson	Maxwell
Mueller	Quick	Schneider	Scott
Sims	Stoll—14		

Absent—Senators

DePasco	Mathewson	Staples—3
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Absent with leave—Senators—None

Senator Childers offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 744, Page 1, Section 451.022, Line 6, by inserting after all of said line

the following:

“451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant. The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. Upon [the expiration of three days after] the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, [without waiting three days,] such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

5. Common-law marriages shall be null and void.

6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage.”; and

Further amend the title and enacting clause accordingly.

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

Senator Jacob offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 744, Page 1, Section A, Line 2 and insert the following immediately after said line:

“144.049. 1. This act shall be known as the Family Help Act as follows. There is hereby specifically exempted from the provisions of the state sales and use tax law in sections 144.010 to 144.811, and the local sales and use tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.811, and from the computation of the tax levied, assessed or payable pursuant to both state and local sales and use tax law, all retail sales of any article of clothing having a taxable value of one hundred dollars or less during the period beginning 12:01 a.m. on the first Saturday in August through midnight on the second Sunday in August. For purposes of this section, the term “clothing” means any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands or belt buckles. Any local sales tax revenue lost due to the implementation of the sales tax holiday period defined in this section will be reimbursed by the state and every local political subdivision held harmless.

2. The provisions of this section shall expire July first next following the effective date of this section.

Section B. Because immediate action is necessary to prevent the imposition of sales tax on retail sales of clothing, the enactment of section 144.049 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 144.049 shall be in full force and effect July 1, 2000, or upon its passage and approval, whichever later occurs.”; and

Further amend the title and enacting clause

accordingly.

Senator Jacob moved that the above amendment be adopted.

Senator Klarich raised the point of order that **SA 3** is out of order as the amendment goes beyond the scope and purpose of the original legislation.

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

Senator Ehlmann offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 744, Page 1, Section A, Line 2, by inserting after all of said line the following:

“170.038. 1. The department of elementary and secondary education shall, no later than July 1, 2001, establish a model Respect for Marriage curriculum.

2. After approval of said curriculum by concurrent resolution of the General Assembly, all school districts shall ensure that all regular courses of instruction in health at all district schools in one or more grade levels established by the district shall include a program of instruction, in the high school health curriculum which incorporates the respect for marriage curriculum or another curriculum which includes substantially similar content and which shall include, at a minimum:

(1) Substantive discussion of the fundamental role of the marriage of a man and a woman as a building block of family and social order in all societies;

(2) Examination and discussion of the harmful effects of divorce upon individuals and society;

(3) Exploration of the hardships faced by single-parent families; and

(4) Education about domestic conflict management.”; and

Further amend the title and enacting clause accordingly.

Senator Ehlmann moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Johnson assumed the Chair.

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

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 744, Page 1, Section 451.022, Line 6 by adding:

“5. This provisions of this act shall be valid notwithstanding Article IV, Section 1, of the United States Constitution.”.

Senator Caskey moved that the above amendment be adopted.

At the request of Senator Caskey, **SA 5** was withdrawn.

At the request of Senator Klarich, **SB 744** was placed on the Informal Calendar.

RESOLUTIONS

Senator Flotron moved that **SR 1504** be taken up for adoption, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 1504, Page 647 of the Senate Journal for Monday, April 10, 2000, Lines 1 and 2 of paragraph 2 of resolution 1504, by deleting said lines and inserting in lieu thereof the following:

“2. Any member may offer an”.

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

On motion of Senator Flotron, **SR 1504**, as amended, was adopted by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	Clay	DePasco	Flotron
Goode	Graves	House	Howard
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Russell	Scott	Sims	Singleton
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senators

Jacob	Schneider—2
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Absent—Senators

Ehlmann Rohrbach Staples—3

Absent with leave—Senators—None

SENATE BILLS FOR PERFECTION

Senator Goode moved that **SJR 35**, with **SS** and **SS No. 2** for **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS No. 2 for **SS** for **SJR 35** was taken up.

