

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—TUESDAY, FEBRUARY 13, 2001

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“The prayer of the righteous is powerful and effective.” (James 5:16)

Gracious God, thank You for the attentiveness to the prayers of Your people. We are fortified by knowing that we can come before You with our request on behalf of others and You will listen. Provide us the persistence to remain faithful in our praying and in the work that flows from them. 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.

Senator Kenney announced that photographers from KRCG-TV 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
Cauthorn	Childers	DePasco	Dougherty
Foster	Gibbons	Goode	Gross
House	Jacob	Johnson	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton

Staples Steelman Stoll Westfall
Wiggins Yeckel—34

Absent with leave—Senators—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Steelman offered Senate Resolution No. 188, regarding Carl S. “Sandy” Hutchison, Rolla, which was adopted.

Senator Steelman offered Senate Resolution No. 189, regarding Eric Lee Abbott, Rolla, which was adopted.

Senator Steelman offered Senate Resolution No. 190, regarding William C. Stoecker, Rolla, which was adopted.

Senator Steelman offered Senate Resolution No. 191, regarding Matthew Thomas Arnold, Rolla, which was adopted.

Senators Wiggins, DePasco, Quick, Johnson, Kenney and Bland offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 192

WHEREAS, the members of the Missouri Senate have been deeply saddened to learn of the death of Most Reverend John J. Sullivan, D.D., Retired Bishop of the Diocese of Kansas City-St. Joseph; and

WHEREAS, Bishop Sullivan headed the Diocese of Kansas City-St. Joseph from 1977 to 1993, having moved to Kansas City from his position as Bishop of the Diocese of Grand Island, Nebraska, from 1972 to 1977; and

WHEREAS, during his service to the people of the Diocese of Kansas City-St. Joseph and in retirement, Bishop Sullivan became one of the most beloved prelates in the United States, a

brilliant administrator, yet kindly humble with an enduring understanding of his priests and people who loved him like a member of their family, which is the way he treated all of them; and

WHEREAS, Bishop Sullivan was born July 5, 1920, in Horton, Kansas, the son of Walter P. and Mary Sullivan, attended schools in Oklahoma City, later attending St. Benedict's College in Atchison, Kansas, and Kenrick Seminary in St. Louis and was ordained a priest for the Diocese of Oklahoma City and Tulsa in 1944; and

WHEREAS, Bishop Sullivan served on numerous committees of the National Conference of Catholic Bishops and the United States Catholic Conference and as Bishop in Kansas City, established the Center for Pastoral Life and Ministry and the Central City School Fund leading to scholarships allowing over 5000 urban youths to attend neighborhood Catholic schools:

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate pause in their deliberations to salute the memory of a distinguished and renowned Catholic Prelate, Bishop John J. Sullivan, express their appreciation for his lifetime of service to his Church, and to mankind, especially in Kansas City and Missouri, and extend to the Diocese of Kansas City-St. Joseph, his family, and to his thousands of followers and friends most sincere sympathy on his death; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Diocese of Kansas City-St. Joseph, St. Benedict's College and Kenrick Seminary.

Senator Wiggins offered Senate Resolution No. 193, regarding the death of Gerald Francis Mulligan, Washington, D.C., which was adopted.

COMMUNICATIONS

Senator Mathewson submitted the following:

Statement By Senator Jim Mathewson

February 13, 2001

For the past three and one-half years, I have worked to fulfill my commitment to all Missourians to bring accountability to the Missouri Department of Transportation and to bring forward a total transportation plan to meet the transportation needs of both urban and outstate Missouri citizens.

Now, it has become apparent that I will not be able to continue working through the Senate Transportation Committee to keep that good-faith commitment to the citizens of Missouri.

Therefore, effective at 10 a.m. today, February 13, I resign my appointment to the Senate Transportation Committee.

In doing so, I renew my commitment to work on the floor with members of the Senate and the House of Representatives to develop a total transportation plan that considers the needs of rural and urban Missouri, for the benefit of, and consideration by all citizens of this state.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and 1,000 copies ordered printed:

SB 471—By Scott.

