

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-EIGHTH DAY—TUESDAY, MAY 8, 2001

The Senate met pursuant to adjournment.

Senator Gross in the Chair.

Reverend Carl Gauck offered the following prayer:

“The path of the righteous is like the light of dawn, which shines brighter and brighter until full day.” (Proverbs 4:18)

We praise You Lord God, that the longer we walk in Your way the stronger becomes Your leadership and lordship in our lives. So we pray that You guide us in the way of righteousness for the sake of Your love at work in us, which then touches our world through what we do in this chamber. And we pray for former Senator Melton at the death of his son; may You guide and support the Melton family during this, their time of grief. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Yeckel—33

Absent with leave—Senator Carter—1

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Russell Melton, son of former State Senator Emory Melton.

HOUSE BILLS ON THIRD READING

HB 458, introduced by Representative Lawson, et al, entitled:

An Act to repeal section 307.100, RSMo 2000, relating to the use of warning signals on motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Klindt, **HB 458** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Yeckel—29

NAYS—Senators—None

Absent—Senators

Bentley	Bland	Klarich	Sims—4
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 648, introduced by Representative Ostmann, et al, **HB 477**, introduced by Representative Graham and **HB 805**, introduced by Representatives Mayer and Richardson, with **SCS**, entitled respectively:

An Act to repeal sections 302.130 and 302.178, RSMo 2000, relating to temporary driver's permits, and to enact in lieu thereof two new sections relating to the same subject.

An Act to repeal sections 302.130 and 302.178, RSMo 2000, relating to temporary driver's permits, and to enact in lieu thereof two new sections relating to the same subject.

An Act to repeal sections 302.130 and 302.178, RSMo 2000, relating to driver's licenses, and to enact in lieu thereof two new sections relating to the same subject.

Were called from the Consent Calendar and taken up by Senator Westfall.

SCS for **HB 648**, **HB 477** and **HB 805**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 648
HOUSE BILL NO. 477 AND
HOUSE BILL NO. 805

An Act to repeal sections 302.130 and 302.178, RSMo 2000, relating to drivers' licenses, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Was taken up.

Senator Westfall moved that **SCS** for **HB 648**, **HB 477** and **HB 805** be adopted, which motion prevailed.

On motion of Senator Westfall, **SCS** for **HB 648**, **HB 477** and **HB 805** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Bentley	Bland	Staples—3
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Absent with leave—Senator Carter—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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—31	

NAYS—Senators—None

Absent—Senators

Bentley	Bland—2
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Absent with leave—Senator Carter—1

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

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

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

HB 691, with **SCS**, introduced by Representative Barnett, et al, entitled:

An Act to repeal section 301.040, RSMo 2000, relating to notification of motor vehicle reregistration, and to enact in lieu thereof one new

section relating to the same subject.

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

SCS for **HB 691**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 691

An Act to repeal section 301.040, RSMo 2000, relating to notification of motor vehicle reregistration, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

Senator Klindt moved that **SCS** for **HB 691** be adopted, which motion prevailed.

President Maxwell assumed the Chair.

On motion of Senator Klindt, **SCS** for **HB 691** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Mathewson—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 897, introduced by Representative Kreider, et al, entitled:

An Act to repeal section 32.091, RSMo 2000, relating to motor vehicle records, and to enact in

lieu thereof one new section relating to the same subject.

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

On motion of Senator Klindt, **HB 897** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Rohrbach
Russell	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Johnson Quick Schneider—3

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 45, introduced by Representative Farnen, entitled:

An Act to repeal section 161.112, RSMo 2000, relating to the qualifications of the commissioner of education, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Bentley, **HB 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Rohrbach Russell Schneider Scott
 Sims Singleton Staples Steelman
 Stoll Westfall Wiggins Yeckel—32

NAYS—Senators—None

Absent—Senator Quick—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

PRIVILEGED MOTIONS

Senator Sims moved that **SB 348**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for SB 348, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 348**

An Act to repeal sections 453.010, 453.070, 453.080 and 475.083, RSMo 2000, relating to the adoption of foster children, and to enact in lieu thereof four new sections relating to the same subject.

Was taken up.

