

# Journal of the Senate

FIRST REGULAR SESSION

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FIFTY-FOURTH DAY—WEDNESDAY, APRIL 11, 2001

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The Senate met pursuant to adjournment.

Yeckel—33

Senator Rohrbach in the Chair.

Absent with leave—Senator Carter—1

The Lieutenant Governor was present.

Reverend Carl Gauck offered the following prayer:

“To do righteousness and justice is more acceptable to the Lord than sacrifice.” (Proverbs 21:3)

Merciful God, there are so many bills demanding our attention and we are beginning to wonder what it is that must be done and what is the best thing for us to do as we discern the budget and set values and priorities through it. May You gently push us to seek always that which is right and just in what we deliberate and approve so our hearts may be light and in tune with You our God. Amen.

The Pledge of Allegiance to the Flag was recited.

President Maxwell assumed the Chair.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Bentley	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

## RESOLUTIONS

Senator Kenney offered Senate Resolution No. 542, regarding Brandon S. Holmes, Independence, which was adopted.

Senator Kenney offered Senate Resolution No. 543, regarding Joshua L. “Josh” Brown, Independence, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Steelman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 29

Relating to the Highway Patrol Oversight Commission

WHEREAS, citizens with complaints regarding the Missouri State Highway Patrol often are unaware of the results of their grievances; and

WHEREAS, the procedures of the Missouri State Highway Patrol regarding internal investigations and standards of discipline of Patrol members are not generally made public; and

WHEREAS, there exists a need for continued accountability in the review and investigation of complaints, both by members of the public regarding treatment by the Highway Patrol and from officers within the Highway Patrol; and

WHEREAS, there exists a need for clarification and public understanding of Highway Patrol standards of procedure in order to ensure that every complaint is appropriately and fairly handled; and

WHEREAS, there also exists a need to ensure that women and minorities are being adequately and ethically recruited and retained by the Highway Patrol:

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 authorize the creation of a Highway Patrol Oversight Commission which shall review and evaluate the laws and general orders relating to public complaints, internal grievances and discipline of officers, review procedures to recruit and retain women and minority officers and troopers, and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Commission shall be composed of six members, three of whom shall be appointed by the President Pro Tem of the Senate and three of whom shall be appointed by the Speaker of the House, including a representative of a national organization that represents the interests of troopers, a POST-certified instructor, an attorney with experience with administrative law procedure and practice, a person with human resources experience in private industry or commerce, a member of the House of Representatives and a member of the Senate, to serve until January 1, 2003; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Commission in carrying out its duties, including allowing access to closed records, provided that the Commission shall not disclose any identifying information contained in such records closed pursuant to statute or general order and any such information in the custody of the Commission shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the Commission; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Commission; and

BE IT FURTHER RESOLVED that the Commission shall make a report to the Governor and the General Assembly by January 1, 2003; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

### REFERRALS

President Pro Tem Kinder referred **SS No. 2** for **SCS** for **SBs 22** and **106** to the Committee on State Budget Control.

### THIRD READING OF SENATE BILLS

**SB 428**, introduced by Senator Loudon, entitled:

An Act to repeal section 213.055, RSMo 2000,

relating to unlawful employment practices, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

On motion of Senator Loudon, **SB 428** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Bentley	Cauthorn	Childers	DePasco
Foster	Gibbons	Gross	Kenney
Kinder	Klarich	Klindt	Loudon
Rohrbach	Russell	Scott	Singleton
Westfall	Yeckel—18		

#### NAYS—Senators

Bland	Caskey	Dougherty	Goode
House	Jacob	Johnson	Mathewson
Quick	Schneider	Sims	Staples
Steelman	Wiggins—14		

Absent—Senator Stoll—1

Absent with leave—Senator Carter—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 Singleton moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 351**, introduced by Senator Singleton, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 351

An Act to repeal sections 57.010, 488.5336, 590.100, 590.101, 590.105, 590.110, 590.112, 590.115, 590.117, 590.120, 590.121, 590.123, 590.125, 590.130, 590.131, 590.135, 590.150, 590.170, 590.175, 590.180 and 590.650, RSMo 2000, relating to selection and training of peace officers, and to enact in lieu thereof eighteen new sections relating to the same subject, with penalty provisions.

Was taken up.

On motion of Senator Singleton, **SS** for **SCS** for **SB 351** was read the 3rd time and passed by the following vote:

Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

YEAS—Senators

Bentley	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—33			

NAYS—Senator Caskey—1

Absent—Senator Quick—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

**SS** for **SCS** for **SBs 433** and **248**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 433 and 248

An Act to repeal section 537.053, RSMo 2000, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions, and to enact in lieu thereof one new section relating to the same subject.

Was taken up by Senator Kinder.

On motion of Senator Kinder, **SS** for **SCS** for **SBs 433** and **248** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Rohrbach

**SENATE BILLS FOR PERFECTION**

Senator Kenney moved that **SB 510**, **SB 512** and **SB 133**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SBs 510**, **512** and **133**, as amended, was again taken up.

President Pro Tem Kinder assumed the Chair.

Senator Jacob offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon.[Beginning April 1, 2008, the tax rate shall become eleven cents per gallon] **In addition to the tax levied pursuant to this section, there is levied an additional tax of three cents per gallon upon diesel fuel;**

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event

alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080, RSMo, to be collected as required under this chapter.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.”; and

Further amend said bill, page 14, Section 169.596, line 23, by inserting immediately after said line the following:

“301.057. The annual registration fee for property-carrying commercial motor vehicles, not including property-carrying local commercial motor vehicles, or land improvement contractors' commercial motor vehicles, based on gross weight is:

6,000 pounds and under .....	\$ [25.50]	<b>33.00</b>
6,001 pounds to 9,000 pounds .....	[38.00]	<b>49.50</b>
9,001 pounds to 12,000 pounds .....	[38.00]	<b>49.50</b>
12,001 pounds to 18,000 pounds ....	[63.00]	<b>82.00</b>
18,001 pounds to 24,000 pounds ....	[100.50]	<b>131.00</b>
24,001 pounds to 26,000 pounds ....	[127.00]	<b>165.00</b>
26,001 pounds to 30,000 pounds ....	[180.00]	<b>234.00</b>
30,001 pounds to 36,000 pounds ....	[275.50]	<b>357.50</b>
36,001 pounds to 42,000 pounds ....	[413.00]	<b>537.00</b>
42,001 pounds to 48,000 pounds ....	[550.50]	<b>716.00</b>
48,001 pounds to 54,000 pounds ....	[688.00]	<b>894.00</b>
54,001 pounds to 60,010 pounds ....	[825.50]	<b>1,073.00</b>
60,011 pounds to 66,000 pounds ..	[1,100.50]	<b>1,431.00</b>