Senator Clay assumed the Chair.

At the request of Senator Schneider, **SS No. 2** for **SS** for **SJR 35** was withdrawn.

SS for **SJR 35** was again taken up.

At the request of Senator Goode, **SS** for **SJR 35** was withdrawn.

Senator Schneider offered **SS No. 2** for **SJR 35**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE JOINT RESOLUTION NO. 35

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article XIII of the Constitution of Missouri relating to the Missouri citizens' commission on the compensation for elected officials, and adopting one new section in lieu thereof relating to the same subject.

Senator Schneider moved that **SS No. 2** for **SJR 35** be adopted.

Senator Jacob assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Joint Resolution No. 35, Page 1, Line 7, by adding after the word "Missouri" the following "on the same election day".

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

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Joint

Resolution No. 35, Page 3, Section 3, Line 6 of said page, by deleting the word "twelve" on said line and inserting in lieu thereof the word "eight"; and

Further amend said bill, page and section, line 7 of said page, by deleting the word "six" on said line and inserting in lieu thereof the word "four".

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

Senator Clay offered **SS** for **SS No. 2** for **SJR 35**, entitled:

SENATE SUBSTITUTE FOR SENATE SUBSTITUTE NO. 2 FOR SENATE JOINT RESOLUTION NO. 35

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article XIII of the Constitution of Missouri relating to the Missouri Citizens Commission on the Compensation for Elected Officials and adopting one new section in lieu thereof relating to the same subject.

Senator Clay moved that **SS** for **SS No. 2** for **SJR 35** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Substitute No. 2 for Senate Joint Resolution No. 35, Page 6, Section 3.8, Line 23, by inserting after the period on said line the following: "all increases shall be subject to appropriation".

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

Senator Clay moved that **SS** for **SS No. 2** for **SJR 35**, as amended, be adopted, which motion failed.

Senator Clay offered **SS No. 2** for **SS No. 2** for **SJR 35**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE SUBSTITUTE NO. 2 FOR SENATE JOINT RESOLUTION NO. 35

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section

3 of article XIII of the Constitution of Missouri relating to the Missouri Citizens Commission on the Compensation for Elected Officials and adopting one new section in lieu thereof relating to the same subject.

Senator Clay moved that **SS No. 2** for **SS No. 2** for **SJR 35** be adopted, which motion failed.

SS No. 2 for **SJR 35**, as amended, was again taken up.

Senator Schneider moved that **SS No. 2** for **SJR 35**, as amended, be adopted.

The Chair called for the ayes and noes on the question and announced that the noes appeared to have it.

Senator Schneider rose seeking recognition.

The Chair announced the noes have it.

Senator Schneider raised the point of order that the announcement of the vote is out of order when a Senator has been recognized prior to the vote being announced.

The Chair stated that Senator Schneider had not been recognized and referred the point of order to the President Pro Tem.

The President Pro Tem took the point of order under advisement, which placed the joint resolution on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Bland, Chairman of the Committee on Labor and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Labor and Industrial Relations, to which was referred **HB 1428**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendments Nos. 1, 2 and 3, and be placed on the Consent Calendar.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 1428, Page 1, In the Title, Lines 2-3, by striking all of said lines and inserting in lieu thereof the following:

“To repeal section 294.011, RSMo Supp.

1999, and to enact in lieu thereof two new sections relating to certain employees, with an emergency clause for a certain section.”; and

Further amend said bill and page, Section A, Lines 1-2, by striking all of said lines and inserting in lieu thereof the following:

“Section A. Section 294.011, RSMo Supp. 1999, is repealed and two new sections enacted in lieu thereof, to be known as sections 8.900 and 294.011, to read as follows:”; and

Further amend said bill, Page 2, Section 8.900, Line 16, by inserting immediately after said line the following:

“294.011. As used in this chapter, the following terms mean:

(1) “Child”, an individual under sixteen years of age;