Senator Sims moved that **HCS for SB 348** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Johnson Singleton Staples—3

Absent with leave—Senator Carter—1

On motion of Senator Sims, **HCS for SB 348** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Johnson Scott Staples—3

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Senator Russell, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

CONCURRENT RESOLUTIONS

Senator Foster moved that **SS for SCR 13**, with **HCS**, be taken up for adoption, which motion prevailed.

HCS for **SS** for **SCR 13** was taken up.

Senator Foster moved that **HCS** for **SS** for **SCR 13** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bland	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Kenney	Kinder	Klarich	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators—None

Absent—Senators

Bentley	Johnson	Schneider	Scott
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Staples—5

Absent with leave—Senator Carter—1

On motion of Senator Foster, **SS** for **SCR 13**, as amended by the **HCS**, was adopted by the following vote:

YEAS—Senators

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

Yeckel—29

NAYS—Senators—None

Absent—Senators

Bentley	Johnson	Scott	Staples—4
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Absent with leave—Senator Carter—1

HOUSE BILLS ON THIRD READING

At the request of Senator Wiggins, **HB 444**, with **SCA 1**, was placed on the Informal Calendar.

HS for **HB 421**, with **SCS**, entitled:

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.

SCS for **HS** for **HB 421**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 421

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.

Senator Kinder moved that **SCS** for **HS** for **HB 421** be adopted.

Senator Kinder offered **SS** for **SCS** for **HS** for **HB 421**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 421

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.

Senator Kinder moved that **SS** for **SCS** for **HS** for **HB 421** be adopted.

Senator Caskey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 421, Page 2, Section 537.053, Line 17 of said page, by striking the words “known to be” and inserting in lieu thereof the following: “**must be shown to be made by a person who knew or had reason to know that the recipient was a person**”; and further amend line 18 of said page, by striking the words “known to be” and inserting in lieu thereof the word “**was**”; and further amend said line, by inserting immediately after the word “intoxicated” the following: “**, and**”; and further amend lines 21-23 of said page, by

striking all of said lines and inserting in lieu thereof the following: **“intoxicated” when intoxicated to such an extent that such person's physical faculties are impaired to such a degree that it is obvious to a reasonably prudent person under the same or similar circumstances. A blood test or**”; and further amend line 24 of said page, by striking the word “result” and inserting in lieu thereof the following: **“indicating that a person's blood alcohol level is”**; and further amend lines 25-26 of said page, by striking the following: “of obviously intoxicated” and inserting in lieu thereof the following: **“that a person is obviously intoxicated”**.

Senator Caskey moved that the above amendment be adopted.

Senator Kinder requested a division of the question, asking that a vote first be taken on the portion of the amendment dealing with line 17 and that a second vote be taken on the remainder of the amendment.

Senator Jacob raised the point of order that the request for a division of the question is unreasonable because of the subject matter of the amendment.

At the request of Senator Kinder, the request for a division of the question was withdrawn, rendering the point of order moot.

SA 1 was again taken up.

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

Senator Kinder moved that **SS for SCS for HS for HB 421**, as amended, be adopted, which motion prevailed.

On motion of Senator Kinder, **SS for SCS for HS for HB 421**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Sims	Singleton	Staples	Steelman

Stoll Westfall Wiggins Yeckel—32

NAYS—Senators—None

Absent—Senator Scott—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 Foster moved that motion lay on the table, which motion prevailed.

HB 385, with **SCS**, introduced by Representative Franklin, entitled:

An Act to amend chapter 169, RSMo, relating to certain school retirement systems, by adding thereto one new section relating to the same subject.

Was taken up by Senator Foster.

SCS for HB 385, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 385

An Act to repeal sections 169.070, 169.075 and 169.670, RSMo 2000, relating to public school retirement systems, and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause for certain sections.

Was taken up.

Senator Foster moved that **SCS for HB 385** be adopted.

Senator Foster offered **SS for SCS for HB 385**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 385

An Act to repeal sections 50.1000, 56.807, 56.816, 105.269, 160.420, 169.070, 169.075, 169.270, 169.280, 169.291, 169.301, 169.315, 169.324, 169.410, 169.420, 169.430, 169.440, 169.450, 169.460, 169.462, 169.466, 169.471, 169.475, 169.476, 169.480, 169.490, 169.500,

169.510, 169.520, 169.540, 169.650 and 169.670, RSMo 2000, relating to retirement systems, and to enact in lieu thereof thirty-three new sections relating to the same subject, with an emergency clause for certain sections and an effective date for certain sections.