An Act to repeal section 148.400, RSMo 2000, relating to premium tax deduction for examination expenses, and to enact in lieu thereof one new section relating to the same subject.

SB 472—By Caskey.

An Act to repeal sections 488.2250 and 488.2253, RSMo 2000, relating to fees for court transcripts, and to enact in lieu thereof two new sections relating to the same subject.

SB 473—By Dougherty.

An Act to repeal sections 452.605 and 516.350, RSMo 2000, relating to children, and to enact in lieu thereof four new sections relating to the same subject.

THIRD READING OF SENATE BILLS

SB 143, introduced by Senator Childers, entitled:

An Act to repeal section 301.301, RSMo 2000, relating to motor vehicle license plate replacement, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

Senator Childers moved that **SB 143** be read the 3rd time and finally passed.

At the request of Senator Childers, the above motion was withdrawn.

SB 87, introduced by Senator Rohrbach, entitled:

An Act to repeal sections 632.483 and 632.486, RSMo 2000, relating to civil commitment of sexually violent predators, and to enact in lieu thereof two new sections relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Rohrbach, **SB 87** was

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

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Rohrbach	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Quick Schneider—2

Absent with leave—Senator Carter—1

The President 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 Johnson moved that motion lay on the table, which motion prevailed.

SB 25, introduced by Senator Johnson, entitled:

An Act to repeal section 172.360, RSMo 2000, relating to tuition at the University of Missouri, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Johnson, **SB 25** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Loudon—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

SB 236, with **SCS**, introduced by Senator Sims, entitled:

An Act to repeal section 453.072, RSMo 2000, relating to adoption subsidies, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

SCS for **SB 236**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 236

An Act to repeal section 453.072, RSMo 2000, relating to adoption subsidies, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

Senator Sims moved that **SCS** for **SB 236** be adopted, which motion prevailed.

On motion of Senator Sims, **SCS** for **SB 236** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bland	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Bentley—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

RESOLUTIONS

Senator Kenney moved that **SR 187** be taken up for adoption, which motion prevailed.

Senator Singleton assumed the Chair.

On motion of Senator Kenney, **SR 187** was adopted by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator Carter—1

SENATE BILLS FOR PERFECTION

Senator Kinder moved that **SB 32**, with **SCA 1**, be taken up for perfection, which motion prevailed.

SCA 1 was taken up.

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

On motion of Senator Kinder, **SB 32**, as amended, was declared perfected and ordered printed.

Senator Bentley moved that **SB 44** and **SB 59**, with **SCS**, be taken up for perfection, which motion

prevailed.

SCS for SBs 44 and 59, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 44 and 59

An Act to repeal sections 453.010, 453.070 and 453.080, RSMo 2000, relating to adoption, and to enact in lieu thereof four new sections relating to the same subject.

Was taken up.

Senator Bentley moved that **SCS for SBs 44 and 59** be adopted.

Senator Klarich offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 44 and 59, Page 1, Section A, Line 3, by inserting after all of said line the following:

“191.938. 1. There is hereby established an “Automated External Defibrillator Advisory Committee” within the department of health.

2. The committee shall advise the department of health, the office of administration and the legislature on the advisability of placing automated external defibrillators in public buildings, especially in public buildings owned by the state of Missouri or housing employees of the state of Missouri with special consideration to state office buildings accessible to the public.

3. The committee shall issue an initial report no later than June 1, 2002, and a final report no later than December 31, 2002, to the department of health, the office of administration and the governor's office. The issues to be addressed in the report shall include, but need not be limited to:

(1) The advisability of placing automated external defibrillators in public buildings and the determination of the criteria as to which public buildings should have automated external defibrillators and how such automated external defibrillators' placement should be accomplished;

(2) Projections of the cost of the purchase,

placement and maintenance of any recommended automated external defibrillator placement;

(3) Discussion of the need for, and cost of, training personnel in the use of automated external defibrillators and in cardiopulmonary resuscitation;

(4) The integration of automated external defibrillators with existing emergency service.