(2) “Commission”, the labor and industrial relations commission;

(3) “Department”, the department of labor and industrial relations;

(4) “Department director”, the director of the department of labor and industrial relations;

(5) “Director”, director of the division of labor standards;

(6) “Division”, the division of labor standards;

(7) “Employ”, engage a child in gainful employment for wages or other remuneration except where the child is working under the direct control of the parent, legal custodian or guardian of the child. The term "employ" shall not include the performance of the following services by a child twelve years of age or older:

(a) The delivery or sales of newspapers, magazines or periodicals;

(b) Child care;

(c) Occasional yard or farm work performed by a child with the knowledge and consent of his or her parent, legal custodian or guardian. Such work shall include the use of lawn and garden machinery in domestic service at or around a private residence, provided that, there shall be an

agreement between an occupant of the private residence and the child, and by no other person, firm or corporation, other than a parent, legal custodian or guardian of the child, for the performance of such work;

(d) Participating in a youth sporting event as a [player,] referee, coach or other position necessary to the sporting event; except that, this paragraph shall not include working at a concession stand. For purposes of this paragraph, "youth sporting event" means an event where all players are under the age of eighteen and the event is sponsored and supervised by a public body or a not for profit entity; or

(e) Any other part-time employment performed by a child with the knowledge and consent of his or her parent, legal custodian or guardian not specifically prohibited by section 294.040.

Section B. Because immediate action is necessary to allow the department of labor and industrial relations to implement the cost savings and efficiencies provided by this legislation for fiscal year 2000, section 294.011 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 294.011 of this act shall be in full force and effect upon its passage and approval or July 1, 2000, whichever occurs later."

SENATE COMMITTEE AMENDMENT NO. 2

Amend House Bill No. 1428, Page 1, Section 8.900, Line 5, by striking the following: "a member"; and further amend lines 6-7, by striking all of said lines and inserting in lieu thereof the following: **"two members of the house of representatives, one from each political party, selected by the speaker of the house and two members of the senate, one from each political party, selected by the president pro tem of the senate. The"**.

SENATE COMMITTEE AMENDMENT NO. 3

Amend House Bill No. 1428, Page 1, Section 8.900, Lines 1-2, by striking "killed or injured on the job in the state of Missouri" and inserting in lieu thereof the following: **"who were killed on**

the job in Missouri or who suffered an on-the-job injury that resulted in a permanent disability".

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 12, 2000

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

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

Laura A. Estabrooks, 10351 Kings Lane West, Rocheport, Boone County, Missouri 65279, as a member of the Committee for 911 Service Oversight, for a term ending April 9, 2004, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 12, 2000

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

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

Carol Ann Freeman, 6273 Highway MM, Cabool, Texas County, Missouri 65689, as a member of the Committee for 911 Service Oversight, for a term ending April 9, 2004, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 12, 2000

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

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

Larry L. Hendren, 210 South Glenwood Avenue, Columbia,

Boone County, Missouri 65203, as a member of the Missouri Board of Geologist Registration, for a term ending April 11, 2003, and until his successor is duly appointed and qualified; vice, Lem Hutton, Jr., term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 12, 2000

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

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

Thomas A. Herrmann, Democrat, 707 Dutch Mill Drive, Ballwin, St. Louis County, Missouri 63011, as a public member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 12, 2000

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

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

Peggy D. Loman, 523 East 129th Terrace, Kansas City, Jackson County, Missouri 64145, as a member of the Committee for 911 Service Oversight, for a term ending April 9, 2004, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 12, 2000

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

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

Davis D. Minton, Democrat, 401 South Mulberry, Apartment

B, Dexter, Stoddard County, Missouri 63841, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 12, 2000

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

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

Kristin M. Perry, Republican, 15068 Pike 138, Post Office Box 418, Bowling Green, Pike County, Missouri 63334, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2004, and until her successor is duly appointed and qualified; vice, Lynn Fahrmeier, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

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

REFERRALS

President Pro Tem Quick referred **SS** for **SCS** for **SB 925** and **SS** for **SB 902** to the Committee on State Budget Control.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Jacob, Chairman of the Committee on Insurance and Housing, Senator DePasco submitted the following reports:

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 1739**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 1544**, begs leave to report that it has considered the same and

recommends that the bill do pass and be placed on the Consent Calendar.