Senator Foster moved that **SS** for **SCS** for **HB 385** be adopted.

Senator Loudon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 385, Page 113, Section 169.670, Line 24, by inserting after all of said line the following:

“287.812. As used in sections 287.812 to 287.855, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Administrative law judge”, any person appointed pursuant to section 287.610 [or], section 621.015 **or section 622.020**, RSMo, or any person who hereafter may have by law all of the powers now vested by law in administrative law judges appointed [under] **pursuant to** the provisions of the workers' compensation law, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state;**

(2) “Beneficiary”, a surviving spouse married to the deceased administrative law judge or legal advisor of the division of workers' compensation continuously for a period of at least two years immediately preceding the administrative law judge's or legal advisor's death and also on the day of the last termination of such person's employment as an administrative law judge or legal advisor for the division of workers' compensation, or if there is no surviving spouse eligible to receive benefits, any minor child of the deceased administrative law judge or legal advisor, or any child of the deceased administrative law judge or legal advisor who, regardless of age, is unable to support himself because of mental retardation, disease or disability, or any physical handicap or disability, who shall

share in the benefits on an equal basis with all other beneficiaries;

(3) “Benefit”, a series of equal monthly payments payable during the life of an administrative law judge or legal advisor of the division of workers' compensation retiring pursuant to the provisions of sections 287.812 to 287.855 or payable to a beneficiary as provided in sections 287.812 to 287.850;

(4) “Board”, the board of trustees of the Missouri state employees' retirement system;

(5) “Division”, the division of workers' compensation of the state of Missouri;

(6) “Legal advisor”, any person appointed or employed pursuant to section 287.600, 287.615, or 287.616 to serve in the capacity as a legal advisor or an associate administrative law judge and any person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, and any attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo;

(7) “Salary”, the total annual compensation paid for personal services as an administrative law judge or legal advisor, or both, of the division of workers' compensation by the state or any of its political subdivisions.

287.815. 1. Effective August 28, 1999, any person, sixty-two years of age or older, who has served or who has creditable service in this state for an aggregate of at least twelve years, or any person, sixty years of age or older, who has served or who has creditable service in this state for an aggregate of at least fifteen years or any person, fifty-five years of age or older, who has served or who has creditable service in this state for an aggregate of twenty years, continuously or otherwise, as an administrative law judge or legal advisor, or both, [of the division,] and who, on or after August 13, 1984, ceases to hold office by reason of the expiration of his or her term, voluntary resignation, retirement pursuant to the provisions of sections 287.812 to 287.856, or removal by the governor for any nondisciplinary reason, shall receive benefits as provided in sections 287.812 to 287.856. The twelve years', fifteen years' or twenty years' requirement of this section may be fulfilled by

service as an administrative law judge or legal advisor, or both, [of the division] at any time prior to or after August 13, 1984. If a person appointed pursuant to section 286.010, RSMo, **or section 622.020, RSMo**, or a chairman appointed pursuant to section 295.030, RSMo, does not have twelve years' or fifteen years' service, as required pursuant to this subsection, as an administrative law judge or legal advisor, or both, but the person has served in the general assembly, each biennial assembly or partial biennial assembly either served or purchased shall be deemed and credited as two full years of creditable service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided by his or her service as a member of the general assembly.

2. Any aggregate of twelve years or more of such service shall entitle the person to retirement benefits provided in sections 287.812 to 287.856 regardless of whether or not the person was so employed upon reaching the age of eligibility as described in subsection 1 of this section. However, the retirement benefits shall not be paid to the person until that person attains the age of eligibility as described in subsection 1 of this section.

3. If a person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, or pursuant to section 621.015, RSMo, **or pursuant to section 622.020, RSMo**, or an attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state**, does not have twelve years' service as an administrative law judge or legal advisor, or both, but the person has creditable service under the Missouri state employees' retirement system, such person may elect that such service be credited as service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided for other service. Persons appointed pursuant to section 621.015, RSMo, shall be required to have served a majority of a term in order to qualify for benefits pursuant to sections

287.812 to 287.856.