66,001 pounds to 73,280 pounds..	[1,375.50]	<b>1,788.00</b>
73,281 pounds to 78,000 pounds..	[1,650.50]	<b>2,146.00</b>
Over 78,000 pounds .....	[1,719.50]	<b>2,235.00.</b>

301.265. 1. The owner of any motor vehicle or, in the event the motor vehicle is legally operated by someone other than the owner, then the operator thereof, which is duly and legally registered in some other jurisdiction but which cannot legally be operated on Missouri highways under the provisions of section 301.271, or under the provisions of any applicable agreement duly entered into by the Missouri highway reciprocity commission, which is operated on the highways of this state only occasionally by such owner or operator, may in lieu of the payment of the registration fee for such vehicle, obtain a trip permit from the department of revenue authorizing the operation of such vehicle on the highways of this state for a period of not to exceed seventy-two hours. The trip permit is valid for use by any owner or operator who uses the vehicle during the seventy-two hour period. The fee for such trip permit shall be [ten] **fourteen dollars and fifty cents** and shall be collected by the department of revenue and deposited with the state treasurer to the credit of the state [highway] **highways and transportation** department fund except when an agreement has been negotiated with another jurisdiction whereby prepayment is not required. In such cases, the terms of the agreement shall prevail. When such trip permit fee has been paid on a motor vehicle, no registration or fee shall be required for a trailer or semitrailer duly and legally registered in any jurisdiction and propelled by such motor vehicle. The director of revenue shall prescribe rules and regulations to effectuate the purpose of this section. Application for such trip permits shall be made on a form prescribed by and shall contain such information as may be required by the director of revenue.

2. The requirements of Missouri law as to title of motor vehicles shall not be applicable to vehicles operated under such trip permits.

3. Any owner or operator who desires to use a trip permit for the operation of his vehicle shall secure such permit and the same must be in full

force and effect before the vehicle enters or commences its trip in the state of Missouri.

4. Operators who fail to obtain such permit before the vehicle enters or commences its trip in this state are subject to arrest and must obtain such permit before proceeding. The permits shall be made available at official highway weight stations.

5. The purchase of a [ten] **fourteen dollar and fifty cents** trip permit shall allow such operator to haul the maximum weight allowed by statute.

6. Such permits may be sold in advance of the date of their use in such quantities as the director of revenue shall determine.

302.735. 1. The application for a commercial driver's license shall include, but not be limited to, the legal name, mailing and residence address, if different, a physical description of the person, including sex, height, weight and eye color, the person's Social Security number, date of birth and any other information deemed appropriate by the director.

2. The application for a commercial driver's license or renewal shall be accompanied by the payment of a fee of [forty] **sixty** dollars. The fee for a duplicate commercial driver's license shall be [twenty] **thirty** dollars. A commercial driver's license shall expire on the applicant's birthday in the sixth year after issuance and must be renewed on or before the date of expiration. The director shall have the authority to stagger the issuance or renewal of commercial driver's license applicants over a six-year period. When a person changes such person's name, mailing or residence address, such person shall notify the director. To all applicants for a commercial license or renewal who are between eighteen and twenty-one years of age, the application shall be accompanied by a fee of twenty dollars. A commercial license issued pursuant to an applicant less than twenty-one years of age shall expire on the applicant's birthday the third year after issuance.

3. Within thirty days after moving to this state, the holder of a commercial driver's license shall apply for a commercial driver's license in this state. The applicant shall meet all other requirements of sections 302.700 to 302.780, except that the

director may waive the driving test for a commercial driver's license as required in section 302.720 if the applicant for a commercial driver's license has a valid commercial driver's license from a state which has requirements for issuance of such license comparable to those in this state.

4. Any person who falsifies any information in an application or test for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled, for a period of one year after the director discovers such falsification.

304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour, **except that no truck registered for a gross weight of more than twenty-four thousand pounds shall be operated in excess of sixty-five miles per hour upon the rural interstates and freeways of this state;**

(2) Upon the rural expressways of this state, sixty-five miles per hour;

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour;

(4) All other roads and highways in this state not located in an urbanized area and not provided [by] **for** in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed as established by the department of transportation, except that no speed limit shall be set higher than sixty miles per hour;

(6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable presumption that the posted speed limit is the legal speed limit.

3. On any state road or highway where the speed limit is not set pursuant to a local ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by the department of transportation. The department of public safety, where it believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of transportation to raise or lower such speed limit, except that no speed limit shall be set higher than seventy miles per hour.

4. Notwithstanding the provisions of section 304.120 or any other provision of law to the contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways within such cities', towns' or villages' corporate limits by ordinance with the approval of the state highways and transportation commission. Any reduction of speed in cities, towns or villages shall be designed to expedite the flow of traffic on such state roads and highways to the extent consistent with public safety. The commission may declare any ordinance void if it finds that such ordinance

is:

(1) Not primarily designed to expedite traffic flow; and

(2) Primarily designed to produce revenue for the city, town or village which enacted such ordinance. If an ordinance is declared void, the city, town or village shall have any future proposed ordinance approved by the highways and transportation commission before such ordinance may take effect.

5. The county commission of any county of the second, third or fourth classification may set the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on any county, township or road district road in the county and, with the approval of the state highways and transportation commission, on any state road or highway not within the limits of any incorporated city, town or village, lower than the uniform maximum speed limit as provided in subsection 2 of this section where the condition of the road or the nature of the area requires a lower speed. The commission shall send copies of any order establishing a speed limit or weight limit on roads and bridges on a county, township or road district road in the county to the chief engineer of the state department of transportation, the superintendent of the state highway patrol and to any township or road district maintaining roads in the county. After the roads have been properly marked by signs indicating the speed limits and weight limits set by the county commission, the speed limits and weight limits shall be of the same effect as the speed limits provided for in subsection [1] 2 of this section and shall be enforced by the state highway patrol and the county sheriff as if such speed limits and weight limits were established by state law.

6. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

7. The provisions of this section shall not be construed to alter any speed limit set below fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted

before March 13, 1996.

8. The speed limits established pursuant to this section shall not apply to the operation of any emergency vehicle as defined in section 304.022.

9. A violation of the provisions of this section shall not be construed to relieve the parties in any civil action on any claim or counterclaim from the burden of proving negligence or contributory negligence as the proximate cause of any accident or as the defense to a negligence action.

10. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.

**11. As used in this section, the word “truck” means any vehicle, machine, tractor, trailer or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed for or used in the transportation of property upon the highways. The term “truck” also includes a commercial motor vehicle as defined in section 301.010, RSMo.**

**12. (1) The operator of any truck registered for a gross weight of more than twenty-four thousand pounds operating such vehicle at a speed in excess of seventy miles per hour shall be fined one thousand dollars.**

**(2) The fine provided for in this subsection is in addition to all other fines and court costs imposed for the speeding violation.**

622.030. 1. The administrative law judges shall assume all the duties concerning transportation activities heretofore imposed upon the commissioners of the public service commission in their quasi-judicial capacity and function. All ministerial duties shall be performed by the division, and the administrative law judges shall not be responsible for those activities. The administrative law judges shall hear and decide all matters concerning transportation activities which the public service commission or public service commissioners would have been required to hear and decide in a quasi-judicial capacity.