RESOLUTIONS

Senator Staples offered Senate Resolution No. 1517, regarding Jessica Spurgin, Eminence, which was adopted.

Senator Staples offered Senate Resolution No. 1518, regarding John M. Swain, Bonne Terre, which was adopted.

COMMUNICATIONS

Senator Rohrbach submitted the following:

April 12, 2000

Ms. Terry Spieler
Secretary of Senate
Room 325
State Capitol Bldg.
Dear Ms. Spieler:

I ask that SCS for HB 1499 & 1579 be removed from the Senate Consent calendar.

Sincerely,
/s/ Larry Rohrbach
Larry Rohrbach

INTRODUCTIONS OF GUESTS

Senator Klarich introduced to the Senate, the Physician of the Day, Dr. Thomas Saak, M.D., Ellisville.

Senator Flotron introduced to the Senate, Jim and John Ebling, St. Louis County.

Senator Childers introduced to the Senate, Rhonda, Brittany and Ryan Stockton, Cassville; and Brittany and Ryan were made honorary pages.

Senator Steelman introduced to the Senate, Mrs. Davis, Mrs. Samson and first and second grade students from St. George School, Linn.

Senator Mueller introduced to the Senate, David, Morissa and Sam Pepose, Tania Michalicek, Susan Feigenbaum and Dr. Jay Pepose, Town and Country; and David, Morissa, Sam and Tania were made honorary pages.

Senator Maxwell introduced to the Senate, Jean and Todd Dudgeon and Heather and Alissa Eagen,

Kirksville; and Heather and Alissa were made honorary pages.

On behalf of Senator House, Senator Maxwell introduced to the Senate, Senator House's daughter, Catherine, St. Charles; and Maureen and Edward Buscher, Warrenton.

Senator Wiggins introduced to the Senate, Mr. and Mrs. Walter May, Kansas City.

Senator Schneider introduced to the Senate, Kim Besserman, St. Louis.

Senator Westfall introduced to the Senate, Sam Schaumann and thirty-five members of the Show-Me Challenge Program.

Senator Steelman introduced to the Senate, eighth grade students from Licking.

Senator Childers introduced to the Senate, Larry Lafferty and twelve students from Plainview School, Douglas County.

Senator Caskey introduced to the Senate, Jack Wagner, Adrian.

Senator Kenney introduced to the Senate, his wife, Sandi, and their children, Carlton and Elizabeth; and Kirsten Anderson, Jake Jenkins, John, Martha, Alex, Kelly and Heather Conrad, Brian, Jina, Austin and Georgia Rookstool, Vicki and Ben Akers and Carol and Samantha Getty, Lee's Summit; and Alex, Kelly, Heather, Austin, Georgia, Ben, Samantha, Carlton, Elizabeth, Kirsten and Jake were made honorary pages.

Senator Johnson introduced to the Senate, Angie Rhoad and Rochele Allwood, Maysville; Beth Sharp, Cheri Morton and Cindy Flanagan-Nulph, St. Joseph; and Dave Leyland, Savannah.

On behalf of Senator Mathewson, the President introduced to the Senate, his wife, Doris, Dr. Bill and Linda Curwood and twenty-eight members of the First Christian Church, Sedalia.

Senator Howard introduced to the Senate, Ken Thompson, Malden; Sharon Montgomery, Kennett; and Paula Kinchen, Dexter.

Senator Caskey introduced to the Senate, Barton Thomason, Harrisonville; and John West, Belton.

Senator Yeckel introduced to the Senate, Dana Lenzen, St. Louis County.