4. Any person who has been appointed and has served pursuant to section 621.015, RSMo, prior to August 28, 1999, who is receiving or thereafter is qualified to receive retirement benefits pursuant to section 104.374, RSMo, shall upon application be made, constituted, appointed and employed by the board of trustees of the Missouri state employees' retirement system as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the administrative hearing commission, the consultant shall give opinions or be available to give opinions in writing or orally in response to such requests. As compensation for such services and in lieu of receiving benefits pursuant to section 104.374, RSMo, each such special consultant shall be eligible for all benefits payable pursuant to sections 287.812 to 287.856, effective upon the later of August 28, 1999, or the date retirement benefits become payable. In no event shall retroactive benefits be paid.

287.825. 1. On and after August 13, 1984, in the event that a person who is serving as an administrative law judge or legal advisor [of the division] dies, retirement benefits shall be paid in monthly installments to his beneficiary in the amount equal to fifty percent of the amount of the retirement benefits provided in section 287.820 regardless of the period of his service; except that where the period of service could not have been twelve years or more because of a voluntary or mandatory retirement provision, the retirement benefits provided by this subsection shall be reduced by the proportion that the number of years that he would have lacked serving twelve years had he been able to serve until voluntary or mandatory retirement bears to twelve years. The benefits to the beneficiary provided herein shall commence immediately upon the death of the administrative law judge or legal advisor.

2. In the event a person who has retired under the provisions of sections 287.812 to 287.855 dies, benefits, in the amount equal to fifty percent of the amount of the retirement benefits paid to the person under the provisions of sections 287.820 to 287.830 shall be paid in monthly installments to his

beneficiary.

3. In the event that a person dies who has served in this state for an aggregate of twelve years, continuously or otherwise, as an administrative law judge or legal advisor, or both [of the divisions] and who, after August 13, 1984, ceased or ceases to hold office by reason of the expiration of his term, voluntary resignation or removal by the governor for nondisciplinary reasons, but who has not retired under the provisions of sections 287.812 to 287.855, retirement compensation shall be paid in monthly installments to his beneficiary in the amount equal to fifty percent of the amount of retirement compensation provided in section 287.820. The benefits to the beneficiary provided herein shall commence immediately upon the death of the former administrative law judge or legal advisor.

4. In the event that any surviving spouse receiving benefits under the provisions of sections 287.812 to 287.855 dies leaving a surviving beneficiary as defined in section 287.812, the benefits received by such surviving spouse shall be paid to such surviving beneficiary during the remainder of the period of his eligibility. If such surviving spouse leaves more than one surviving beneficiary, then each beneficiary during the remainder of the period of his eligibility shall receive a pro rata share of the amount paid to the surviving spouse under the provisions of sections 287.812 to 287.855.

287.830. Any administrative law judge or legal advisor who has served as such for less than twelve years and is otherwise qualified under sections 287.812 to 287.855 may elect to retire at age sixty-five, or thereafter, at a reduced retirement benefit in a sum equal to the proportion of the retirement benefit provided in section 287.820 that his period of service as an administrative law judge or legal advisor, or both, [of the division] bears to twelve years.

622.020. 1. Three administrative law judges shall also be appointed for the division. They shall be nominated by the department director and appointed by the governor with the advice and consent of the senate. Each shall be appointed for a term of six years, except of those first appointed,

one shall be appointed for a term of four years, and one for a term of two years. Each shall be an attorney-at-law admitted to practice before the supreme court of Missouri, and while serving in this capacity as an administrative law judge shall not otherwise practice law during his term of office. Not more than two of the administrative law judges shall be members of the same political party.

2. Administrative law judges shall [be compensated at the same rate] **receive the same compensation and benefits** as administrative hearing commissioners [are compensated], and they shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.”; and

Further amend the title and enacting clause accordingly.

Senator Loudon moved that the above amendment be adopted.

Senator Singleton raised the point of order that **SS for SCS for HB 385** is out of order as it goes beyond the scope and purpose of the underlying legislation.