2. Each administrative law judge may exercise

all powers granted to the division without the concurrence of any other administrative law judge, except with respect to the rulemaking powers, in which all administrative law judges must concur. The method of assignment of petitions, appeals or other cases may be determined by rule or other agreement between the administrative law judges. Except as provided in section 622.035, all hearings before the administrative law judges shall be governed by rules adopted by them. In all investigations, inquiries or hearings before the division or the administrative law judges, neither the administrative law judges nor the division shall be bound by technical rules of evidence. No formality in any proceeding nor in the manner of taking testimony before the division or an administrative law judge shall invalidate any order, decision, rule or regulation made, approved or confirmed by the division or administrative law judge.

3. The division [may] **shall** charge a [reasonable] docket fee [as may be set by rule] of **two hundred dollars** to be paid upon the filing of any petition, application, complaint, or other request for relief or authority by any party other than the division staff. All such docket fees shall be paid to the state director of revenue at the time of the filing of any such petition, application, complaint or other request for relief or authority, and the same shall be deposited by the state director of revenue in the [highway] **state highways and transportation department** fund of the state of Missouri.

**Section 1. All fines collected pursuant to subsection 12 of section 304.010 shall be deposited in the State School Moneys Fund.”;** and

Further amend the title and enacting clause accordingly.

Senator Jacob moved that the above amendment be adopted.

President Maxwell assumed the Chair.

Senator Kenney raised the point of order that **SA 2** is out of order as it is not germane to the bill.

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

Senator Caskey offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 14, Section 169.596, Line 23, by inserting after all of said line:

**“Section 1. Any program providing child care to preschool or school age children that is located and operated on elementary or secondary public school property shall comply with the child care licensure provisions in chapter 210, RSMo; except that, for safety, health and fire purposes, any such program shall comply with the safety, health and fire provisions required of school districts in this state in lieu of the safety, health and fire provisions of chapter 210, RSMo.”; and**

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

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

Senator Bland offered SA 4, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 1, Section 160.400, Line 3, by inserting after the word “only” the following: **“in a district which is provisionally accredited or has been provisionally accredited during at least one of the five preceding school years or”**.

Senator Bland moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Cauthorn, Johnson, Kenney and Quick.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Dougherty	Goode
Jacob	Johnson	Mathewson	Quick—8

NAYS—Senators

Bentley	Cauthorn	Childers	Foster
Gibbons	Gross	House	Kenney
Kinder	Klarich	Klindt	Loudon
Rohrbach	Russell	Schneider	Sims
Singleton	Steelman	Stoll	Westfall

Wiggins                      Yeckel—22

Absent—Senators

DePasco                      Scott                      Staples—3

Absent with leave—Senator Carter—1

Senator Bland offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 12, Section 160.415, Line 82, by inserting after all of said line the following:

**“12. No later than April 1, 2002, the state board of education shall establish a process whereby a charter school may be evaluated for compliance with applicable school-level standards of the Missouri school improvement program review. In addition to any performance study required pursuant to subsection 3 of section 160.410, every charter school located in an urban school district shall demonstrate compliance with the standards established by the state board of education pursuant to this subsection or provide, to the sponsor and the state board of education, documentation of accreditation of such charter school by an independent accrediting agency which accredits one or more non-public schools in this state which has standards which are no lower than the standards established by the state board pursuant to this subsection. Beginning with the 2002-03 school year, a sponsor shall suspend or revoke the charter of any charter school in an urban school district which school fails to provide documentation demonstrating compliance with the requirements of this subsection.”.**

Senator Bland moved that the above amendment be adopted.

Senator Kenney offered SSA 1 for SA 5:

SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 12, Section 160.415, Line 82, by inserting after all of



said line the following:

**“12. No later than April 1, 2002, the state board of education shall establish a process whereby a charter school may be evaluated for compliance with applicable school-level standards of the Missouri school improvement program review. In addition to any performance study required pursuant to subsection 3 of section 160.410, every charter school located in an urban school district shall demonstrate compliance with the standards established by the state board of education pursuant to this subsection or provide, to the sponsor and the state board of education, documentation of accreditation of such charter school by an independent accrediting agency which accredits one or more non-public schools in this state which has standards which are no lower than the standards established by the state board pursuant to this subsection.”.**

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

Senator Dougherty offered SA 6:

#### SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bills Nos. 510, 512 and 133, Page 14, Section 169.596, Line 2, by inserting after “district,” the following: **“and any charter school established pursuant to sections 160.400 to 160.420, RSMo,”**; and further amend line 12, by inserting after “district,” the following: **“and any charter school established pursuant to sections 160.400 to 160.420, RSMo,”**.

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

President Pro Tem Kinder assumed the Chair.

At the request of Senator Kenney, **SB 510**, **SB 512** and **SB 133**, with **SCS**, as amended (pending), were placed on the Informal Calendar.

#### REPORTS OF STANDING COMMITTEES

Senator Sims, Chairman of the Committee on Aging, Families and Mental Health, submitted the following reports:

Mr. President: Your Committee on Aging, Families and Mental Health, to which was referred **HB 454**, 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 Aging, Families and Mental Health, to which was referred **HB 537**, 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 Aging, Families and Mental Health, to which was referred **HB 603**, 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 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 **HB 212**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 644**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 459**, 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 Klarich, Chairman of the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary,

to which was referred **HB 732**, 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 Judiciary, to which was referred **HB 693**, 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 Russell, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 955**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1, and be placed on the Consent Calendar.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 955, Page 1, Section 208.471, Line 9, by deleting the period after the word "payments" and inserting in lieu thereof a comma; and

Further amend said bill, same page and section, line 11, by deleting the words, "shall be" and inserting in lieu thereof "such payments or assessments are".

Senator Gibbons, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 933**, 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 Ways and Means, to which was referred **HB 816**, 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 Ways and Means, to which was referred **HB 825**, 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 Ways and Means, to which was referred **HB 321**, 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 Ways and Means, to which was referred **HB 590**, 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 Kenney, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SBs 89** and **37**; **SS** for **SCS** for **SBs 347** and **487**; and **SCS** for **SBs 247** and **330**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

#### 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 **HB 915**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to disability discrimination, 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 891**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to private confidential information, with a penalty provision and an effective date.

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 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2003.

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 18**, entitled:

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

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 19**, 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, and to transfer money among certain funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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

### RECESS

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

### RESOLUTIONS

Senator Quick offered Senate Resolution No. 544, regarding Mary Louise Bittner, Liberty, which was adopted.

Senator Sims offered Senate Resolution No. 545, regarding Gustave Degardin, St. John, which was adopted.

