

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—MONDAY, FEBRUARY 26, 2001

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore, my beloved, be steadfast, immovable, always excelling in the work of the Lord, because you know that in the Lord your Labor is not in vain.” (I Corinthians 15:57-58)

Gracious Lord, we are thankful for bringing us safely to this new week of opportunities to serve You. We are grateful for the strength You give us to fulfill our daily tasks and for providing for our earthly needs. Help us to stay focused on You as we do our work and live through each day as Your own. 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 for Thursday, February 22, 2001, was read and approved.

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 Kenney offered Senate Resolution No. 239, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Harry Waterhouse, Independence, which was adopted.

Senator Caskey offered Senate Resolution No. 240, regarding Coy Cates, Holden, which was adopted.

Senator Caskey offered Senate Resolution No. 241, regarding Christopher James “C. J.” Hoover, Holden, which was adopted.

Senator Caskey offered Senate Resolution No. 242, regarding Zachary James Keeney “Zach” Bralicz, Warrensburg, which was adopted.

Senator Caskey offered Senate Resolution No. 243, regarding Cody Allen Koehn, Holden, which was adopted.

Senator Yeckel offered Senate Resolution No. 244, regarding Cory Proffer, St. Louis, which was adopted.

Senator Foster offered Senate Resolution No. 245, regarding Petit J. “Peck” Croy, Patterson, which was adopted.

Senator Foster offered Senate Resolution No. 246, regarding Bob Worley, Piedmont, which was adopted.

Senator Singleton offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 247

WHEREAS, the members of the Missouri Senate always welcome the opportunity to acknowledge milestone achievements in the professional careers of Show-Me State residents who have proven to be exceptional leaders in their chosen fields of endeavor; and

WHEREAS, Lorraine Whittington of Joplin, Missouri, will be installed as president of the Missouri Federation of Business and Professional Women's Clubs, Incorporated, (BPW/MO) at its state convention which will be held on April 28, 2001, at the Ramada Inn in historic St. Joseph; and

WHEREAS, thrice serving as president of the local Business and Professional Women's Club, Lorraine Whittington held almost all local offices and served as district director before her election to the state BPW board and a succession of offices during the last five years; and

WHEREAS, in addition to having planned successful state conferences, Lorraine Whittington has attended the last six national conventions and national board meetings; and

WHEREAS, Lorraine Whittington earned a Bachelor's degree in business administration from Missouri Southern State College and served as the business manager of Southwest Radiology, Ltd., for twenty-three years, during which time she supervised nine employees; and

WHEREAS, admirably fulfilling the diverse duties and responsibilities of her previous position as instructor in the Medical Office Assistant Program at Joplin's Vatterott College, Lorraine Whittington developed a stellar reputation for her leadership endeavors with the Radiology Business Management Association, American Association of Medical Assistants, J.W. Investment Club, and American Association of University Women; and

WHEREAS, Lorraine Whittington is especially pleased by the heartfelt support and encouragement she has received from her friends and colleagues for this latest in a long string of impressive accomplishments:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-first General Assembly, join unanimously to applaud the selection of Lorraine Whittington as incoming president of the Missouri Federation of Business and Professional Women's Clubs and to convey to her our sincerest best wishes for continued personal and professional success for many years to come; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution in honor of Lorraine Whittington of Joplin, Missouri.

Senators Goode and Schneider offered Senate Resolution No. 248, regarding Dorris S. Carter, Ferguson, which was adopted.

INTRODUCTION OF BILLS

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

SB 550—By Sims.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to disability discrimination, with an emergency clause.

SB 551—By Sims.

An Act to repeal section 208.029, RSMo 2000, relating to the grandparents as foster parents program, and to enact in lieu thereof one new section relating to the same subject.

SB 552—By Sims.

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to surgical comanagement arrangements.

SB 553—By Klindt.

An Act to authorize the conveyance of property interest owned by Northwest Missouri State University to the Missouri National Guard and City of Maryville.

SB 554—By House.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to disclosure of health information, with an effective date.

SB 555—By House.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to noncompetition clauses for broadcasting industry employees.

SB 556—By DePasco.

An Act to repeal section 313.840, RSMo 2000, relating to liquor licenses on boats and premises, and to enact in lieu thereof one new section relating to the same subject.