4. The committee shall be composed of the following members appointed by the director of the department of health:

(1) A representative of the department of health;

(2) A representative of the office of administration, division of facilities management;

(3) A representative of the American Red Cross;

(4) A representative of the American Heart Association;

(5) A physician who has experience in the emergency care of patients.

5. The department of health member shall be the chair of the first meeting of the committee. At the first meeting, the committee shall elect a chairperson from its membership. The committee shall meet at the call of the chairperson, but not less than four times a year.

6. The department of health shall provide technical and administrative support services as required by the committee. The office of administration shall provide technical support to the committee in the form of information and research on the number, size, use and occupancy of buildings in which employees of the state of Missouri work.

7. Members of the committee shall receive no compensation for their services as members, but shall be reimbursed for expenses incurred as a result of their duties as members of the committee.

8. The committee shall adopt written bylaws to govern its activities.

9. The automated external defibrillator advisory committee shall terminate on June 1, 2003.”; and

Further amend the title and enacting clause accordingly.

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

Senator Gross assumed the Chair.

Senator Dougherty offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 44 and 59, Page 1, Section A, Line 3, by inserting after all of said line the following:

“67.1785. Each county in the state shall have the authority to create a children’s services council to conduct an assessment of the needs of children in the county and provide grants for services to address those needs. Any children’s services council established pursuant to this section shall constitute a body corporate and politic with taxing power and shall have the duties, privileges, immunities, rights, liabilities and disabilities of a public body corporate and politic.”; and

Further amend said Bill, Page 2, Section 191.975, Line 38, by inserting after all of said line the following:

“207.020. 1. In addition to the powers, duties and functions vested in the division of family services by other provisions of this chapter or by other laws of this state, the division of family services shall have the power:

(1) To sue and be sued;

(2) To make contracts and carry out the duties imposed upon it by this or any other law;

(3) To administer, disburse, dispose of and account for funds, commodities, equipment, supplies or services, and any kind of property given, granted, loaned, advanced to or appropriated by the state of Missouri for any of the purposes herein;

(4) To administer oaths, issue subpoenas for

witnesses, examine such witnesses under oath, and make and keep a record of same;

(5) To adopt, amend and repeal rules and regulations necessary or desirable to carry out the provisions of this chapter and which are not inconsistent with the constitution or laws of this state;

(6) To cooperate with the United States government in matters of mutual concern pertaining to any duties wherein the division of family services is acting as a state agency, including the adoption of such methods of administration as are found by the United States government to be necessary for the efficient operation of state plans hereunder;

(7) To make such reports in such form and containing such information as the United States government may, from time to time, require, and comply with such provisions as the United States government may, from time to time, find necessary to assure the correctness and verification of such reports;

(8) To establish, extend and strengthen child welfare services for the protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent;

(9) To expend child welfare service funds for payment of part of the cost of district, county or other local child welfare services;

(10) To administer state child welfare activities and develop state services for the encouragement and assistance of adequate methods of community child welfare organizations;

(11) To appoint, when and if it may deem necessary, advisory committees to provide professional or technical consultation in respect to welfare problems and welfare administration. The members of such advisory committees shall receive no compensation for their services other than expenses actually incurred in the performance of their official duties. The number of members of each such advisory committee shall be determined by the division of family services, and such advisory committees shall consult with and advise the division of family services in respect to problems and policies incident to the

administration of the particular function germane to the respective field of competence;

(12) To initiate or cooperate with other agencies in developing measures for the prevention of dependency and the rehabilitation of needy persons;

(13) To collect statistics, make special fact-finding studies and publish reports in reference to public welfare;

(14) To establish or cooperate in research or demonstration projects relative to the welfare program, such as those relating to the prevention and reduction of dependency and economic distress, or which will aid in effecting coordination of planning between private and public welfare agencies, or which will help improve the administration and effectiveness of programs carried on or assisted under the federal Social Security Act and the programs related thereto;

(15) To provide appropriate public welfare services to promote, safeguard and protect the social well-being and general welfare of children and to help maintain and strengthen family life, and to provide such public welfare services to aid needy persons who can be so helped to become self-supporting or capable of self-care;