### SENATE BILLS FOR PERFECTION

**SJR 11** was placed on the Informal Calendar.

Senator Sims moved that **SB 551**, **SB 410**, **SB 539**, **SB 528** and **SB 296**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 551**, **410**, **539**, **528** and **296**, entitled:

### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 551, 410, 539, 528 and 296

An Act to repeal sections 208.029, 210.536, 211.183, 452.377, 452.402 and 453.073, RSMo 2000, relating to children and families, and to enact in lieu thereof six new sections relating to the same subject.

Was taken up.

Senator Sims moved that **SCS** for **SBs 551**, **410**, **539**, **528** and **296** be adopted.

Senator Sims offered **SS** for **SCS** for **SBs 551, 410, 539, 528** and **296**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 551, 410, 539, 528  
and 296

An Act to repeal sections 208.029, 210.536, 211.183, 452.377, 452.402 and 453.073, RSMo 2000, relating to children and families, and to enact in lieu thereof six new sections relating to the same subject.

Senator Sims moved that **SS** for **SCS** for **SBs 551, 410, 539, 528** and **296** be adopted.

Senator Gibbons assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 7, Section 452.377, by removing all of such section; and further amend the title and enacting clause accordingly.

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

Senator Dougherty offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 3, Section 208.029, Line 29, by inserting immediately after said line the following:

“210.170. 1. There is hereby created within the office of administration of the state of Missouri the “Children's Trust Fund Board”, which shall be composed of seventeen **but not more than twenty-one** members as follows:

(1) Twelve public members to be appointed by the governor by and with the advice and consent of the senate; **and the governor may appoint four additional members if he deems necessary**. As a group, the public members appointed [under] **pursuant to** this subdivision shall demonstrate knowledge in the area of prevention programs, shall be representative of the demographic composition of this state, and, to the extent practicable, shall be representative of all of the

following categories:

- (a) Organized labor;
  - (b) The business community;
  - (c) The educational community;
  - (d) The religious community;
  - (e) The legal community;
  - (f) Professional providers of prevention services to families and children;
  - (g) Volunteers in prevention services;
  - (h) Social services;
  - (i) Health care services; and
  - (j) Mental health services;
- (2) A physician licensed pursuant to chapter 334, RSMo;
- (3) Two members of the Missouri house of representatives, who shall be appointed by the speaker of the house of representatives and shall be members of two different political parties; and
- (4) Two members of the Missouri senate, who shall be appointed by the president pro tem of the senate and who shall be members of two different political parties.

2. All members of the board appointed by the speaker of the house or the president pro tem of the senate shall serve until their term in the house or senate during which they were appointed to the board expires. All public members of the board shall serve for terms of three years; except, that of the public members first appointed, four shall serve for terms of three years, four shall serve for terms of two years, and three shall serve for terms of one year. No public members may serve more than two consecutive terms, regardless of whether such terms were full or partial terms. Each member shall serve until his successor is appointed. All vacancies on the board shall be filled for the balance of the unexpired term in the same manner in which the board membership which is vacant was originally filled.

3. Any public member of the board may be removed by the governor for misconduct, incompetency, or neglect of duty after first being

given the opportunity to be heard in his or her own behalf.

4. The board may employ an executive director who shall be charged with carrying out the duties and responsibilities assigned to him **or her** by the board. The executive director may obtain all necessary office space, facilities, and equipment, and may hire and set the compensation of such staff as is approved by the board and within the limitations of appropriations for the purpose. All staff members, except the executive director, shall be employed pursuant to chapter 36, RSMo.

5. Each member of the board shall be reimbursed for all actual and necessary expenses incurred by [him] **the member** in the performance of his **or her** official duties. All reimbursements made [under] **pursuant to** this subsection shall be made from funds in the children's trust fund appropriated for that purpose.

6. All business transactions of the board shall be conducted in public meetings in accordance with sections 610.010 to 610.030, RSMo.

7. The board may accept federal funds for the purposes of sections 210.170 to 210.174, as well as gifts and donations from individuals, private organizations, and foundations. The acceptance and use of federal funds shall not commit any state funds nor place any obligation upon the general assembly to continue the programs or activities for which the federal funds are made available. All funds received in the manner described in this subsection shall be transmitted to the state treasurer for deposit in the state treasury to the credit of the children's trust fund.

8. The board shall elect a chairperson from among the public members, who shall serve for a term of two years. The board may elect such other officers and establish such committees as it deems appropriate.

9. The board shall exercise its powers and duties independently of the office of administration except that budgetary, procurement, accounting, and other related management functions shall be performed by the office of administration.”; and

Further amend the title and enacting clause accordingly.

Senator Dougherty moved that the above amendment be adopted.

Senator Rohrbach offered **SSA 1** for **SA 2**:

**SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 3, Section 208.029, Line 29, by inserting immediately after said line the following:

“210.170. 1. There is hereby created within the office of administration of the state of Missouri the “Children's Trust Fund Board”, which shall be composed of seventeen **but not more than twenty-one** members as follows:

(1) Twelve public members to be appointed by the governor by and with the advice and consent of the senate; **and the governor may appoint four additional members with the advice and consent of the senate if he deems necessary.** As a group, the public members appointed [under] **pursuant to** this subdivision shall demonstrate knowledge in the area of prevention programs, shall be representative of the demographic composition of this state, and, to the extent practicable, shall be representative of all of the following categories:

(a) Organized labor;

(b) The business community;

(c) The educational community;

(d) The religious community;

(e) The legal community;

(f) Professional providers of prevention services to families and children;

(g) Volunteers in prevention services;

(h) Social services;

(i) Health care services; and

(j) Mental health services;

(2) A physician licensed pursuant to chapter 334, RSMo;

(3) Two members of the Missouri house of representatives, who shall be appointed by the

speaker of the house of representatives and shall be members of two different political parties; and

(4) Two members of the Missouri senate, who shall be appointed by the president pro tem of the senate and who shall be members of two different political parties.

2. All members of the board appointed by the speaker of the house or the president pro tem of the senate shall serve until their term in the house or senate during which they were appointed to the board expires. All public members of the board shall serve for terms of three years; except, that of the public members first appointed, four shall serve for terms of three years, four shall serve for terms of two years, and three shall serve for terms of one year. No public members may serve more than two consecutive terms, regardless of whether such terms were full or partial terms. Each member shall serve until his successor is appointed. All vacancies on the board shall be filled for the balance of the unexpired term in the same manner in which the board membership which is vacant was originally filled.

3. Any public member of the board may be removed by the governor for misconduct, incompetency, or neglect of duty after first being given the opportunity to be heard in his or her own behalf.

4. The board may employ an executive director who shall be charged with carrying out the duties and responsibilities assigned to him **or her** by the board. The executive director may obtain all necessary office space, facilities, and equipment, and may hire and set the compensation of such staff as is approved by the board and within the limitations of appropriations for the purpose. All staff members, except the executive director, shall be employed pursuant to chapter 36, RSMo.