Senator Gross assumed the Chair.

THIRD READING OF SENATE BILLS**SB 227**, introduced by Senator Jacob, entitled:

An Act to repeal section 461.051, RSMo 2000, relating to nonprobate transfers, 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 Jacob, **SB 227** was read the 3rd time and passed by the following vote:

| | | | |
|---------------|---------|-----------|-----------|
| YEAS—Senators | | | |
| Bentley | Bland | Carter | 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—Senator Caskey—1

Absent—Senators
Quick Schneider—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 186, with **SCS**, introduced by Senator Klarich, entitled:

An Act to amend chapter 367, RSMo, by adding thereto five new sections relating to deferred presentment services.

Was called from the Consent Calendar and taken up.

SCS for **SB 186**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 186

An Act to amend chapter 367, RSMo, by adding thereto five new sections relating to deferred presentment services.

Was taken up.

Senator Klarich moved that **SCS** for **SB 186** be adopted, which motion prevailed.

On motion of Senator Klarich, **SCS** for **SB 186** was read the 3rd time and passed by the following vote:

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

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 382, with **SCS**, introduced by Senators Yeckel and Stoll, entitled:

An Act relating to compliance with Title V of the Federal Gramm-Leach-Bliley Act of 1999, with an emergency clause.

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

SCS for **SB 382**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 382

An Act relating to compliance with Title V of the Federal Gramm-Leach-Bliley Financial Modernization Act of 1999, with an emergency clause.

Was taken up.

Senator Yeckel moved that **SCS** for **SB 382** be adopted, which motion prevailed.

On motion of Senator Yeckel, **SCS** for **SB 382** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senator Singleton—1

Absent—Senator Quick—1

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senator Singleton—1

Absent—Senator Quick—1

Absent with leave—Senators—None

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

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

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

SB 128, introduced by Senator Childers,

entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to torts and actions for damages.

Was taken up.

On motion of Senator Childers, **SB 128** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | |
|-----------|---------|----------|-----------|
| Bentley | Bland | Carter | Cauthorn |
| Childers | DePasco | Foster | Gibbons |
| Goode | Gross | Johnson | Kenney |
| Kinder | Klindt | Loudon | Mathewson |
| Rohrbach | Russell | Scott | Sims |
| Singleton | Staples | Westfall | Yeckel—24 |

NAYS—Senators

| | | | |
|-----------|-----------|----------|-------|
| Caskey | Dougherty | House | Jacob |
| Klarich | Schneider | Steelman | Stoll |
| Wiggins—9 | | | |

Absent—Senator Quick—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SS for **SCS** for **SBs 46** and **47**, introduced by Senator Bentley, 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, 332.072 and 332.311, RSMo 2000, relating to dental care, and to enact in lieu thereof fourteen new sections relating to the same subject, with a termination date and an emergency clause for certain sections.

Was taken up by Senator Bentley.

On motion of Senator Bentley, **SS** for **SCS** for **SBs 46 and 47** was read the 3rd time and passed by the following vote:

YEAS—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 |
| Steelman | Stoll | Westfall | Wiggins |

Yeckel—33

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Johnson Schneider Staples—3

Absent with leave—Senators—None

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

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

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

SCS for **SB 36**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 36

An Act to repeal sections 302.130, 302.178, 302.302, 302.309, 302.505, 302.510, 302.520, 302.535, 302.540, 302.541, 479.500, 577.012, 577.021, 577.023, 577.037, 577.600 and 577.602, RSMo 2000, relating to traffic offenses, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions and an effective date.

Was taken up by Senator Westfall.

On motion of Senator Westfall, **SCS** for **SB 36** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | |
|-----------|-----------|-----------|-----------|
| Bentley | Carter | Caskey | Cauthorn |
| Childers | DePasco | Dougherty | Foster |
| Gibbons | Goode | Gross | House |
| Jacob | Johnson | Kenney | Kinder |
| Klarich | Klindt | Loudon | Mathewson |
| Quick | Rohrbach | Russell | Sims |
| Singleton | Steelman | Stoll | Westfall |
| Wiggins | Yeckel—30 | | |

NAYS—Senators

Bland Schneider—2

Absent—Senators

Scott Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

CONCURRENT RESOLUTIONS

Senator Stoll moved that **SCR 6** be taken up for 3rd reading and final passage, which motion prevailed.

