

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SECOND DAY—THURSDAY, APRIL 27, 2000

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Comfort ye, comfort ye My people, saith your God.” (Isaiah 40:1)

Caring Lord and God, we hear Your words of care and need what You want to give, comfort to us as we deal with the growing tension of things undone, of hard work that will not be completed, of lonely hours that at times seem wasted and cannot be recalled. As we prepare to go home let us do so with the solace which only You our God can give. May we join those we love, who can be the instruments of Your comforting hand bringing us peace and joy, and help us hear Your word and celebrate the gift of love and life together. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

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

Present—Senators

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

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

Absent with leave—Senators—None

RESOLUTIONS

Senator Maxwell offered Senate Resolution No. 1645, regarding the dedication of the Missouri Exercise Tiger Army and Navy Anchor Memorial, Mexico, which was adopted.

Senator Sims offered Senate Resolution No. 1646, regarding Grant Hammack, Town and Country, which was adopted.

Senator Wiggins offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1647

WHEREAS, a period of six wondrous decades has passed since Jess E. White lovingly took the hand of his beautiful bride, Norma E. Miller, during a solemn ceremony officiated by Monsignor John P. McKenna and attended by Pearl McGowan, Eileen Henry, and Bob Henry, on May 4, 1940, at the St. Peter's Catholic Cathedral in Kansas City; and

WHEREAS, residents of the Capital City since 1992, Jess and Norma White will commemorate the resplendent occasion of their Sixtieth Wedding Anniversary with a special celebration on May 4, 2000, at which time they will have the opportunity to reminisce about flying to St. Louis for their honeymoon aboard a plane piloted by the groom; and

WHEREAS, retired Lieutenant Colonel Jess White has compiled an impressive record of achievement that includes serving as a pilot and flight instructor in the Royal Canadian Air Force prior to being summoned by the United States during World War II; and

WHEREAS, during their twenty years of military life, Lieutenant Colonel and Mrs. White were assigned to Air Force

bases in more than seven states and Germany, while Jess was also stationed briefly in Japan during the occupation; and

WHEREAS, before moving to Missouri, Jess White was active in the Lions Club, the Eagles Club, the Elks Club, and the OX-5 Club, which he served as President, in San Antonio, Texas; while Norma found fulfillment through her affiliation with the ladies auxiliaries to those organizations; and

WHEREAS, to the union of this blissful marriage three children were born: one son, Jess E. White, II, who passed away in 1959, and two daughters, Linda E. Williams of Jefferson City and Dani E. White of Houston, Texas:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join unanimously in extending our most hearty congratulations to Jess and Norma White and in wishing them only the best as they continue their journey walking hand-in-hand along life's path; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Lieutenant Colonel (Ret. USAF) and Mrs. Jess E. White, as a measure of our esteem for them.

HOUSE BILLS ON THIRD READING

HB 1604, with **SCS**, introduced by Representative Graham (106), entitled:

An Act to amend chapter 226, RSMo, relating to the highways and transportation commission by adding thereto one new section relating to the same subject.

Was called from the Consent Calendar and taken up by Senator Johnson.

SCS for **HB 1604**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1604

An Act relating to the conveyance and easement of certain state property, with an emergency clause for certain sections.

Was taken up.

Senator Johnson moved that **SCS** for **HB 1604** be adopted, which motion prevailed.

Senator Johnson was recognized to close.

President Pro Tem Quick referred **SCS** for **HB 1604** to the Committee on State Budget Control.

HB 1185, with **SCS**, introduced by Representatives Gratz and Vogel, entitled:

An Act to authorize the governor to convey certain property to the City of Jefferson.

Was called from the Consent Calendar and taken up by Senator Rohrbach.

SCS for **HB 1185**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1185

An Act to authorize the conveyance of certain state property to the City of Jefferson and the Optimist Club Foundation of Mexico Missouri, Inc.

Was taken up.

Senator Rohrbach moved that **SCS** for **HB 1185** be adopted, which motion prevailed.

On motion of Senator Rohrbach, **SCS** for **HB 1185** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Carter	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—31	

NAYS—Senator Staples—1

Absent—Senators

Bland Schneider—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

HB 1186, introduced by Representatives Gratz and Vogel, entitled:

An Act to authorize the governor to convey

certain property in Cole County which is part of the correctional facility known as the Church Farm.

Was called from the Consent Calendar and taken up by Senator Rohrbach.

On motion of Senator Rohrbach, **HB 1186** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	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	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Staples—1

Absent—Senator Bland—1

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

HB 1376, introduced by Representative Farnen, entitled:

An Act to repeal section 21.183, RSMo 1994, relating to inspection of state institutions, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up by Senator Stoll.

On motion of Senator Stoll, **HB 1376** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	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	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Staples—1

Absent—Senator Bland—1

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

THIRD READING OF SENATE BILLS

SS for SCS for SB 926, introduced by Senator Stoll, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 926**

An Act to repeal sections 163.011, 163.031 and 163.036, RSMo Supp. 1999, relating to state school aid to school districts, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause for a certain section.

Was taken up.

Senator Wiggins assumed the Chair.