(16) Upon request, to cooperate with the juvenile court and furnish social studies and reports to the court with respect to children as to whom adoption or neglect petitions have been filed;

(17) To accept for social services and care, homeless, dependent or neglected children in all counties where legal custody is vested in the division of family services by the juvenile court where the juvenile court has acquired jurisdiction pursuant to subdivision (1) or (2) of subsection 1 of section 211.031, RSMo; provided that prior to legal custody being vested in the division of family services, the division of family services shall conduct an evaluation of the child, examine the child and investigate all pertinent circumstances of his **or her** background for the purpose of determining appropriate services and a treatment plan for the child. This evaluation shall involve local division staff and consultation with the juvenile officer or [his] **the officer's** designee,

appropriate state agencies, including but not limited to the department of mental health and the department of elementary and secondary education, or private practitioners who are knowledgeable of the child or programs or services appropriate to the needs of the child and shall be completed within thirty days. Temporary custody may be placed with the division of family services while the evaluation is being conducted. A report of such proceedings and findings shall be submitted in writing to the appropriate court:

(a) The division may, at any time, if it finds the child placed in its custody is in need of care or treatment other than that which it can provide, apply to the court which placed such child for an order relieving it of custody of such child. The court must make a determination within ten days and the court shall be vested with full power to make such disposition of the child as is authorized by law, including continued custody;

(b) The division may, prior to the child's eighteenth birthday, if it finds the child placed in its custody is in need of care or treatment beyond the child's eighteenth birthday, apply to the court which placed such child for an order extending custody of such child for good cause. The court must make a determination prior to the child's eighteenth birthday and the court shall be vested with full power to make such disposition of the child as is authorized by law, including continued custody beyond the child's eighteenth birthday;

(c) However, no payments for care shall be made:

a. To facilities with which the division of family services has no contract to provide such care, or to facilities in the state of Missouri which are not licensed by the state of Missouri unless exempt from such licensure;

b. To any facility outside the state of Missouri unless the division of family services determines that there is no facility in the state of Missouri which can provide substantially equivalent care, except that this limitation shall not apply to any facility outside the state of Missouri if that facility is the closest available facility to the child's home

or the division of family services determines that such placement is in the child's best interest; nor

c. To any facility outside the state of Missouri which is not licensed or exempted from licensure by the state in which it is located, or which cannot document that it meets requirements which would be necessary for licensure in the state of Missouri. The term "care" shall include room, board, clothing, medical care, dental care, social services and incidentals;

(18) To accept gifts and grants of any property, real or personal, and to sell said property and expend such gifts or grants not inconsistent with the administration of this chapter and within the limitations imposed by the donor thereof;

(19) To make periodic surveys of cost-of-living factors in relation to the needs of recipients of public assistance, and establish standards or budgetary guides for determining minimum costs of meeting such requirements, and amend such standards from time to time as circumstances may require.

2. All powers and duties of the division of family services shall, so far as applicable, apply to the administration of any other law or state law wherein duties are imposed upon the division of family services acting as a state agency.

453.005. 1. The provisions of sections 453.005 to 453.400 shall be construed so as to promote the best interests and welfare of the child in recognition of the entitlement of the child to a permanent and stable home.

2. The division of family services and all persons involved in the adoptive placement of children as provided in subdivisions (1), (2) and (4) of section 453.014, shall provide for the diligent recruitment of potential adoptive homes that reflect the ethnic and racial diversity of children in the state for whom adoptive homes are needed.

3. [In the selection of an adoptive home, consideration shall be given to both a child's cultural, racial and ethnic background and the capacity of the adoptive parents to meet the needs of a child of a specific background, as one of a number of factors used in determining whether a placement is in the child's best interests. This factor

must, however, be applied on an individualized basis, not by general rules.

4.] Placement of a child in an adoptive home may not be delayed or denied on the basis of race, color or national origin.”; and

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

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

Senator Bentley moved that **SCS** for **SBs 44** and **59**, as amended, be adopted, which motion prevailed.