Senators Stoll and Loudon offered **SS** for **SCR 6**, entitled:

SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 6

Establishes April 6th of each year as Tartan Day in Missouri.

WHEREAS, the Declaration of Arbroath, the Scottish Declaration of Independence, from which the American Declaration of Independence was modeled, was signed on April 6, 1320; and

WHEREAS, Scottish Americans played a major role in the founding of this Nation, almost half of the signers of our Declaration of Independence and the governors of nine of the original 13 states were of Scottish descent; and

WHEREAS, Scottish Americans helped shape this nation in its formative years, guided it through troubled times, and have made invaluable contributions to America in the fields of science, technology, medicine, government and many other areas; and

WHEREAS, the members of the Missouri General Assembly wish to salute to all Americans of Scottish descent as they celebrate their heritage:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare April 6th of each year as Tartan Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for St. Andrews Society of St. Louis; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate shall submit this resolution to the Governor for his approval or rejection pursuant to the Constitution of Missouri.

Senator Gibbons assumed the Chair.

Senator Stoll moved that **SS** for **SCR 6** be adopted, which motion prevailed.

On motion of Senator Stoll, **SS** for **SCR 6** was read the 3rd time and passed by the following vote:

YEAS—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 | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SB 308**, 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 Pensions and General Laws, to which was referred **SB 278**, 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 Pensions and General Laws, to which was referred **SB 371**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SB 316**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SB 290**, 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 Pensions and General Laws, to which was referred **SB 264**, 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 Pensions and General Laws, to which was referred **SB 263**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **SB 223**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **SB 66**, 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 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 148**, 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 Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 179**, 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 Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 341**, 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 Childers, Chairman of the Committee on Local Government and Economic Development, submitted the following reports:

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 420**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 383**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 430**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 441**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and 1,000 copies ordered printed:

SB 557—By Schneider.

An Act to amend chapter 27, RSMo, by adding thereto one new section relating to the attorney general.

CONCURRENT RESOLUTIONS

Senator Kinder offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, the trucking industry is a major part of the Missouri economy with considerable interest in highway safety in our state; and

WHEREAS, the trucking industry employs thousands of commercial truck drivers that necessitates criminal background checks to insure that its drivers are responsible citizens; and

WHEREAS, the Missouri Uniform Law Enforcement System provides access to only criminal background information on criminal records in Missouri; and

WHEREAS, the National Crime Information Center under the Federal Bureau of Investigation is only available to law enforcement agencies for law enforcement purposes:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the need for the trucking industry to have access to such information in the interest of insuring that its drivers are responsible citizens and thus promoting safety on our highways and urges the United States Department of Justice to provide access to such information to the trucking industry; and

BE IT FURTHER RESOLVED, that the Missouri General Assembly urges the United States Congress to enact legislation to cause information contained in the National Online Information Center to be accessible to the trucking industry; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate prepare property inscribed copies to each member of Missouri's Congressional delegation and the United States Department of Justice.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 506—Agriculture, Conservation, Parks and Tourism.

SB 507—Agriculture, Conservation, Parks and Tourism.

SB 508—Ways and Means.

SB 509—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 510—Education.

SB 511—Pensions and General Laws.

SB 512—Education.

SB 513—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 514—Public Health and Welfare.

SB 515—Local Government and Economic Development.

SB 516—Judiciary.

SB 517—Ways and Means.

SB 518—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 519—Ways and Means.

SB 520—Transportation.

SB 521—Insurance and Housing.

SB 522—Agriculture, Conservation, Parks and Tourism.

SB 523—Ways and Means.

SB 524—Agriculture, Conservation, Parks and Tourism.

SB 525—Transportation.

SB 526—Labor and Industrial Relations.

SB 527—Ways and Means.

SB 528—Aging, Families and Mental Health.

SB 529—Commerce and Environment.

SB 530—Insurance and Housing.

SB 531—Commerce and Environment.

SB 532—Agriculture, Conservation, Parks and Tourism.

SB 533—Insurance and Housing.

SB 534—Local Government and Economic Development.

SB 535—Insurance and Housing.

SB 536—Judiciary.

SB 537—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 538—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 539—Aging, Families and Mental Health.

SB 540—Transportation.