On motion of Senator Stoll, **SS for SCS for SB 926** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Childers	Ehlmann
Flotron	House	Howard	Johnson
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Scott	Sims
Staples	Stoll	Wiggins	Yeckel—20

NAYS—Senators

Carter	Caskey	Clay	DePasco
Goode	Graves	Jacob	Kenney

Rohrbach Russell Singleton Steelman
Westfall—13

Absent—Senator Schneider—1

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Bentley	Bland	Childers	Clay
Ehlmann	Flotron	House	Howard
Johnson	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Scott
Sims	Staples	Stoll	Wiggins

Yeckel—21

NAYS—Senators

Carter	Caskey	DePasco	Goode
Graves	Jacob	Kenney	Rohrbach
Russell	Schneider	Singleton	Steelman

Westfall—13

Absent—Senators—None

Absent with leave—Senators—None

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

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

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

SCS for SBs 959 and 598, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 959 and 598

An Act to repeal sections 197.405, 197.410, 197.420, 197.425, 197.430, 197.435, 197.440, 197.450, 197.455, 197.460, 197.470, 197.477, 660.250, 660.260 and 660.300, RSMo 1994, and sections 197.400, 197.415 and 197.445, RSMo Supp. 1999, relating to in-home care for the elderly, and to enact in lieu thereof twenty-two new sections relating to the same subject, with penalty provisions.

Was taken up by Senator Howard.

On motion of Senator Howard, **SCS** for **SBs 959 and 598** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Yeckel—33

NAYS—Senators—None

Absent—Senator Scott—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SCS for SBs 538 and 565, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 538 and 565

An Act to repeal sections 32.055, 32.090 and 32.091, RSMo Supp. 1999 and section 32.080 as enacted by house bill no. 795, first regular session, 90th General Assembly and section 32.080 as enacted by senate bill no. 19, first regular session, 90th General Assembly, relating to motor vehicle records and electronic dissemination, and to enact in lieu thereof four new sections relating to the same subject.

Was taken up by Senator Russell.

On motion of Senator Russell, **SCS** for **SBs 538 and 565** was read the 3rd time and passed by the following vote:

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SS for **SCS** for **SB 885**, introduced by Senator Mathewson, entitled:

SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 885

An Act to repeal sections 103.085 and 103.136, RSMo 1994, and sections 103.003 and 103.008, RSMo Supp. 1999, relating to health plan for state employees, and to enact in lieu thereof six new sections relating to the same subject.

Was taken up.

Senator Stoll assumed the Chair.

On motion of Senator Mathewson, **SS** for **SCS** for **SB 885** was read the 3rd time and passed by the following vote:

YEAS—Senators
 Bentley Bland Carter Caskey
 Childers Clay DePasco Ehlmann
 Flotron Goode Graves House
 Howard Jacob Johnson Kenney
 Kinder Klarich Mathewson Maxwell
 Mueller Rohrbach Russell Schneider

Scott Sims Singleton Staples
 Steelman Stoll Westfall Wiggins
 Yeckel—33

NAYS—Senators—None

Absent—Senator Quick—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HJR 61**, with **SCS**, was placed on the Informal Calendar.

HS for **HCS** for **HB 1742**, with **SCS**, entitled:

An Act to repeal sections 142.345, 226.133 and 226.134, RSMo 1994, and section 226.200, RSMo Supp. 1999, relating to bonding for transportation, and to enact in lieu thereof five new sections relating to the same subject, with an emergency clause for a certain section.

Was taken up by Senator Mathewson.

SCS for **HS** for **HCS** for **HB 1742**, entitled:
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 1742

An Act to repeal sections 226.133 and 226.134, RSMo 1994, relating to bonding for transportation, and to enact in lieu thereof three new sections relating to the same subject.

Was taken up.

Senator Mathewson moved that **SCS** for **HS** for **HCS** for **HB 1742** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 3, by inserting immediately after the word “with” the following: “, **but not limited to,**”.

Senator Scott moved that the above amendment be adopted.

Senator Childers offered **SA 1 to SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Line 3, by deleting the words “**but not**” on said line and insert in lieu thereof the word “**and**”.

Senator Childers moved that the above amendment be adopted.

Senator House requested a roll call vote be taken on the adoption of **SA 1 to SA 1** and was joined in his request by Senators Childers, Klarich, Mathewson and Rohrbach.

SA 1 to SA 1 was adopted by the following vote:

YEAS—Senators

Bentley	Childers	DePasco	Ehlmann
Graves	Howard	Kenney	Kinder
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Singleton	Staples
Steelman	Westfall	Wiggins—19	

NAYS—Senators

Carter	Caskey	Clay	Flotron
Goode	House	Jacob	Johnson
Klarich	Schneider	Scott	Sims
Stoll	Yeckel—14		

Absent—Senator Bland—1

Absent with leave—Senators—None

SA 1, as amended, was again taken up.

At the request of Senator Scott, the above amendment was withdrawn.

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

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by inserting after all of said line the following:

“**226.781. The portion of interstate highway 55, one mile south of Lindbergh Boulevard to Butler Hill Road, contained within a county of the first classification with a charter form of government having a population over nine hundred thousand, shall be designated the “Rosa Parks Highway”.**”; and

Further amend the title and enacting clause accordingly.

Senator Clay moved that the above amendment be adopted.

Senator Mathewson raised the point of order that **SA 2** is out of order as it goes beyond the scope of the legislation.