On motion of Senator Bentley, **SCS** for **SBs 44** and **59**, as amended, was declared perfected and ordered printed.

SB 14 was placed on the Informal Calendar.

Senator Mathewson moved that **SB 14** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Mathewson, **SB 14** was placed on the Informal Calendar.

Senator Bentley moved that **SBs 46** and **47** with **SCS** (pending) be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SBs 46** and **47** was again taken up.

Senator Bentley offered **SS** for **SCS** for **SBs 46** and **47**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 46 and 47

An Act to repeal sections 167.181, 191.600, 191.603, 191.605, 191.607, 191.609, 191.611, 191.614, 191.615, 192.070 and 332.311, RSMo 2000, relating to dental care, and to enact in lieu thereof thirteen new sections relating to the same subject, with a termination date and an emergency clause for certain sections.

Senator Bentley moved that **SS** for **SCS** for **SBs 46** and **47** be adopted.

Senator Sims offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 46 and 47, Page 10, Section 192.070, Line 8, by inserting after all of said line the following:

“332.072. Notwithstanding any other provision of law to the contrary, any qualified dentist who is legally authorized to practice pursuant to the laws of another state may practice as a dentist in this state without examination by the board or payment of any fee and any qualified dental hygienist who is a graduate of an accredited dental hygiene school and legally authorized to practice pursuant to the laws of another state may practice as a dental hygienist in this state without examination by the board or payment of any fee, if such dental or dental hygiene practice consists solely of the provision of gratuitous dental or dental hygiene services provided for [a summer camp for] a period of not more than fourteen days in any one calendar year. Dentists and dental hygienists who are currently licensed in other states and have been refused licensure by the state of Missouri or previously been licensed by the state, but are no longer licensed due to suspension or revocation shall not be allowed to provide gratuitous dental services within the state of Missouri. Any dental hygiene services provided pursuant to this section shall be performed under the supervision of a dentist providing dental services pursuant to this section or a dentist licensed to practice dentistry in Missouri.”; and

Further amend the title and enacting clause accordingly.

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

Senator Bentley moved that **SS** for **SCS** for **SBs 46** and **47**, as amended, be adopted, which motion prevailed.

On motion of Senator Bentley, **SS** for **SCS** for **SBs 46** and **47**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Rohrbach, Chairman of the Committee on Insurance and Housing, submitted the

following reports:

Mr. President: Your Committee on Insurance and Housing, to which was referred **SB 227**, 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 Insurance and Housing, to which was referred **SB 241**, 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 Gibbons, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 203**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On motion of Senator Kenney, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Klarich.

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

RESOLUTIONS

Senator Steelman offered Senate Resolution No. 194, regarding Randy Moore, Mark Twain Forest Superintendent, which was adopted.

Senator Yeckel offered Senate Resolution No. 195, regarding Zachary Ebers, St. Louis, which was adopted.

Senator Staples offered Senate Resolution No. 196, regarding Joseph W. Layden, Bonne Terre, which was adopted.

THIRD READING OF SENATE BILLS

SB 72, introduced by Senator Loudon, entitled:

An Act to repeal sections 109.120 and 109.241, RSMo 2000, relating to public and business records, and to enact in lieu thereof two new sections relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Loudon, **SB 72** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Carter	Caskey
Cauthorn	Childers	DePasco	Foster
Gibbons	Goode	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Sims
Singleton	Staples	Steelman	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Dougherty Scott Stoll—3

Absent with leave—Senator Gross—1

The President declared the bill passed.

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

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

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

SB 125, introduced by Senator Bentley, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to political subdivisions.

Was called from the Consent Calendar and taken up.