5. Each member of the board shall be reimbursed for all actual and necessary expenses incurred by [him] **the member** in the performance of his **or her** official duties. All reimbursements made [under] **pursuant to** this subsection shall be made from funds in the children's trust fund

appropriated for that purpose.

6. All business transactions of the board shall be conducted in public meetings in accordance with sections 610.010 to 610.030, RSMo.

7. The board may accept federal funds for the purposes of sections 210.170 to 210.174, as well as gifts and donations from individuals, private organizations, and foundations. The acceptance and use of federal funds shall not commit any state funds nor place any obligation upon the general assembly to continue the programs or activities for which the federal funds are made available. All funds received in the manner described in this subsection shall be transmitted to the state treasurer for deposit in the state treasury to the credit of the children's trust fund.

8. The board shall elect a chairperson from among the public members, who shall serve for a term of two years. The board may elect such other officers and establish such committees as it deems appropriate.

9. The board shall exercise its powers and duties independently of the office of administration except that budgetary, procurement, accounting, and other related management functions shall be performed by the office of administration.”; and

Further amend the title and enacting clause accordingly.

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

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

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 4, Sections 211.183 and 452.402 by deleting all of said sections; and

Further amend the title and enacting clause accordingly.

Senator Klarich moved that the above amendment be adopted.

Senator Gross offered **SSA 1** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 13, Section 452.402, Line 17, by deleting the word “**unsupervised**”; and

Further amend said bill, lines 18-20, by deleting “**If supervised visitation is granted, then such supervision shall be that which the court finds to be in the best interests of the child.**”

Senator Gross moved that the above substitute amendment be adopted.

At the request of Senator Gross, **SSA 1** for **SA 3** was withdrawn.

**SA 3** was again taken up.

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

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

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 4, Section 210.536, Line 5, by adding immediately after the “.” on said line the following: “**Subject to appropriations.**”

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

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

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 551, 410, 539, 528 and 296, Page 14, Section 453.073, Line 26, by adding after the number “453.065.” the following: “**Subject to appropriations.**”

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

Senator Sims moved that **SS** for **SCS** for **SBs 551, 410, 539, 528** and **296**, as amended, be adopted, which motion prevailed.

On motion of Senator Sims, **SS** for **SCS** for **SBs 551, 410, 539, 528** and **296**, as amended, was declared perfected and ordered printed.

Senator Yeckel moved that **SB 476, SB 427** and **SB 62**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 476, 427** and **62**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 476, 427 and 62

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.

Was taken up.

Senator Yeckel moved that **SCS** for **SBs 476, 427** and **62** be adopted.

Senator Yeckel offered **SS** for **SCS** for **SBs 476, 427** and **62**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 476, 427 and 62

An Act to repeal sections 28.160, 115.013, 115.027, 115.081, 115.083, 115.087, 115.089, 115.095, 115.097, 115.099, 115.101, 115.133, 115.135, 115.137, 115.151, 115.155, 115.157, 115.160, 115.162, 115.163, 115.179, 115.225, 115.233, 115.237, 115.277, 115.279, 115.283, 115.291, 115.409, 115.417, 115.419, 115.429, 115.433, 115.439, 115.453, 115.493, 115.613, 115.637, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, RSMo 2000, relating to elections, and to enact in lieu thereof fifty-seven new sections relating to the same subject.

Senator Yeckel moved that **SS** for **SCS** for **SBs 476, 427** and **62** be adopted.

Senator Caskey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 476,

427 and 62, Page 7, Section 115.027, Line 21 of said page, by striking the word “state” and inserting in lieu thereof the following: “**local county**”; and further amend line 23 of said page, by striking the following: “The state committee of such”; and further amend lines 24-25 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, page 8, line 10 of said page, by striking the word “state” and inserting in lieu thereof the following: “**county**”; and

Further amend said bill, page 11, Section 115.087, lines 29-31 of said page, by striking all of said lines; and

Further amend said bill and section, page 12, lines 1-3 of said page, by striking all of said lines; and further amend line 4 of said page, by striking “3.” and inserting in lieu thereof the following: “**2.**”; and

Further amend said bill, page 12, Section 115.089, lines 12-13 of said page, by striking all of the underlined language from said lines; and

Further amend said bill, page 15, Section 115.126, line 13 of said page, by striking the word “Friday” and inserting in lieu thereof the following: “**Wednesday**”; and

Further amend said bill, page 67, Section 115.645, lines 13-23 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill, pages 68-69, Section 115.648, by striking all of said section from said bill; and

Further amend the title and enacting clause accordingly.

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

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

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 476, 427 and 62, Sections 115.645 and 115.648, Pages 67 and 68, by deleting said sections and inserting in lieu thereof the following:

**“115.645. 1. For purposes of enforcing the provisions of this chapter and acts amendatory thereto, the secretary of state shall investigate all violations of any provisions of this chapter in cases where:**

- (1) the secretary of state determines that in elections involving statewide candidates or statewide ballot issues a matter of statewide interest is adversely affected;**
- (2) the secretary of state determines local law enforcement authorities are unwilling or unable to investigate the matter; or**
- (3) the local election authority requests the secretary of state to investigate.**

**2. To investigate allegations of election law violations under subsection 1 of this section, the secretary of state may subpoena such persons and records as necessary. Upon refusal of any person to comply with any such subpoena, the secretary of state may petition the circuit court having venue for an order enforcing such subpoena. Upon failure of any person to obey a court order enforcing the secretary of state’s subpoena, the court issuing such order shall find that person in contempt and punish such person as provided by law. For purposes of this section venue shall be in the circuit court of any county in which the persons or records subpoenaed or located.**

**3. The secretary of state shall promulgate rules to effectuate the provisions of this section.**

**4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule or subsequently held unconstitutional, then the grant of rulemaking**



authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

5. The secretary of state shall ensure the confidentiality of all reports, records, working papers, recorded information, documents and copies thereof produced by, obtained by or disclosed to the secretary of state or any person in the course of an investigation made pursuant to this section. Only the following persons shall have access to such records maintained by the secretary of state:

- (1) Appropriate staff of the secretary of state authorized to investigate allegations of election law violations pursuant to subsection 1 of this section; and
- (2) A grand jury, prosecuting attorney, law enforcement officer, attorney general, election authority, or other appropriate federal, state or local criminal justice agency personnel, with a need for such information under the law to investigate or prosecute state or federal election law violations.

6. The provisions of this section shall expire at noon on January 10, 2005.

115.648. 1. For purposes of enforcing the provisions of this chapter and acts amendatory thereto, the prosecuting attorneys of the respective counties or the circuit attorneys shall investigate and prosecute all violations of any provisions of this chapter.