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

Senator Klarich offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 1.1, Line 7, by adding at the end thereof, the following:

“The provisions of this section shall not apply to projects or contracts approved or ordered by an administrative law judge for the state of Missouri.”.

Senator Klarich moved that the above amendment be adopted.

Senator Kenney raised the point of order that **SCS for HS for HCS for HB 1742** is out of order as it goes beyond the scope of the original legislation.

At the request of Senator Kenney, the point of order was withdrawn.

SA 3 was again taken up.

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

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

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 1, Line 9, by deleting the following on said line: “and approve”; and

Further amend said bill, line 11, by deleting the following “does not approve” and replace in lieu thereof, the following: “makes revisions”.

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

Senator Wiggins assumed the Chair.

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

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by inserting after all of said line the following:

“226.781. The portion of interstate highway 55, one mile south of Lindbergh Boulevard to Butler Hill Road, contained within a county of the first classification with a charter form of government having a population over nine hundred thousand which may be eligible to receive moneys from bonds issued under this Act, shall be designated the “Rosa Parks Highway”.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Mathewson, **HS** for **HCS** for **HB 1742**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

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 **HCS** for **HB 1120**, entitled:

An Act to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1122**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 **SB 549**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the establishment of the Missouri tobacco settlement trust fund, with an emergency clause.

With House Amendments Nos. 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16.

HOUSE AMENDMENT NO. 3

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

“7. The patent and intellectual property provisions of the federal Bayh-Dole Act, codified in 35 U.S.C. Sections 200 et. Al., are fully incorporated herein by reference with the state of Missouri taking the place of the terms “federal government” or “federal agency”.”.

HOUSE AMENDMENT NO. 4

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

“7. Notwithstanding any other provisions of law to the contrary, nothing in this section shall prohibit the general assembly from authorizing the sale of the state's future interest in the proceeds of any tobacco award or settlement for present valuation.”.

HOUSE AMENDMENT NO. 6

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. One percent of the tobacco settlement trust fund shall be appropriated to the Department of Agriculture for direct distribution to farmers hurt by the tobacco settlement, who are quota holders, tenant farmers and tobacco growers. An additional two and one-half percent of the tobacco settlement moneys shall be deposited in the new generation cooperative incentive program.”.

HOUSE AMENDMENT NO. 7

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8 of Page 3, by inserting at the end of said line the following:

“Abortion as used in this section shall not include an abortion necessary to save the life of the mother.”.

HOUSE AMENDMENT NO. 8

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting immediately after House Amendment No. 6, the

following:

“8. Since tobacco use is known to increase the risk of developmental disabilities, the state treasurer shall monthly transfer from the tobacco settlement trust fund to the Missouri Department of Mental Health an amount equal to fifteen percent of the tobacco settlement trust fund. Monies transferred to the Department of Mental Health pursuant to this paragraph shall be appropriated solely for the purpose of assisting Missouri residents who have developmental disabilities.”.

HOUSE AMENDMENT NO. 9

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. The state treasurer shall transfer annually from the tobacco settlement trust fund to the “Cancer Treatment Trust Fund” an amount equal to five percent of the tobacco settlement trust fund. Moneys in the “Cancer Treatment Trust Fund” shall be appropriated solely for the use of treating cancer and cancer research at the Ellis Fischel State Cancer Hospital.”.

HOUSE AMENDMENT NO. 10

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. Of any allocation of the tobacco settlement trust fund for tobacco cessation and prevention programs, 75% shall be allocated to the population which is most affected by tobacco related diseases.”.

HOUSE AMENDMENT NO. 11

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 9, by deleting the words “voted on” and substituting therefor the word “adopted”.

HOUSE AMENDMENT NO. 12

Amend House Substitute for House Committee Substitute for Senate Substitute for

Senate Bill No. 549, Section 196.1014, Page 3, Line 8, by inserting after said line the following:

“7. No moneys in the tobacco settlement fund shall be directly or indirectly appropriated to any company that consistently engages in a pattern of price discrimination to subsidize foreign competitors of Missouri farmers.”

HOUSE AMENDMENT NO. 14

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. 1 ½ % of the tobacco settlement fund shall be appropriated to the Department of Aging for programs that provide services for senior citizens.”

HOUSE AMENDMENT NO. 15

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. Fifteen percent of the tobacco settlement monies shall be appropriated to the City of St. Louis for roads, bridges and highways.”

HOUSE AMENDMENT NO. 16

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting immediately after said line the following:

“Since tobacco use is known to discolor teeth in children who use, or have used in the past, tobacco products the state treasurer shall monthly transfer from the tobacco settlement fund to the Missouri Department of Health an amount equal to ten percent of any interest remaining in the fund. Monies transferred to the Health Department shall be used to remove the tarter stains of all Missouri’s children and any other dental problems created by the use of tobacco products.”

Emergency clause defeated.

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 refuses to adopt **SCS** for **HCS** for **HB 1112**, as amended, and requests the Senate to recede from its position, or failing to do so, grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Goode moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1112**, as amended, and grant the House a conference thereon, which motion prevailed.