SB 541—Pensions and General Laws.

SB 542—Transportation.

SB 543—Education.

SB 544—Local Government and Economic Development.

SB 545—Local Government and Economic Development.

SB 547—Local Government and Economic Development.

SB 548—Commerce and Environment.

SB 549—Transportation.

SJR 17—Judiciary.

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 **HJR 5**:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 26(b) of article VI of the Constitution of Missouri, relating to school district bond elections and adopting one new section in lieu thereof 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 163**, entitled:

An Act to repeal section 43.265, RSMo 2000, relating to the highway patrol's motor vehicle and aircraft revolving fund, 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 **HCS** for **HBs 205, 323** and **549**, entitled:

An Act to repeal sections 252.043, 254.020, 254.040 and 270.170, RSMo 2000, relating to the conservation commission, and to enact in lieu thereof nine 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 House has taken up and passed **HB 219**, entitled:

An Act to repeal sections 272.010, 272.020, 272.040, 272.050, 272.060, 272.070, 272.100, 272.110, 272.130, 272.150, 272.160, 272.170, 272.180, 272.190, 272.200, 272.210, 272.220, 272.230, 272.235, 272.240, 272.250, 272.260, 272.270, 272.280, 272.290, 272.300, 272.310, 272.330, 272.340, 272.350, 272.360 and 272.370, RSMo 2000, relating to property rights, and to enact in lieu thereof twelve 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 **HBs 441, 94** and **244**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the awarding of honorary high school diplomas to certain veterans.

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 575**, entitled:

An Act to repeal sections 407.815, 407.816, 407.820, 407.822 and 407.825, RSMo 2000, relating to motor vehicle franchise practices, and to enact in lieu thereof eight 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 **HB 621**, entitled:

An Act to amend chapter 217, RSMo, relating to the department of corrections by adding thereto one new section creating the Missouri state penitentiary redevelopment commission.

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 adopted and third read **HCR 16**.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, on January 29, 2001, the United States District Court for the District of Columbia in the case of Sierra Club v. Browner ordered the United States Environmental Protection Agency to decide by March 12, 2001, whether the St. Louis area is in serious violation of standards for ozone air pollution; and

WHEREAS, since the court was barred from ordering the Environmental Protection Agency to find the St. Louis area in "serious" violation, the question of what the EPA will ultimately

decide to do is still open; and

WHEREAS, a "serious" designation by the Environmental Protection Agency for the St. Louis area would be significant for the region because it could deter the development of new industries in the region by requiring more costly and restrictive air pollution controls on industry aimed at improving air quality as well as imposing penalties, such as the withholding of federal highway dollars and; and

WHEREAS, the state of Missouri and its citizens have worked hard to improve the St. Louis area's air quality though such steps as the use of reformulated gasoline, the implementation of stricter industry controls on emissions, improvements in mass transit, a vehicle inspection program that started in April 2000 and the placement of nozzles on gas pumps to collect gas fumes; and

WHEREAS, last year, the Environmental Protection Agency agreed to give the St. Louis area until November of 2003 to meet the ozone standards and any reduction in that time frame would be unfair to the citizens of St. Louis and the state who have worked so diligently to improve the air quality:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Environmental Protection Agency to provide the St. Louis area with the time promised last year to meet the ozone standards before making its determination as to whether the area is in serious violation of standards for ozone air pollution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President George Bush, EPA Administrator Christine Todd Whitman, Governor Bob Holden and each member of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Sims offered Senate Resolution No. 249, regarding Brian and Melissa Kirmse, Ashland, which was adopted.

Senator Sims offered Senate Resolution No. 250, regarding Dennis and Ann Toellner, Columbia, which was adopted.

Senator Sims offered Senate Resolution No. 251, regarding Timothy and Jane Blackwell, Holts Summit, which was adopted.

Senator Sims offered Senate Resolution No. 252, regarding Robert and Kathy Maxey, Columbia, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Mathewson introduced to the Senate, Joe, Judy, Kourtney and Kayley Gabriel, Sedalia; and Kourtney and Kayley were made honorary pages.

Senator Kenney introduced to the Senate, his daughter, Elizabeth, Lee's Summit; and Elizabeth was made an honorary page.