On motion of Senator Bentley, **SB 125** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Carter	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	House	Jacob

Johnson	Kenney	Kinder	Klarich	Foster		Gibbons	Goode	House
Klindt	Loudon	Mathewson	Quick	Jacob	Johnson	Kenney	Kinder	
Rohrbach	Russell	Sims	Singleton	Klarich	Klindt	Loudon	Mathewson	
Staples	Steelman	Stoll	Westfall	Quick	Rohrbach	Russell	Schneider	
Wiggins	Yeckel—30			Sims	Singleton	Staples	Steelman	
				Stoll	Westfall	Wiggins	Yeckel—32	

NAYS—Senators—None

NAYS—Senators—None

Absent—Senators

Absent—Senator Scott—1

Bland Schneider Scott—3

Absent with leave—Senator Gross—1

Absent with leave—Senator Gross—1

The President declared the bill passed.

The President declared the bill passed.

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

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

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

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

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

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

SB 197, with **SCS**, introduced by Senator Johnson, entitled:

SENATE BILLS FOR PERFECTION

Senator Steelman assumed the Chair.

An Act to repeal section 320.091, RSMo 2000, relating to fire protection, and to enact in lieu thereof one new section relating to the same subject.

Senator Mathewson moved that **SB 14** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Was called from the Consent Calendar and taken up.

Senator Klarich offered **SA 1**:

SENATE AMENDMENT NO. 1

SCS for **SB 197**, entitled:

Amend Senate Bill No. 14, Page 1, Section 221.407, Line 1, by inserting immediately after the word “district” the following: “, **except any district that includes a noncharter county of the first classification with a population of not less than eighty thousand and not more than eighty-three thousand,**”.

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 197**

An Act to repeal section 320.091, RSMo 2000, relating to fire protection, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

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

Senator Johnson moved that **SCS** for **SB 197** be adopted, which motion prevailed.

At the request of Senator Mathewson, **SB 14**, as amended, was placed on the Informal Calendar.

On motion of Senator Johnson, **SCS** for **SB 197** was read the 3rd time and passed by the following vote:

Senator Russell moved that **SB 12** be taken up for perfection, which motion prevailed.

YEAS—Senators

On motion of Senator Russell, **SB 12** was declared perfected and ordered printed.

Bentley	Bland	Carter	Caskey
Cauthorn	Childers	DePasco	Dougherty

Senator Childers moved that **SB 128** be taken

up for perfection, which motion prevailed.

On motion of Senator Childers, **SB 128** was declared perfected and ordered printed.

SB 89 and **SB 37**, with **SCS**, were placed on the Informal Calendar.

Senator Klarich moved that **SB 39** and **SB 269**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 39** and **269**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 39 and 269

An Act to repeal section 537.675, RSMo 2000, relating to judicial and administrative procedures, and to enact in lieu thereof seven new sections relating to the same subject.

Was taken up.

Senator Klarich moved that **SCS** for **SBs 39** and **269** be adopted.

Senator Gibbons assumed the Chair.

Senator Jacob offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 39 and 269, Page 1, Section A, Line 3, by adding after such line the following:

“478.610. 1. There shall be three circuit judges in the thirteenth judicial circuit consisting of the counties of Boone and Callaway. These judges shall sit in divisions numbered one, two and three.

2. The circuit judge in division two shall be elected in 1980. The circuit judges in divisions one and three shall be elected in 1982.

3. The authority for a majority of judges of the thirteenth judicial circuit to appoint or retain a commissioner pursuant to section 478.003 shall expire August 28, 2001. As of such date, there shall be one additional associate circuit judge position in Boone County than is provided pursuant to section 478.320.”; and

Further amend the title and enacting clause accordingly.

Senator Jacob moved that the above amendment be adopted.

At the request of Senator Klarich, **SB 39** and **SB 269**, with **SCS** and **SA 1** (pending), were placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Singleton, Chairman of the Committee on State Budget Control, submitted the following report:

Mr. President: Your Committee on State Budget Control, to which was referred **SB 256**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Yeckel, Chairman of the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 186**, 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 Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 382**, 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.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and 1,000 copies ordered printed:

SB 474—By Rohrbach.

An Act to repeal section 544.170, RSMo 2000, relating to confinement of persons without process, and to enact in lieu thereof one new section relating to the same subject.

SB 475—By Yeckel.