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 27, 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:

Carolyn V. Atkins, 3029 Hogan Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 27, 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:

Betsy A. Baird, 3325 North Euclid, Kansas City, Jackson County, Missouri 64116, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2003, and until her successor is duly appointed and qualified; vice, reappointed to

a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 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:

Timothy J. Fete, M.D., 35 South Elm Avenue, Webster Groves, St. Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2003, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 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:

Willard H. "Bill" Halmich, Democrat, 905 West Ninth Street, Washington, Franklin County, Missouri 63090, as a member of the Missouri Fire Education Commission, for a term ending April 26, 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 27, 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:

Linda W. Hancik, 75 West Calvin, Hartsburg, Boone County, Missouri 65039, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 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:

Philip B. Sayer, Democrat, Route 2, Box 78, Galt, Grundy County, Missouri 64641, as a member of the Missouri Fire Education Commission, for a term ending April 26, 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 27, 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:

Barbara B. Smith, 108 Ellen, Post Office Box 1156, Sikeston, Scott County, Missouri 63801, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2003, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

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 **SCR 41** to the Committee on Rules, Joint Rules and Resolutions.

REPORTS OF STANDING COMMITTEES

Senator Quick, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Deborah J. Swanegan, Amy L. Hilgemann, Ida Goodwin Woolfolk and Gwendolyn R. Swearingin, as members of the Missouri Community Service Commission;

Also,

Donna S. Cowdrey, as a member of the State Board of Cosmetology;

Also,

Pamela T. Hill, as a member of the Missouri Seed Capital Investment Board;

Also,

Elizabeth A. Harmon-Vaughan, as a member of the Interior Design Council;

Also,

Larry L. Hendren, as a member of the Missouri Board of Geologist Registration;

Also,

Cheri J. Leigh, as a member of the Missouri Board for Architects, Professional Engineers and Land Surveyors;

Also,

Nanci Anton Bobrow and Kaye H. Steinmetz, as members of the Children's Trust Fund Board;

Also,

Miguel P. Madrigal, Jr., and Susan Lee Pentlin, as members of the Missouri Commission on

Human Rights;

Also,

Kristin M. Perry, as a member of the Clean Water Commission of the State of Missouri;

Also,

Rebecca L. Culler, Virginia D. Evans, Lynne E. Dresner, Carol J. Pastoret and William C. Prince, as members of the Child Abuse and Neglect Review Board;

Also,

Charles C. McGinty and Stephen P. Carlton, as members of the Board of Regents for Missouri Southern State College;

Also,

O. Elaine West and Catherine B. Leapheart, as members of the Missouri Training and Employment Council;

Also,

Ann L. Dickinson, as a member of the Missouri Higher Education Loan Authority;

Also,

Roger E. Huckfeldt, as a member of the State Advisory Council on Emergency Medical Services;

Also,

Jerry W. Griffin, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Peggy D. Loman, Laura A. Estabrooks and Carol Ann Freeman, as members of the Committee for 911 Service Oversight;

Also,

Leland O. Burch, as a member of the State Soil and Water Districts Commission;

Also,

William J. Hurley, as a member of the Missouri Western State College Board of Regents;

Also,

Andre' L. May, as a student representative to the Harris-Stowe State College Board of Regents;

Also,

Bruce E. Davis, as a member of the State Tax Commission;

Also,

Fannie B. Gaw, as a member of the State Board of Probation and Parole;

Also,

Roger L. Pryor, as a member of the St. Charles County Commission and Sports Facilities Authority;

Also,

Donald E. Clark, as a member of the State Board of Podiatric Medicine;

Also,

Randall D. Huss, as a member of the Drug Utilization Review Board.

Senator Quick requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Quick moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, 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 **HCS** for **HB 1112**, with **SCS**, as amended: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

HOUSE BILLS ON THIRD READING

Senator Mathewson moved that **HS** for **HCS** for **HB 1742**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HS** for **HCS** for **HB 1742**, as amended, was again taken up.

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

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by inserting after all of said line the following:

“226.783. The portion of interstate highway 44, from the highway 65 exit on the east side of a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand and which may be eligible to receive moneys from bonds issued under this Act to the highway 160 exit on the west side of a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand, shall be designated the "Payne Stewart Highway".; and

Further amend the title and enacting clause accordingly.

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

Senator Graves offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, In the Title, Line 2, by striking the words “bonding for” and inserting in lieu thereof the words “the department of”; and

Further amend said bill, Page 3, Section 226.134, Line 4, by inserting immediately after said line the following:

“227.035. 1. The director of the department of transportation is hereby authorized to enter into roadside maintenance agreements with private individuals to mow and maintain the portion of the highway between the shoulder and the right-of-way.

2. When considering whether to enter into a contract with a private individual, the director shall consider the following factors:

(1) Potential cost savings to the state that could result from a contract with a private individual rather than the department performing the task itself;

(2) Whether the individual has the proper equipment and training to maintain highway rights-of-way for safety and aesthetic purposes;

(3) Whether such an agreement will displace employees of the department of transportation; and

(4) Any other factor as may be determined by the commission.

3. Each roadside agreement entered into with a private individual shall describe the standards in which the individual must comply with in order to maintain a safe and aesthetically pleasing highway system.

4. No roadside maintenance agreement shall be obtained in an arbitrary, capricious or discriminatory manner.

5. As used in this section, "roadside maintenance" includes, but is not limited to, mowing, herbicide spraying, erosion control, landscape maintenance, litter removal, fertilizing and brush control."; and

Further amend the title and enacting clause accordingly.

Senator Graves moved that the above amendment be adopted.