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

Senator Rohrbach assumed the Chair.

SA 1 was again taken up.

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

President Maxwell assumed the Chair.

Senators Kenney and Jacob offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 385, Page 10, Section 160.420, Line 3 of said page, by inserting immediately after said line the following:

“162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a

population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section,** hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two

years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census,** elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Foster, **HB 385**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 796** and has taken up and passed **SCS** for **HB 796**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 607** and has taken up and passed **SCS** for **HB 607**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 151** and grants the Senate a conference

thereon and the conferees be allowed to exceed the differences.

The Speaker has appointed the following Conference Committee to act with a like committee from the Senate. Representatives: Gaskill, Luetkemeyer, Ward, Lutkenhaus and Liese.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 462**, as amended, and grants the Senate a conference thereon.

The Speaker has appointed the following Conference Committee to act with a like committee from the Senate. Representatives: Legan, Myers, Shoemyer, Barnitz and Merideth.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 610** and grants the Senate a conference thereon.

The Speaker has appointed the following Conference Committee to act with a like committee from the Senate. Representatives: Ridgeway, Phillips, Hoppe, Rizzo and Skaggs.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 193**, as amended, and grants the Senate a conference thereon.

The Speaker has appointed the following Conference Committee to act with a like committee from the Senate. Representatives: Henderson, Surface, Ward, Luetkenhaus and Liese.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HBs 144** and **46**, as amended, and requests the Senate to recede from its position and failing to do so grant

the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 567**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon and the conferees be allowed to exceed the differences on **SA 15**.

PRIVILEGED MOTIONS

Senator Klarich moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 567**, as amended, and grant the House a conference thereon, and further that the conferees be allowed to exceed the differences on **SA 15**, which motion prevailed.

Senator Westfall moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HBs 302** and **38**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 193**, as amended: Senators Rohrbach, Klindt, Kenney, Scott and Jacob.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 151**: Senators Childers, Bentley, Gross, Stoll and Johnson.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 567**, as amended: Senators Klarich, Kenney, Westfall, Dougherty and Wiggins.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 462**, as amended: Senators Westfall, Foster, Cauthorn, Johnson and House.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 610**: Senators Westfall, Gross, Cauthorn, Johnson and Staples.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HBs 302** and **38**, as amended: Senators Westfall, Singleton, Klarich, House and Caskey.

PRIVILEGED MOTIONS

Senator Kenney moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HBs 144** and **46**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HBs 144** and **46**, as amended: Senators Kenney, DePasco, Mathewson, Foster and Klarich.

Photographers from KMIZ-TV and KOMU-TV were given permission to take pictures in the Senate Chamber today.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SCS** for **SB 382**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kenney, the Senate recessed until 1:45 p.m.

RECESS

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

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 adopted **SCS** for **HB 945** and has taken up and passed **SCS** for **HB 945**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 575** and has taken up and passed **SS** for **SCS** for **HB 575**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCA 1** and **SCA 2** to **HB 52** and has taken up and passed **HB 52**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House of Representatives request further conference on **SCS** for **HCS** for **HB 10** and that the conferees be allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SS** for **SCS** for **SB 267**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 16** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Russell moved that the Senate grant the House a further conference on **SCS** for **HCS** for **HB 10**, as amended, and allow the conferees to exceed the differences, which motion prevailed.

Senator Russell moved that the Senate refuse to recede from its position on **SCS** for **HB 16** and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SB 267**, as amended: Senators Klarich, Gibbons, Steelman, Jacob and Caskey.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**, as amended: Senators Russell, Rohrbach, Westfall, Wiggins and Goode.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Childers moved that the vote by which **HS** for **SS** for **SCS** for **SBs 323** and **230**, as amended, was adopted, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Kenney	Kinder	Klarich	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Scott	Sims	Singleton
Staples	Stelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Jacob	Johnson	Schneider—3
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Absent with leave—Senator Carter—1

Senator Childers moved that the Senate refuse to concur in **HS** for **SS** for **SCS** for **SBs 323** and **230**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 865, introduced by Representative Davis, entitled:

An Act to repeal section 160.522, RSMo 2000,

and to enact in lieu thereof one new section relating to building-level school accountability report cards.