An Act to repeal sections 160.534 and 164.303, RSMo 2000, relating to gambling moneys for schools, and to enact in lieu thereof three new

sections relating to the same subject.

SB 476—By Yeckel, Kinder, Bentley, Singleton, Scott, Russell, Sims, Cauthorn, Gross, DePasco, Childers, Foster, Kenney, Loudon, Steelman, Westfall, Goode, Stoll and Klarich.

An Act to repeal sections 28.160, 115.013, 115.027, 115.081, 115.083, 115.087, 115.089, 115.097, 115.162, 115.225, 115.233, 115.237, 115.277, 115.283, 115.291, 115.417, 115.419, 115.429, 115.433, 115.439, 115.453, 115.493 and 115.637, RSMo 2000, relating to elections, and to enact in lieu thereof thirty-four new sections relating to the same subject.

SB 477—By Gross.

An Act to repeal sections 188.015, 188.052, 188.055 and 188.070, RSMo 2000, and to enact in lieu thereof five new sections relating to certain governmental records and their confidentiality, with penalty provisions.

SB 478—By Stoll.

An Act to repeal section 115.279, RSMo 2000, relating to applications for absentee ballots, and to enact in lieu thereof one new section relating to the same subject.

SB 479—By Stoll.

An Act to repeal sections 338.030, 338.043, 338.055, 338.210, 338.220, 338.285 and 338.353, RSMo 2000, relating to pharmacists and pharmacies, and to enact in lieu thereof seven new sections relating to the same subject.

SB 480—By Foster, Russell and Westfall.

An Act to repeal sections 163.172 and 165.011, RSMo 2000, and to enact in lieu thereof two new sections relating to school funds.

SB 481—By Foster and Johnson.

An Act to repeal sections 169.070 and 169.670, RSMo 2000, relating to the public school retirement system, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

SB 482—By Foster and Scott.

An Act to amend chapter 436, RSMo, by adding thereto nine new sections relating to

retainage in private building contracts.

SB 483—By Dougherty, Stoll and Bentley.

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to public school teachers.

SB 484—By Loudon.

An Act to repeal section 375.775, RSMo 2000, relating to claims of insolvent insurers, and to enact in lieu thereof one new section relating to the same subject.

SB 485—By Loudon.

An Act to amend chapter 313, RSMo, by adding thereto four new sections relating to gambling.

COMMUNICATIONS

Senator Quick submitted the following:

February 13, 2001

Ms. Terry Spieler
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101
Dear Ms. Spieler:

Please be advised that I am appointing Senator Wayne Goode to the Senate Transportation Committee to fill the vacancy created by the resignation of Senator James Mathewson.

Please revise your records accordingly. Thank you.

Sincerely,

/s/ Ed Quick
Edward E. Quick
Minority Floor Leader

INTRODUCTIONS OF GUESTS

Senator Gross introduced to the Senate, Peggy Cochran, Jefferson City; and Valerie Maxwell, St. Peters.

On behalf of Senators House, Klarich and himself, Senator Gross introduced to the Senate, Vicky Huesemann, John Burke, Jessica Dederer, Kevin DeSain, Loretta Elliott, Judy Fabre, Douglas Forbeck, Greg Fowler, Jill Hein, George Herina, Kimberly Hertling, Arlene Hoffman, Linda Howard, Mark Hunyar, James Koetting, Jennifer Lee, Chang Liu, Denise Persons, Martha Raginski, Mark Rudolph, Steven Steinbrugge, Gina

Stockman, Sharon Stormer, JoAnne Stout, Laurie Stump, Jeffrey Unterreiner, Valerie White, Michelle Reuther, Virginia Dowden, Susan Lauth, Rose Mack, Al Moellenhoff and Don Young, Representatives of Vision St. Charles County Leadership.

Senator Foster introduced to the Senate, Rick and Ann Hale and Larry Cooper, Poplar Bluff.

Senator Kenney introduced to the Senate, volunteers and staff from around the state representing the American Cancer Society.