Senator Mathewson raised the point of order that SA 7 is out of order as the amendment goes beyond the subject and purpose of the bill.

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

Senator Kenney offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.133, Line 57, by inserting after all of said line the following:

"6. In addition to one half of the proceeds of the state sales tax on all motor vehicles, trailers, motorcycles and motortricycles, which is distributed pursuant to subsection 2 of section 30(b) of article IV of the constitution of Missouri, effective July 1, 2001, the general assembly shall appropriate to the state road and bridge fund from the undesignated proceeds of such sales tax, the amount necessary for the payment of the principle and interest of any outstanding bonds issued pursuant to this section."

Senator Kenney moved that the above amendment be adopted.

A quorum was established by the following vote:

Present—Senators

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

Wiggins—29

Absent—Senators

Clay	Kinder	Maxwell	Singleton
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Yeckel—5

Absent with leave—Senators—None

SA 8 was again taken up.

Senator Kenney moved that the above amendment be adopted.

Senator Staples requested a roll call vote be taken on the adoption of SA 8 and was joined in his request by Senators Childers, Ehlmann, Kenney and Klarich.

SA 8 failed of adoption by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	House	Kenney	Kinder
Klarich	Mueller	Rohrbach	Sims

Steelman—13

NAYS—Senators

Bland	Carter	Caskey	DePasco
Goode	Howard	Jacob	Johnson
Mathewson	Maxwell	Quick	Russell

Schneider Scott Staples Stoll
Westfall Wiggins Yeckel—19

Absent—Senators

Clay Singleton—2

Absent with leave—Senators—None

Senator Jacob assumed the Chair.

Senator Ehlmann offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.133, Line 57, by inserting after all of said line the following:

“8. In addition to one half of the proceeds of the state sales tax on all motor vehicles, trailers, motorcycles and motortricycles, which is distributed pursuant to subsection 2 of section 30(b) of article IV of the constitution of Missouri, effective July 1, 2001, the general assembly shall appropriate to the state road and bridge fund from the undesignated proceeds of such sales tax, the amount necessary for the payment of the principle and interest of any outstanding bonds issued pursuant to this section, not to exceed five million dollars per one hundred million dollars of bonds issued.”.

Senator Ehlmann moved that the above amendment be adopted.

Senator Howard requested a roll call vote be taken on the adoption of **SA 9** and was joined in his request by Senators Ehlmann, Kenney, Mathewson and Mueller.

SA 9 failed of adoption by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	House	Kenney	Kinder
Klarich	Maxwell	Mueller	Rohrbach
Sims	Steelman	Yeckel—15	

NAYS—Senators

Bland	Carter	Caskey	DePasco
Goode	Howard	Jacob	Johnson
Mathewson	Quick	Russell	Schneider
Scott	Staples	Stoll	Westfall

Wiggins—17

Absent—Senators

Clay Singleton—2

Absent with leave—Senators—None

Senator Ehlmann offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by adding at the end of that line, the following:

“226.1000. 1. As used in sections 226.1000 to 226.1015, unless the context otherwise requires, the following terms shall mean:

(1) **“Adopted section”, a particular section of state highway right-of-way designated by the commission to be adopted by the volunteer individual or group participating in the adopt-a-highway program;**

(2) **“Adopter”, the individual or group approved by the commission to be a participant in the adopt-a-highway program;**

(3) **“Adopter representative”, a group member designated to represent the volunteer group and serve as its liaison with the commission. The person who signs the agreement shall be the adopter representative;**

(4) **“Agreement”, the written agreement between the volunteer individual or group adopting a section of highway right-of-way and the Missouri highways and transportation commission;**

(5) **“Applicant”, the individual or group applying for participation in the adopt-a-highway program;**

(6) **“Commission”, the Missouri highways and transportation commission, or its authorized representative;**

(7) **“Department”, the Missouri highways and transportation department;**

(8) **“Eligible adopters”, eligible adopters include incorporated nonprofit organizations with at least ten members, commercial and private enterprises and individuals. The program is not intended as a means of providing a public forum for the participants to use in promoting name recognition or political causes. The commission reserves the right to limit the number of adoptions for a single group;**

(9) **“Litter”, any unsightly matter that may include, but is not limited to, disposable**

packaging, containers, cans, bottles, paper and cigar or cigarette butts. Litter does not include hazardous, heavy or large items;

(10) "Program", the adopt-a-highway program;

(11) "Program activity", litter pickup and/or beautification and/or mowing;

(12) "Secret organization", any organization or group which refuses to provide the commission with a list of its members.

2. The commission is authorized to establish an adopt-a-highway program to increase public awareness of the environmental needs along Missouri's highways. Individuals and other organizations, as provided in sections 226.100 to 226.112, may adopt a portion of a highway in order to reduce litter along the highways.

226.1003. 1. The commission will have sole responsibility in determining whether an application is rejected or accepted and determining what highways will or will not be eligible for adoption, except that no highway shall be denied participation in the program simply because it was funded by bonds approved pursuant to this act.

2. The commission may refuse to grant a request to a participant if, in its opinion, granting the request would jeopardize the program, be counterproductive to its purpose or have undesirable results such as increased litter, vandalism or sign theft. The commission may also refuse to grant a request to a participant if granting the request would create a safety hazard to the participant, the traveling public or to employees of the department of transportation.