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

On motion of Senator Caskey, **HB 865** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dougherty	Jacob—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 725, introduced by Representative Britt, entitled:

An Act to repeal section 165.011, RSMo 2000, relating to transfers of funds in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Foster, **HB 725** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Gross	Johnson	Kenney	Klarich
Klindt	Loudon	Mathewson	Quick

Rohrbach Russell Schneider Scott
 Sims Singleton Staples Steelman
 Stoll Westfall Wiggins Yeckel—28

Kenney Klindt Loudon Mathewson
 Quick Rohrbach Russell Scott
 Sims Singleton Staples Steelman
 Stoll Westfall Wiggins Yeckel—28

NAYS—Senators
 Caskey Goode House—3

NAYS—Senators—None

Absent—Senators
 Jacob Kinder—2

Absent—Senators
 Jacob Johnson Kinder Klarich
 Schneider—5

Absent with leave—Senator Carter—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

The President declared the bill passed.

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

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

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

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

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

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

HB 881, with **SCS**, introduced by Representative Scott, et al, entitled:

HB 606, with **SCS**, introduced by Representative Kennedy, et al, entitled:

An Act to repeal section 198.280, RSMo 2000, relating to nursing home districts, and to enact in lieu thereof one new section relating to the same subject.

An Act to repeal sections 59.310 and 59.313, RSMo 2000, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

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

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

SCS for **HB 881**, entitled:

SCS for **HB 606**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 881

SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 606

An Act to repeal section 198.280, RSMo 2000, relating to nursing home districts, and to enact in lieu thereof one new section relating to the same subject.

An Act to repeal sections 59.310 and 59.313, RSMo 2000, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

Was taken up.

Was taken up.

Senator Rohrbach moved that **SCS** for **HB 881** be adopted, which motion prevailed.

Senator Yeckel moved that **SCS** for **HB 606** be adopted, which motion prevailed.

On motion of Senator Rohrbach, **SCS** for **HB 881** was read the 3rd time and passed by the following vote:

On motion of Senator Yeckel, **SCS** for **HB 606** was read the 3rd time and passed by the following vote:

YEAS—Senators
 Bentley Bland Caskey Cauthorn
 Childers DePasco Dougherty Foster
 Gibbons Goode Gross House

YEAS—Senators
 Bentley Bland Caskey Cauthorn
 Childers DePasco Dougherty Foster

Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Johnson	Klarich	Schneider—3
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

Senator Russell requested unanimous consent of the Senate to suspend the rules for the purpose of taking up **HCS for HB 14**, with **SCS**, for third reading and final passage, which request was granted.

HCS for HB 14, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Health, Department of Social Services, Department of Mental Health, Department of Higher Education and institutions of higher education included therein, Department of Elementary and Secondary Education, and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up by Senator Russell.

SCS for HCS for HB 14, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 14

An Act to appropriate money for the expenses, grants, distributions, planning and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions of the Department of Health, Department of Social Services, Department of Mental Health, Department of Public Safety, Department of Higher Education and institutions of higher education included therein, Department of Elementary and Secondary Education, and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up.

Senator Russell moved that **SCS** for **HCS** for **HB 14** be adopted, which motion prevailed.

President Maxwell assumed the Chair.

On motion of Senator Russell, **SCS** for **HCS** for **HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klindt
Mathewson	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Steelman	Stoll	Westfall	Wiggins—28

NAYS—Senators

Gibbons	Klarich	Loudon	Yeckel—4
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Absent—Senator Staples—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 567**, as amended: Senators Klarich, Loudon, Dougherty, Westfall and Wiggins.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 16**: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

HOUSE BILLS ON THIRD READING

Senator Kenney moved that **HB 80**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Singleton moved that the vote by which **SA 9** to **SCS** for **HB 80** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bentley	Bland	Cauthorn	Childers
Dougherty	Foster	Gibbons	Gross
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Steelman	Stoll	Westfall	Yeckel—24

NAYS—Senators

Caskey	DePasco	Goode	House
Jacob	Mathewson	Quick	Wiggins—8

Absent—Senator Staples—1

Absent with leave—Senator Carter—1

SA 9 was again taken up.