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

SENATE CALENDAR

FIFTY-FIFTH DAY—THURSDAY, APRIL 13, 2000

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 577-
Maxwell
(In Budget Control)
SJR 50-Stoll

SS for SCS for SB 925-Caskey
(In Budget Control)
SS for SB 902-Mathewson
(In Budget Control)

SENATE BILLS FOR PERFECTION

1. SB 980-Jacob, with SCS
2. SB 1016-Jacob, et al
3. SB 851-Wiggins and Stoll
4. SB 817-Stoll, with SCS
5. SB 830-Caskey
6. SB 892-Quick
7. SB 793-Staples, with SCS
8. SBs 959 & 598-Howard,
with SCS
9. SB 954-Bentley and
Johnson, with SCS
10. SBs 1027 & 815-Sims,
with SCS
11. SBs 538 & 565-Russell,
with SCS

12. SBs 584, 539, 630,
777, 796, 918 &
927-Bentley, with SCS
13. SBs 818 & 564-Maxwell
and Kinder, with SCS
14. SB 955-Mathewson, et al
15. SB 1048-Mathewson,
with SCS
16. SB 866-Klarich
17. SB 748-Johnson, with SCS
18. SB 1047-Rohrbach,
with SCS
19. SB 1045-Caskey, with SCS
20. SBs 1043, 1031, 580 &
671-Mathewson, with SCS

HOUSE BILLS ON THIRD READING

HS for HCS for HJR 61-
Van Zandt, with SCS

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

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 545, 628, 647, 728, 834 & 832-Staples, with SCS (pending)	SB 827-Scott, et al, with SS & SA 2 (pending)
SBs 599 & 531-Schneider, with SCS (pending)	SB 885-Mathewson, with SCS
SB 604-Wiggins	SB 930-Jacob, with SCS
SB 697-Schneider, with SCS & SA 1 (pending)	SB 957-Johnson and Quick, with SCS, SA 2, SSA 1 for SA 2 & SA 2 to SSA 1 for SA 2 (pending)
SB 720-Caskey, with SS & SA 3 (pending)	SJR 31-Schneider
SB 729-House, with SCS & SA 8 (pending)	SJR 35-Goode, et al, with point of order (pending)
SB 744-Klarich	SJR 45 & 41-House, with SCS (pending)
SB 803-Goode, et al, with SCS	SJR 46-Goode, et al, with SCS (pending)
SBs 807, 553, 574, 614, 747 & 860-Jacob, with SCS, SS for SCS & SA 2 (pending)	SJR 47-Quick, et al, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & point of order (pending)
SB 826-Jacob, et al, with SCS, SS for SCS & SA 5 (pending)	

CONSENT CALENDAR

Senate Bills

Reported 2/15

SB 740-Wiggins

House Bills

Reported 4/10

HB 1604-Graham (106th),
with SCS

Reported 4/11

HB 1185-Gratz and Vogel,
with SCS
HB 1186-Gratz and Vogel
HB 1376-Farnen

HB 1802-Monaco and Liese
HB 1085-Selby
HB 1591-Backer, with SCS

Reported 4/12

HB 1353-Farnen, with SCA 1
HB 1289-Auer
HB 1509-Hosmer
HB 1321-Relford, et al
HB 1284-Kissell
HB 1077-Relford
HB 1631-Hoppe, with SCS
HB 1454-Hoppe, with SCS

HB 1659-Summers, with SCS
HB 1486-Abel, et al
HB 1647-Skaggs
HB 1097-Hosmer, with SCS
HB 1428-Hickey, et al,
with SCAs 1, 2 & 3
HB 1739-Auer, with SCS
HB 1544-Smith

RESOLUTIONS

SR 1204-Goode
SR 1373-Mathewson

SCR 33-Kinder, et al
SCR 39-Wiggins

Reported from Committee

SCR 29-Goode
SCR 22-Staples

SCR 34-Bland, et al
SCR 35-Graves, with SCA 1