3. Applicants whose members have been convicted of littering, as defined in section 577.070, RSMo, vandalism, as defined in section 574.085, RSMo, and arson, as defined in section 569.040, RSMo, shall not be allowed to participate in the program.

4. All incorporated non-profit organizations shall submit a list of the members of the organization who will be picking up the litter with their application to the commission.

5. Organizations which refuse to provide such a list of their members shall not be eligible to participate in the program.

6. The commission shall not enter into an agreement with any secret organization.

226.1006. 1. If an application is approved by the commission, the adopter representative shall execute a written agreement with the commission, and upon signing by both parties, the agreement becomes effective and provides for the group's participation in the program.

2. If the application is approved by the commission, the adopter shall:

(1) Abide by all provisions contained in the agreement and any other terms and conditions as required by the department;

(2) Abide by all safety requirements as listed in the department's safety brochures;

(3) Have all members of the group participating in the program activity attend a safety meeting conducted by the adopter representative, or designee, before participation in any program activity;

(4) Properly use all safety equipment provided by the department and perform the work in a safe and professional manner;

(5) Provide one adult supervisor for every eight participants between thirteen and seventeen years of age and one adult supervisor for every four participants between six and twelve years of age. No one under the age of six will be allowed to participate in the program;

(6) Adopt a section of highway right-of-way for a minimum of three years;

(7) Collect litter along the adopted section a minimum of four times per year, or as required by the commission;

(8) Adopt for litter pickup a minimum of two miles in rural areas and one-half mile in urban areas. Shorter lengths may be permissible in special circumstances;

(9) Provide prior notice, as required by the commission, before performing any program activity;

(10) Restrict program activities to the areas of right-of-way outside the pavement and shoulder areas;

(11) Perform program activity between the hours of one hour after sunrise to one hour before sunset and not during inclement weather;

(12) Prohibit members from possessing, consuming or being under the influence of alcohol or drugs while participating in the program;

(13) Place litter in trash bags provided by the department and place filled trash bags at a designated location;

(14) Separate tires, batteries and other trash as needed for proper disposal according to law; and

(15) Indemnify and hold harmless the commission and department and their officers, employees and agents from any claim, lawsuit or liability which may arise from adopter's participation in the program.

226.1009. In order to effectively carry out the program, the commission shall:

(1) Determine the specific section of right-of-way that is to be adopted;

(2) Install and maintain signs, if desired by the adopter, that conform with the standards set by rule, at both ends of the adopted section;

(3) Provide the adopter with trash bags;

(4) Provide the adopter with safety equipment; and

(5) Remove and dispose of filled trash bags from the adopted section as soon as practical after the litter pickup is finished.

226.1012. The commission reserves the right to terminate the agreement and remove the signs when, in the sole judgment of the commission, it is found the adopter has not met the terms and conditions of the agreement or there is a concern about the safety of the adopters, the traveling public or Missouri highways and transportation department employees.

226.1015. 1. The signs used in the program shall:

(1) Identify and recognize the adopter, but are not intended to be an advertising medium;

(2) Be designated by the department regarding size, color, location and text;

(3) Have the actual name of the adopter with no telephone numbers, logos, slogans or addresses with verbiage kept to a minimum; and

(4) Not contain wording which is obscene or profane, or implies an obscenity or profanity.

2. The erection of a sign is not a requirement for participation in the program. The commission, at their sole discretion, may refuse to erect a sign under the program.

3. The signs cannot be used as a memorial.

4. The commission may issue certificates to adopters, rather than erecting or maintaining a sign, if there is a concern about the safety of the adopters, traveling public, or Missouri highways and transportation department employees. The commission may also issue a certificate rather than maintain signs if the signs are subject to vandalism or the adopted section of the highway experiences increased littering that can be reasonably related to the presence of the signs.”; and

Further amend the title and enacting clause accordingly.

Senator Ehlmann moved that the above amendment be adopted.

Senator Mathewson raised the point of order that SA 10 is out of order as the amendment goes beyond the original scope, purpose and intent of the legislation.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

SA 10 was again taken up.

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

SA 10 failed of adoption by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	House	Kenney	Kinder
Klarich	Mueller	Rohrbach	Sims
Steelman	Yeckel—14		

NAYS—Senators

Bland	Carter	Caskey	DePasco
Goode	Howard	Jacob	Johnson
Mathewson	Maxwell	Quick	Russell
Schneider	Scott	Staples	Stoll
Westfall	Wiggins—18		

Absent—Senators

Clay	Singleton—2
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Absent with leave—Senators—None

Senator Mathewson moved that **SCS for HS for HCS for HB 1742**, as amended, be adopted, which motion prevailed.