2. For purposes of enforcing the provisions of this chapter and acts amendatory thereto, in any case in which the secretary of state investigates violations of any provision of this chapter pursuant to section 115.645, the attorney general shall have concurrent jurisdiction to investigate and prosecute all violations of this chapter.

3. When requested by the secretary of state, the attorney general, or his or her assistants shall in the enforcement of this chapter, have the power to sign indictments or informations and conduct prosecutions in any county or city within this state.

4. The prosecuting attorneys, circuit attorneys, and attorney general shall ensure the confidentiality of all reports, records, working papers, recorded information, documents and copies thereof produced by, obtained by or disclosed to the prosecuting attorneys, circuit attorneys, attorney general or any person in the course of an investigation made pursuant to this section. Only the following persons shall have access to such records maintained by the prosecuting attorneys, circuit attorneys, or attorney general:

- (1) Appropriate staff of the prosecuting attorneys, circuit attorneys, or attorney general authorized to investigate or prosecute allegations of election law violations pursuant to subsections 1 and 2 of this section; and
- (2) A grand jury, prosecuting attorney, law enforcement officer, secretary of state, election authority, or other appropriate federal, state or local criminal justice agency personnel, with a need for such information under the law to investigate or prosecute state or federal election law violations.

3. The provisions of this section shall expire at noon on January 10, 2005.”; and

Further amend the title and enacting clause accordingly.

Senator Yeckel moved that the above substitute amendment be adopted.

Senator Singleton assumed the Chair.

Senator Jacob offered SA 1 to SSA 1 for SA 1, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 476, 427 and 62, Pages 1-2, Section 115.645, by deleting all of said section.

Senator Jacob moved that the above amendment be adopted.

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

**SSA 1** for **SA 1** was again taken up.

At the request of Senator Yeckel, the above substitute amendment was withdrawn.

**SA 1** was again taken up.

At the request of Senator Yeckel, **SB 476**, **SB 427** and **SB 62**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), were placed on the Informal Calendar.

### COMMUNICATIONS

President Pro Tem Kinder submitted the following:

April 11, 2001

Ms. Terry Spieler  
Secretary of Senate  
State Capitol  
Jefferson City, MO 65101

Dear Ms. Spieler:

This is to inform you that I have appointed Senator Patrick Dougherty to the Senate Appropriations Committee as a temporary replacement for Senator Paula Carter until such time as Senator Carter is able to resume her duties.

Sincerely,  
/s/ Peter Kinder  
PETER D. KINDER  
President Pro Tem

### REFERRALS

President Pro Tem Kinder referred **SCS** for **SBs 247** and **330** and **SS** for **SCS** for **SBs 89** and **37** to the Committee on State Budget Control.

### SENATE BILLS FOR PERFECTION

Senator Schneider moved that **SJR 1** and **SJR 4**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SJR 1** and **4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTIONS NOS. 1 and 4

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri

relating to term limits, and adopting two new sections in lieu thereof relating to the same subject.

Was taken up.

Senator Schneider moved that **SCS** for **SJR 1** and **4** be adopted.

Senator Schneider offered **SS** for **SCS** for **SJR 1** and **4**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTIONS NOS. 1 and 4

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting two new sections in lieu thereof relating to the same subject.

Senator Schneider moved that **SS** for **SCS** for **SJR 1** and **4** be adopted.

At the request of Senator Schneider, **SJR 1** and **SJR 4**, with **SCS** and **SS** for **SCS** (pending), were placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

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 were referred **HB 808** and **HB 951**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 742**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 922**, begs leave to report that it

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

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 909**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 779**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 600**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 596**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 502**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

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

which was referred **HB 410**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 409**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 408**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **HB 84**, 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 Steelman, Chairman of the Committee on Commerce and Environment, submitted the following report:

Mr. President: Your Committee on Commerce and Environment, to which was referred **HB 788**, 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 behalf of Senator Loudon, Chairman of the Committee on Labor and Industrial Relations, Senator Kenney submitted the following report:

Mr. President: Your Committee on Labor and Industrial Relations, to which was referred **SB 596**, begs leave to report that it has considered the same and recommends that the bill do pass.

## 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 adopted and third read **HCR 5**.

### HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, the nationwide trend toward deregulation of telecommunications services and energy services and sources has created competitive markets and made available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services which vary widely based on locality and, within a locality, may vary widely due to increasingly related and competitive services, such as telephone and cable television; and

WHEREAS, the current nationwide trend toward competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources has potential benefits and adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources necessitate a fair and equitable tax structure across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied the above-mentioned issues during the tenure of the Ninetieth General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-first General Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, that a joint legislative study committee of the General Assembly be created to be composed of seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and that said committee be authorized to function throughout the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim

Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications, cable television, all Internet services, including asymmetrical digital subscriber lines (ADSL) and service via cable lines, and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale, including consideration of the effects on residential customers, small and large business customers, utility shareholders and other stakeholders, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy service providers, energy utilities and representatives of all telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and adopted and third read **HCR 10**.

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, the original passage of the federal Individuals with Disabilities Education Act (IDEA) in 1975 established a program of free appropriate public education to better enable students with disabilities to achieve their greatest potential; and

WHEREAS, IDEA also represented an advance in civil rights for disabled children through equal protection; and

WHEREAS, Missouri has demonstrated a strong commitment to serving our children with disabilities through provision of special education and related services to over 127,000 students (14.18 percent of public school enrollment); and

WHEREAS, the original intent of the 94th Congress was to fund IDEA at 40% of its cost, but funding has never exceeded 13%; and

WHEREAS, federal law requires school districts to meet federal standards, but Congress has not provided the promised funding necessary to achieve those standards; and

WHEREAS, Missouri and several other states have legal prohibitions on passing unfunded mandates to the local level and therefore must either make up the shortfall or ask local districts to do so and thereby risk litigation; and

WHEREAS, local districts must then cover the mandated expenses of special education and reduce funding for teachers, textbooks and supplies, building maintenance and repair, as well as meet the counterproductive reporting burden which severely reduces teacher availability;

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 that before the 107th Congress considers any other education initiatives, that IDEA receive prompt and full funding, and the reporting requirements of IDEA be significantly reduced; 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 the President of the United States Senate, the Speaker of the United States House of Representatives and every member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted and third read **HCR 24**.