Senator Bentley introduced to the Senate, Ken Coleman, Trudy Fischer, Jennifer Henderson, Joe McEwen, James Gilbert, Kim Rudderham, Melody Ross, Jennifer Osborn, Lisa Thurman, Dominique Holmes and Chris Severns, Representatives of Boys and Girls Town of Missouri.

Senator Westfall introduced to the Senate, Bob Kennison, Mt. Vernon.

Senator Wiggins introduced to the Senate, Tom, Debbie, Natalie, Erica and Valerie Wilson, Homeschoolers from Kansas City; and Natalie, Erica and Valerie were made honorary pages.

Senator Dougherty introduced to the Senate, his wife, Bev, St. Louis.

Senator Stoll introduced to the Senate, Becky Moore, Karen Huskey, Chuck Naeger and Maureen Thoendal, Jefferson County.

Senator Singleton introduced to the Senate, Gib Garrow, Neosho; and Rusty Enlow, McDonald County.

Senator Cauthorn introduced to the Senate, Brian Musslinger, Lewis County.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Joel T. Jeffries, M.D., Columbia.

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

Journal
SENATE CALENDAR

TWENTY- FIFTH DAY—WEDNESDAY, FEBRUARY 14, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

- | | |
|------------------------------|---------------------------|
| SB 460-Klarich | SB 473-Dougherty |
| SB 461-Mathewson | SB 474-Rohrbach |
| SB 462-Westfall | SB 475-Yeckel |
| SB 463-Westfall and Childers | SB 476-Yeckel, et al |
| SB 464-Dougherty and Sims | SB 477-Gross |
| SB 465-Dougherty, et al | SB 478-Stoll |
| SB 466-Dougherty | SB 479-Stoll |
| SB 467-House | SB 480-Foster, et al |
| SB 468-Kenney | SB 481-Foster and Johnson |
| SB 469-Gross, et al | SB 482-Foster and Scott |
| SB 470-Goode, et al | SB 483-Dougherty, et al |
| SB 471-Scott | SB 484-Loudon |
| SB 472-Caskey | SB 485-Loudon |

THIRD READING OF SENATE BILLS

SB 256-Caskey

SENATE BILLS FOR PERFECTION

- | | |
|---|--------------------------------------|
| 1. SB 97-Bentley, with
SCA 1 | 6. SBs 67 & 40-Gross,
with SCS |
| 2. SB 184-Johnson, et al | 7. SB 65-Gibbons, with
SCS |
| 3. SBs 323 & 230-
Childers, et al,
with SCS | 8. SB 317-Stoll, with
SCS |
| 4. SB 226-Goode, et al,
with SCS | 9. SB 50-Childers |
| 5. SB 220-Kinder and
Gross | 10. SBs 253 & 260-Gross,
with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---------------------------------------|
| SB 14-Mathewson | SBs 89 & 37-Kinder, with
SCS |
| SB 36-Westfall, et al,
with SCS and SA 1
(pending) | SB 123-Kinder, with SA 1
(pending) |
| SBs 39 & 269-Klarich and
Goode, with SCS and
SA 1 (pending) | |

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers
SB 58-Stoll

SB 7-Scott

Reported 2/6

SB 207-Klarich

SBs 26 & 126-Johnson, with SCS

Reported 2/12

SB 275-Sims

SB 219-Mathewson

SB 185-Loudon

SB 258-Rohrbach and Schneider

SB 224-Russell

SB 304-Klarich

SB 10-Caskey, with SCS

SB 252-Singleton

SB 136-Wiggins, with SCS

SB 274-Caskey

SB 216-Scott

SB 301-Johnson, with SCS

Reported 2/13

SB 227-Jacob

SB 186-Klarich, with SCS

SB 241-Rohrbach, with SCS

SB 382-Yeckel and Stoll,

SB 203-Scott

with SCS

Unofficial
Journal

RESOLUTIONS

SR 58-Singleton

Reported from Committee

SCR 3-Gross, et al

SCR 8-Caskey

SCR 5-Klarich, with SCS

SCR 10-Staples

SCR 6-Stoll and Loudon

Copy

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS

(Senate requests House
recede or grant conference)

✓