On motion of Senator Mathewson, **SCS for HS for HCS for HB 1742**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Ehlmann	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Mathewson
Maxwell	Quick	Russell	Schneider
Scott	Sims	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Flotron	Klarich	Mueller	Rohrbach—4
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Absent—Senators

Clay	Singleton—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Mathewson 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 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 HBs 1489, 1488 and 1650**, entitled:

An Act to repeal section 167.181, RSMo Supp. 1999, relating to immunizations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 HB 1811**, entitled:

An Act to amend chapter 64, RSMo, relating to county planning and zoning by adding thereto ten new sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 HB 1927**, entitled:

An Act to repeal sections 249.255, 640.220, 644.016, 644.021, 644.036, 644.052, 644.053, 644.054, 644.056, 644.061, 644.066, 644.071 and 644.076, RSMo 1994, and sections 644.026 and 644.051, RSMo Supp. 1999, relating to water pollution permit fees, and to enact in lieu thereof eighteen new sections relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1961**, entitled:

An Act to repeal section 570.033, RSMo 1994, relating to the stealing of animals, and to enact in lieu thereof two new sections relating to the stealing of pets for research purposes and the missing and stolen pet registry, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1946**, entitled:

An Act to repeal section 453.005, RSMo Supp. 1999, relating to adoption, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1768**, entitled:

An Act to repeal section 56.066, RSMo Supp. 1999, relating to full-time prosecutors, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HB 1728**, entitled:

An Act to repeal sections 34.055, 34.070, 34.073, 37.020 and 575.060, RSMo 1994, and

sections 34.040, 34.046, 34.076, 34.165 and 610.021, RSMo Supp. 1999, relating to state purchasing procedures for the acquisition of privately produced goods and services within the state which are not produced by the state, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HCS** for **HB 1112**, as amended: Representatives Franklin, Green, Lakin, Legan, Burton.

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 27, 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:

Phyllis J. Baker, Republican, 3500 Marble Hill Road, Poplar Bluff, Butler County, Missouri 63901, as a member of the Missouri Women's Council, for a term ending December 6, 2000, and until her successor is duly appointed and qualified; vice, Ellen Dimberger, resigned.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 27, 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:

Terry Bloomberg, 47 Frontenac Estates, St. Louis, St. Louis County, Missouri 63131, as a member of the Children’s Trust Fund Board, for a term ending September 15, 2000, and until her successor is duly appointed and qualified; vice, Linda Ward, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 2000

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

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

William H. Creech, III, 729 Highway H, Troy, Lincoln County, Missouri 63379, as a member of the Board of Trustees for the Petroleum Storage Tank Insurance Fund, for a term ending February 6, 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 27, 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:

Gretchen G. Davis, Republican, 25 Chesterfield Lakes Road, Chesterfield, St. Louis County, Missouri 63005, as a member of the Missouri Community Service Commission, for a term ending December 15, 2002, and until her successor is duly appointed and qualified; vice, Margretta Forrester, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 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:

Robert T. Jackson, 1600 East 52nd Street, Kansas City, Jackson County, Missouri 64110, as a member of the Board of Trustees for the Petroleum Storage Tank Insurance Fund, for a term ending February 6, 2002, 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 27, 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:

Denise L. Osment, Republican, 1562 Grand Court, Osage Beach, Camden County, Missouri 65065, as a member of the Missouri Women’s Council, for a term ending December 6, 2000, and until her successor is duly appointed and qualified; vice, Barbara Ormsbee, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 27, 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:

John R. Small, Ph.D., Republican, 611 East Claysville Road, Hartsburg, Boone County, Missouri 65039, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

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

RESOLUTIONS

Senator Singleton offered Senate Resolution No. 1648, regarding Joshua Dehnke, which was

adopted.

Senator Ehlmann offered Senate Resolution No. 1649, regarding Tom and Holly Gillette, St. Charles, which was adopted.

Senator Johnson offered Senate Resolution No. 1650, regarding Janet Gorman Murphy, Ed.D., St. Joseph, which was adopted.

Senator Scott offered Senate Resolution No. 1651, regarding Sister Barbaralie Stieffermann, St. Louis, which was adopted.

Senator Schneider offered Senate Resolution No. 1652, regarding Nicholas Bruce Hugeback, Florissant, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Mathewson introduced to the Senate, Ashley McCoy, Jefferson City.

Senator Sims introduced to the Senate, Michael and Grant Hammack, St. Louis; and Grant was made an honorary page.

On behalf of Senator Flotron and himself, Senator Singleton introduced to the Senate, the Physician of the Day, Dr. Michael Ryan, M.D., St. Louis.

Senator Kenney introduced to the Senate, Gary and Alicia Cross, Lee's Summit.

On behalf of Senator Wiggins, the President introduced to the Senate, Jane McQueeny, Kris Doohan, Cindy Fischer, Mary Kruger, Karen Johnson and Boy Scout Troop 118, Kansas City; and Thomas Thorpe, Andy Doohan, Seth Yockey, Jake Fischer, Andrew Johnson, Patrick Schilling, Luke Betterman, Lee Gibbs and Joe Kruger were made honorary pages.

Senator Staples introduced to the Senate, Tina McQuery, Eminence.

Senator Kinder introduced to the Senate, sixty fourth grade students from Clippard Elementary School, Cape Girardeau; and Simeon Ward, Erica Hendrix, Austin Mehner and Chrissy Ulrich were made honorary pages.

Senator Staples introduced to the Senate, Christie Chilton and eighth grade students from Ellington; and Jonathan Chitwood and Bradley Keith were made honorary pages.

Senator Childers introduced to the Senate, Susan Rogers and thirty eighth grade students from Junction Hill School, Junction Hill.

On motion of Senator DePasco, the Senate adjourned until 3:00 p.m., Monday, May 1, 2000.