HOUSE CONCURRENT RESOLUTION NO. 24

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel costs that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

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 Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

(1) Enacting reasonable price supports for domestically produced crude oil and in other ways encouraging exploration for domestic petroleum sources in a manner that does not adversely impact the environment;

(2) Encouraging and creating incentives for fuel conservation measures that do not harm the economy; and

(3) Encouraging and creating incentives for research, development and use of alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; 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 the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

### 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 11, 2001

TO THE SENATE OF THE 91st 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:

Elizabeth A. Deffenbaugh, Republican, 15580 Jackpine, Carthage, Jasper County, Missouri 64836, as a member of the Board of Regents for Missouri Southern State College, for a term ending August 30, 2006, and until her successor is duly appointed and qualified; vice, Carolyn B. Phelps, term expired.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 11, 2001

TO THE SENATE OF THE 91st 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:

W. Dale Finke, Republican, 12 Harbor View Drive, Lake St. Louis, St. Charles County, Missouri 63367, as a member of the St. Charles County Convention and Sports Facilities Authority, for a term ending April 27, 2003, and until his successor is duly appointed and qualified; vice, John "Jack" F. Hunt, withdrawn.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 11, 2001

TO THE SENATE OF THE 91st 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:

Michael L. Franks, Democrat, 208 East Main Street, Post Office Box 91, Neosho, Newton County, Missouri 64850, as a member of the Board of Governors for Southwest Missouri State University, for a term ending January 1, 2007, and until his successor is duly appointed and qualified; vice, Joseph W. Turner, term expired.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 11, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY  
OF THE STATE OF MISSOURI:

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

Larry W. Jackson, D.D.S., 503 Fourth Street, Doniphan, Ripley County, Missouri 63935, as a member of the Missouri Dental Board, for a term ending October 16, 2005, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 11, 2001

TO THE SENATE OF THE 91st 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:

David M. Millin, ASA, Democrat, 4608 Crysler, Independence, Jackson County, Missouri 64055, as a member of the Real Estate Appraisers Commission, for a term ending September 12, 2003, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 11, 2001

TO THE SENATE OF THE 91st 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:

Paul A. Sundet, Ph.D., 809 Sycamore Lane, Columbia, Boone County, Missouri 65203, as a member of the State Committee for Social Workers, for a term ending October 23, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,  
BOB HOLDEN  
Governor

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

President Pro Tem Kinder ruled the pending point of order on **SSA 1** for **SA 1** to **SS** for **SS** for **SB 438** well taken, which brought the bill before the body.

At the request of Senator Bentley, **SB 438**, with **SS**, **SS** for **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**INTRODUCTIONS OF GUESTS**

Senator Cauthorn introduced to the Senate, his wife, Teresa, and their daughter, Kaitlyn; Lieutenant Governor Joe Maxwell's daughter, Megan; and Mrs. Jackie White, Mrs. Jane Hout and fourth grade students from McMillan Elementary School, Mexico; and Kaitlyn and Megan were made honorary pages.

Senator Klindt introduced to the Senate, Sue Nichols, Bethany; Beth Crawford, Chillicothe; Joyce Artsinger and Janet Vanderpool, Albany; and four teachers and forty-five students from the North Central Missouri College Nursing Program, Trenton.

Senator Klindt introduced to the Senate, Kirk and Chris Nicholson, Maryville.

Senator Steelman introduced to the Senate, Tim and James Ley, Owensville; and James was made an honorary page.

Senator Foster introduced to the Senate, Kirk Mondy, Poplar Bluff.

Senator Gibbons introduced to the Senate, Alison McVicar, a Homeschooler from Lake St.

Louis; and Alison was made an honorary page.

Senator House introduced to the Senate, Doug, Lisa, Lindsay, Matthew, Nicholas and Jillian Morton, Homeschoolers from Foristell.

The President introduced to the Senate, his wife, Sarah Maxwell, Mexico.

Senator Caskey introduced to the Senate, Karen Rice and twenty-two students from the Knob Noster Senior High School Gifted Education Program, Knob Noster.

Senator Caskey introduced to the Senate, Diana Kornfeld and twenty-two students from the Belton High School Gifted Education Program, Belton.

Senator Russell introduced to the Senate, Bill Monday, Buffalo; and Virgil Welker, Canton.

Senator Stoll introduced to the Senate, Vicki Ray, Kevin Huskey and Matt and Lucy Woods, Hillsboro.

Senator Caskey introduced to the Senate, Beverly Chaney and nine students from the Holden R-III Middle School Gifted Education Program, Holden.

Senator Sims introduced to the Senate, Dr. Timothy Eberlein, Teresa L. DeShields, Ph.D., and Dr. Joseph Simpson, St. Louis County.

Senator Klarich introduced to the Senate, Shirley Johnson, Chesterfield; and Pamela Henson, Wildwood.

Senator Cauthorn introduced to the Senate, members of the Moberly Area Community College Nursing Program and three instructors.

Senator Johnson introduced to the Senate, Brenda McCurdy, teachers and parents and forty-two students from Mid-Buchanan Elementary School, Faucett.

Senator Steelman introduced to the Senate, Lisa Thompson, Brandi Lowery, Elaina Harrison, Amy Anderko, Sarah Williams and Maureen LeClair, members of the Rolla Technical Center Nursing Program, Rolla.

Senator Kenney introduced to the Senate, Maria Russo and fourth, fifth and sixth grade members of the Pleasant Lea Elementary School

Gifted Education Program, Lee's Summit; and Lauren Hudspeth, Monica McCarty, Jessica Luchtel and Greg Lohr were made honorary pages.

Senator Cauthorn introduced to the Senate, fifth through eighth grade students from the Palmyra Middle School Gifted Education Program, Palmyra; and Jill Englehardt, Lisa Walker, Susan Berti, Michele Brown, Kim Jones and Becky Krietemeyer were made honorary pages.

Senator Bland introduced to the Senate, Judy Morgan, Cheryl Davenport and forty members of the Kansas City Federation of Teachers.

Senator Sims introduced to the Senate, Arlene Nickels, Mrs. Magnolia Minor and Antoin Miller, St. Louis County.

Senator Klindt introduced to the Senate, Winona Jennings, Rhonda Booth, Steve Cobb, Kim Fitzpatrick, Robin Booth, Michelle Smith and twenty-three fourth, fifth and sixth grade students from Ridgeway Elementary School, Ridgeway.

Senator Caskey introduced to the Senate, Tarah Viter, Butler; and Tarah was made an honorary page.

Senator Cauthorn introduced to the Senate, Katherine Breseman, Angel Kelsay, Ashley Beckham, Amber Pace, Ellen Greer, Heather Heaton, Rhonda Ferrell, Jamie Cox, Lindsey Dixon, Jennifer Yelton, Desereh Dennis, Jo Ann Harrison, Amanda Smith, Leah Kibble, Edna Berry, Ruth Threlkeld and Kelly Palmer, members of the Moberly Area Community College Practical Nursing Program, Mexico.

Senator Staples introduced to the Senate, June Boyer, Lisa Thomas and students from the Mineral Area College Practical Nursing Program, Shannon County.

Senator Cauthorn introduced to the Senate, Teresa McKenzie, Darren Arp, ten adults and thirty-nine students from Canton R-V School, Canton.

Senator Westfall introduced to the Senate, Mr. Holt, Mr. Stuckey, Mr. Weems, Mr. High, Mr. Canton and members of the Pierce City Government Class.