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

SENATE CALENDAR

THIRTY-SECOND DAY—TUESDAY, FEBRUARY 27, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 546-Kenney, et al
SB 550-Sims
SB 551-Sims
SB 552-Sims
SB 553-Klindt

SB 554-House
SB 555-House
SB 556-DePasco
SB 557-Schneider

HOUSE BILLS ON SECOND READING

HCS for HBs 302 & 38
HJR 5-Barry, et al
HB 163-Berkowitz and
Wagner
HCS for HBs 205, 323 & 549

HB 219-Townley, et al
HCS for HBs 441, 94 & 244
HB 575-O'Connor, et al
HB 621-Gratz and Vogel

THIRD READING OF SENATE BILLS

SB 32-Kinder
(In Budget Control)

SENATE BILLS FOR PERFECTION

1. SB 97-Bentley, with
SCA 1
2. SB 184-Johnson, et al

3. SBs 323 & 230-Childers,
et al, with SCS
4. SB 226-Goode, et al, with SCS

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| <ul style="list-style-type: none"> 5. SB 220-Kinder and Gross 6. SBs 67 & 40-Gross, with SCS 7. SB 65-Gibbons, with SCS 8. SB 317-Stoll, with SCS 9. SB 50-Childers 10. SBs 253 & 260-Gross, with SCS 11. SBs 391 & 395-Rohrbach, with SCS 12. SB 222-Caskey 13. SB 244-Staples 14. SBs 52 & 91-Childers, with SCS 15. SB 267-Klarich and Schneider, with SCS 16. SB 381-Klarich 17. SB 114-Loudon, with SCS 18. SB 339-Stoll and Childers, with SCA 1 19. SB 48-Sims, with SCS | <ul style="list-style-type: none"> 20. SB 400-Kenney, et al 21. SB 374-Steelman, with SCS 22. SB 239-Stoll, with SCS 23. SBs 238 & 250-Staples, et al, with SCS 24. SB 445-Singleton, with SCS 25. SBs 22 & 106- Singleton, with SCS 26. SBs 214, 124, 209 & 322-Gross, et al, with SCS 27. SJR 9-Goode, et al 28. SB 438-Bentley and Stoll 29. SB 251-Kinder 30. SB 375-Steelman, with SCS 31. SB 392-Kenney and DePasco 32. SB 372-Gibbons, with SCS |
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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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| <ul style="list-style-type: none"> SB 14-Mathewson SBs 39 & 269-Klarich and Goode, with SCS and SS for SCS (pending) | <ul style="list-style-type: none"> SBs 89 & 37-Kinder, with SCS SB 123-Kinder, with SA 1 (pending) |
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CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers

Reported 2/19

SB 110-Gross
SB 344-Rohrbach and Jacob,
with SCS
SB 287-Klarich, with SCS
SB 111-Gross
SB 303-Johnson
SB 321-Westfall
SB 295-Stoll and Staples
SB 357-Schneider, with SCS

SB 348-Sims
SB 352-Johnson, with SCS
SB 365-Steelman
SB 394-Bentley
SB 293-Steelman, with SCA 1
SB 315-Childers, with SCS
SB 366-House
SB 380-House

Reported 2/20

SB 288-Klarich, with SCA 1
SB 270-Schneider, with SCS

SB 370-Caskey and Goode

Reported 2/26

SB 308-Jacob, with SCS
SB 278-Westfall, with SCS
SB 371-Scott
SB 316-Stoll
SB 290-Wiggins and
DePasco, with SCS
SB 264-Steelman, with SCS
SB 263-Stoll
SB 223-Caskey

SB 66-Gibbons, with SCS#2
SB 148-Goode
SB 179-Rohrbach
SB 341-Jacob, with SCS
SB 420-Klarich
SB 4-Wiggins, et al, with SCS
SB 383-Johnson, with SCS
SB 430-Dougherty
SB 441-Caskey

RESOLUTIONS

SR 58-Singleton

To be Referred

SCR 20-Kinder

HCR 16-Green and Holt

Reported from Committee

SCR 8-Caskey
SCR 10-Staples
SCR 13-Foster
SCR 14-Mathewson, with SCS

SCR 16-Yeckel
SCR 17-Steelman, et al
SCR 18-Goode
SCR 19-Sims

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS
(Senate requests House
recede or grant conference)

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