SENATE CALENDAR

SIXTY-THIRD DAY—MONDAY, MAY 1, 2000

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1464-Ransdall
HCS for HB 1120
HB 1122-Franklin
HS for HCS for HBs 1489,
1488 & 1650-Kennedy
HS for HCS for HB 1811-Kreider

HS for HCS for HB 1927-Wiggins
HCS for HB 1961
HB 1946-Dougherty
HB 1768-Ward
HS for HB 1728-Backer

SENATE BILLS FOR PERFECTION

SBs 818 & 564-Maxwell and Kinder, with SCS	SB 1047-Rohrbach, with SCS
SB 955-Mathewson, et al	SB 1045-Caskey, with SCS
SB 1048-Mathewson, with SCS	SBs 1043, 1031, 580 & 671-Mathewson, with SCS
SB 866-Klarich	
SB 748-Johnson, with SCS	

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 1443-Koller, with
SCS (Johnson)
(In Budget Control) | 7. HB 1082-Crump, with
SCS (Childers) |
| 2. HS for HB 1615-Hosmer,
with SCS (Caskey)
(In Budget Control) | 8. HB 1706-Gambaro,
et al, with SCS (Clay) |
| 3. HB 1808-O'Toole, with
SCS (Scott) | 9. HS for HCS for
HB 1076-Relford,
with SCS (Stoll)
(In Budget Control) |
| 4. HS for HCS for HBs 1566 &
1810-Bray, with SCS (Scott)
(In Budget Control) | 10. HS for HB 1603-May
(108th), with SCS
(Jacob) |
| 5. HCS for HB 1142, with
SCS (Johnson) | 11. HB 1292-Auer, with
SCS (Jacob) |
| 6. HCS for HBs 1386 &
1086, with SCS
(Maxwell) | 12. HCS for HB 1434, with
SCA 1 (Quick) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 545, 628, 647, 728, 834 & 832-Staples, with SCS (pending)	SB 697-Schneider, with SCS & SA 1 (pending)
SBs 584, 539, 630, 777, 796, 918 & 927-Bentley, with SCS & SS for SCS (pending)	SB 720-Caskey, with SS & SA 3 (pending)
SBs 599 & 531-Schneider, with SCS (pending)	SB 729-House, with SCS & SA 8 (pending)
SB 604-Wiggins	SB 744-Klarich
	SB 803-Goode, et al, with SCS

SBs 807, 553, 574, 614,
747 & 860-Jacob, with
SCS, SS for SCS & SA 2
(pending)

SB 817-Stoll, with SCS

SB 826-Jacob, et al, with
SCS, SS for SCS & SA 5
(pending)

SB 827-Scott, et al, with
SS & SA 2 (pending)

SB 930-Jacob, with SCS

SB 957-Johnson and Quick,
with SCS, SA 2, SSA 1
for SA 2 & SA 3 to SSA
1 for SA 2 (pending)

SB 980-Jacob, with SCS

SB 1016-Jacob, et al,
with SS, SA 2 & point
of order (pending)

SJR 45 & 41-House, with
SCS (pending)

SJR 46-Goode, et al, with
SCS (pending)

SJR 47-Quick, et al, with
SCS, SS for SCS, SA 1,
SSA 1 for SA 1 & point
of order (pending)

HOUSE BILLS ON THIRD READING

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

CONSENT CALENDAR

Senate Bills

Reported 2/15

SB 740-Wiggins

House Bills

Reported 4/10

SCS for HB 1604-Graham
(106th) (Johnson)
(In Budget Control)

Reported 4/11

HB 1802-Monaco and Liese
(Yeckel)
HB 1085-Selby (Stoll)

HB 1591-Backer, with SCS
(Howard)

Reported 4/12

HB 1353-Farnen, with SCA 1 (Caskey)	HB 1659-Summers, with SCS (Maxwell)
HB 1289-Auer (Clay)	HB 1486-Abel, et al (Stoll)
HB 1509-Hosmer (Caskey)	HB 1647-Skaggs (Quick)
HB 1321-Relford, et al (Caskey)	HB 1097-Hosmer, with SCS (Caskey)
HB 1284-Kissell (House)	HB 1428-Hickey, et al, with SCAs 1, 2 & 3 (DePasco)
HB 1077-Relford (Mathewson)	HB 1739-Auer, with SCS (Jacob)
HB 1631-Hoppe, with SCS (Mathewson)	HB 1544-Smith (Mueller)
HB 1454-Hoppe, with SCS (Mathewson)	

Reported 4/13

HB 1848-Treadway, with SCS (Carter)	HB 1396-Farnen, with SCS (Johnson)
HB 1568-Riback Wilson and Holand, with SCS (Jacob)	HB 1363-Bray, et al (Quick)
HB 1596-Auer (Clay)	HB 1948-Gratz, et al, with SCS (Staples)
HB 1875-Franklin, with SCA 1 (Wiggins)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 549-Quick,
et al, with HS for HCS,
as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 1102, with SCS, as amended (Goode)	HCS for HB 1104, with SCS (Goode)
HCS for HB 1103, with SCS, as amended (Goode)	HCS for HB 1105, with SCS, as amended (Goode)

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

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

Unofficial
 RESOLUTIONS

SR 1204-Goode
 SR 1373-Mathewson

SCR 33-Kinder, et al

Reported from Committee

SCR 34-Bland, et al, with
 point of order (pending)

SCR 40-House

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