Senator Sims introduced to the Senate, Tim Wood, Jane Sanders and students from The College School, Webster Groves; and Max Hillman, Christina Locastro, Ryan DuBro and Molly DuBro were made honorary pages.

Senator Kenney introduced to the Senate, Mrs. Randall, Mrs. Elton, Mrs. Schmidt, Mrs. Sullivan, Mrs. Breedlove and students from Cordill-Mason Elementary School, Blue Springs; and Matt Knox, Stephanie Harris, Meagan Anwander, Morgan Swanson and Devon Bakewell were made honorary pages.

Senator Yeckel introduced to the Senate, two students from The College School, Webster Groves; and Travis Hanrahan and Jacob Hautly were made honorary pages.

Senator Bentley introduced to the Senate, Judge Nancy Rahmeyer, Southern Court of Appeals.

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

## SENATE CALENDAR

FIFTY-FIFTH DAY—THURSDAY, APRIL 12, 2001

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 915-Graham, et al  
HS for HB 891-Smith  
HCS for HB 13

HCS for HB 18  
HCS for HB 19



THIRD READING OF SENATE BILLS

SCS for SBs 69 & 458-Gross  
(In Budget Control)

SS#2 for SCS for SBs 22 &  
106-Singleton  
(In Budget Control)

SS for SCS for SBs 89 & 37-Kinder  
(In Budget Control)

SS for SCS for SBs 347 &  
487-Caskey

SCS for SBs 247 & 330-  
Westfall and Staples  
(In Budget Control)

SENATE BILLS FOR PERFECTION

1. SB 369-Steelman and Stoll, with SCS
2. SB 505-Loudon, with SCS
3. SB 578-Goode and Russell, with SCS
4. SBs 448 & 588-Sims, et al, with SCS
5. SB 535-Rohrbach, with SCS
6. SB 66-Gibbons, with SCS#2
7. SB 525-Cauthorn, with SCS
8. SB 242-Kenney
9. SB 225-Mathewson, with SCS
10. SB 180-Klarich
11. SB 583-Yeckel
12. SB 488-Klindt, et al, with SCS
13. SB 387-Goode, et al, with SCS
14. SB 455-Kinder, et al, with SCS
15. SBs 334 & 228-Kinder, with SCS
16. SB 469-Gross, et al
17. SB 546-Kenney, et al, with SCS
18. SB 337-House and Kinder
19. SB 593-Klindt, with SCS
20. SB 509-Cauthorn and Klindt
21. SBs 42 & 108-Kenney, with SCS
22. SB 565-Staples
23. SB 596-Loudon

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 27-Johnson and Westfall, with SCS, SS for SCS & SA 1 (pending)  
SB 65-Gibbons, with SCS  
SBs 67 & 40-Gross, with SCS  
SB 68-Gross and House  
SB 99-Sims, with SCS

SB 114-Loudon, with SCS, SS for SCS & SA 1 (pending)  
SB 184-Johnson, et al, with SS#2 (pending)  
SB 222-Caskey, with SA 3 & SSA 1 for SA 3 (pending)

SB 226-Goode, et al, with SCS  
 SBs 238 & 250-Staples, et  
 al, with SCS (pending)  
 SB 239-Stoll, with SCS &  
 SA 11 (pending)  
 SB 251-Kinder  
 SBs 253 & 260-Gross, with  
 SCS (pending)  
 SB 331-DePasco, et al,  
 with SCS & SS for SCS  
 (pending)  
 SB 373-Gibbons and Yeckel,  
 with SCS  
 SB 375-Steelman, with SCS,  
 SS for SCS, SA 1 &  
 SSA 3 for SA 1 (pending)  
 SBs 391 & 395-Rohrbach,  
 with SCS & SS for SCS  
 (pending)

SB 438-Bentley and Stoll,  
 with SS, SS for SS &  
 SA 1 (pending)  
 SB 445-Singleton, with SCS  
 & SS for SCS (pending)  
 SB 454-Kinder, with SCS  
 SBs 459, 305, 396 & 450-  
 Westfall, with SCS &  
 SS for SCS (pending)  
 SBs 476, 427 & 62-Yeckel,  
 et al, with SCS, SS for  
 SCS & SA 1 (pending)  
 SBs 510, 512 & 133-Kenney,  
 with SCS (pending)  
 SJRs 1 & 4-Schneider,  
 with SCS & SS for SCS  
 (pending)  
 SJR 11-Yeckel

## Journal

### CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers

Reported 2/19

SB 315-Childers, with SCS

Reported 3/5

SB 354-Johnson and Scott,  
 with SCS

Reported 3/12

SB 526-Dougherty, with  
 SCS

House Bills

Reported 4/10

HB 664-Skaggs	HB 129-Van Zandt and Campbell (Klarich)
HB 491-George, with SCS (Goode)	HB 48-Relford (Mathewson)
HB 236-Smith, with SCS (Caskey)	HB 801-Liese and Wagner, with SCS (Yeckel)
HB 266-Treadway (Gross)	HB 218-Farnen, et al (Kenney)
HB 745-Farnen (Mathewson)	
HB 180-Thompson, et al (Sims)	

Reported 4/11

HB 454-Monaco (Dougherty)	HB 742-Harding, et al, with SCS (Johnson)
HB 537-Ostmann, et al (Klarich)	HB 922-Gaskill and Bartelsmeyer
HB 603-Hilgemann, et al, with SCS (Sims)	HB 909-Davis (Mathewson)
HB 212-Ward, with SCS	HB 779-Barnett
HB 644-Burton, with SCS	HB 600-Hosmer and Marsh
HB 459-Liese, et al, with SCS	HB 596-Kennedy and Gambaro
HB 732-Hosmer	HB 502-Ward (Staples)
HB 693-Smith and Carnahan, with SCS (Klarich)	HB 410-Holt, et al
HB 955-Green (73), with SCA 1	HB 409-Surface (Singleton)
HB 933-Reid	HB 408-Kelley (47th) (Kenney)
HB 816-Kennedy and Gambaro	HB 84-Richardson (Childers)
HB 825-Kennedy	HB 788-O'Connor
HB 321-Skaggs, et al (Wiggins)	
HB 590-Graham	
HBs 808 & 951-Gratz and Vogel, with SCS (Rohrbach)	

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 15, with SCS  
(Russell)

RESOLUTIONS

SR 58-Singleton  
SR 345-Quick, et al

SR 346-Kinder, with SA 3  
& SSA 1 for SA 3  
(pending)

To be Referred

SCR 29-Steelman  
HCR 5-Mays

HCR 10-Holand  
HCR 24-Boucher

Unofficial  
Reported from Committee

SCR 8-Caskey, with SA 2  
(pending)  
SCR 17-Steelman, et al

HCR 16-Green and Holt  
(House)  
SR 495-Klarich, with SCS

Journal  
Requests to Recede or Grant Conference

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

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