At the request of Senator Kenney, **HB 80**, with

SCS and **SA 9** (pending), was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Klindt moved that **SB 586**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Scott and Senator Mathewson requested that under the provisions of Senate Rule 85, that the motion be reduced to writing.

Senator Klindt submitted the following motion, which was read:

Pursuant to Rule 6, I move that **SCS** for **SB 586** be called up out of order for consideration by the Senate.

Senator Caskey requested a roll call vote be taken on Senator Klindt’s motion and was joined in his request by Senators DePasco, House, Quick and Scott.

Senator Klindt’s motion was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators

Bland	Caskey	DePasco	Dougherty
Goode	House	Jacob	Johnson
Mathewson	Quick	Schneider	Scott
Staples	Stoll	Wiggins—15	

Absent—Senators—None

Absent with leave—Senator Carter—1

SCS for **SB 586**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 586

An Act to repeal sections 128.345 and 128.346, RSMo 2000, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

Was taken up.

Senator Klindt moved that **SCS** for **SB 586** be adopted.

At the request of Senator Klindt, **SB 586**, with **SCS** (pending), was placed on the Informal Calendar.

President Pro Tem Kinder assumed the Chair.

REPORTS OF STANDING COMMITTEES

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 **SCS** for **SBs 5** and **21**; and **HCS** for **SCS** for **SB 619**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

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

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **HS** for **HB 736**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **SCS** for **SB 619** and **SCS** for **SBs 5** and **21**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SCS** for **SB 619** and **SCS** for **SBs 5** and **21**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

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 Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SS** for **SCS** for **SB 267**, as amended. Representatives Lograsso, Byrd, Monaco, Hosmer, Carnahan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 567**, as amended. Representatives Nordwald, Crawford, Treadway, Johnson (90), Shoemyer.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HBs 144** and **46**, as amended. Representatives: Bartle, Cierpiot, Monaco, Bonner and Relford.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HCS** for **HBs 302** and **38**, as amended. Representatives: Hosmer, Britt, Kelly 36, Mayer and Gaskill.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SA 1** to **HS** for **HJR 11** and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HB 16**. Representatives: Green 73, Ford, Graham, Shields and Bearden.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 14** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Russell moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 14** and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 14**: Senators Russell, Westfall, Rohrbach, Goode and Wiggins.

RESOLUTIONS

Senator Westfall offered Senate Resolution No. 768, regarding Elaine Singleton LeJeune, Halfway, which was adopted.

Senator Westfall offered Senate Resolution No. 769, regarding Janell Jones, Hermitage, which was adopted.

Senator Russell offered Senate Resolution No. 770, regarding the Buffalo FFA Chapter, which was adopted.

Senator Gross offered Senate Resolution No. 771, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Luecke, St. Charles, which was adopted.

Senator Cauthorn offered Senate Resolution No. 772, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bernard Strode,

Mexico, which was adopted.

Senator Cauthorn offered Senate Resolution No. 773, regarding Larry L. Bennett, Macon, which was adopted.

Senator Cauthorn offered Senate Resolution No. 774, regarding Paul Fix, Hannibal, which was adopted.

Senator Cauthorn offered Senate Resolution No. 775, regarding Alyse Rothrock, Mexico, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Klarich and herself, Senator Sims introduced to the Senate, the Physician of the Day, Dr. Alex Denes, M.D., and his wife, Mary, Ladue.

Senator Stoll introduced to the Senate, thirty students from Our Lady's School, Festus.

Senator Steelman introduced to the Senate, Judy and Jeff Berna, and their children, Isaac, Michael and Meredith, Holts Summit; and Isaac, Michael and Meredith were made honorary pages.

Senator Wiggins introduced to the Senate, eighth grade students from Our Lady of Peace School, Kansas City.

Senator Cauthorn introduced to the Senate, Shellie Roland, Lisa Humes and seventh and eighth grade students from Wyaconda School, Wyaconda.

Senator Gibbons introduced to the Senate, students from Edgewood Children's Center, Webster Groves.

The President introduced to the Senate, Kelley C. Rohlfing, Fayette; Kyle Clower and Adam Anderton, St. Joseph; and Andi Wilkinson, Columbia.

Senator Loudon introduced to the Senate, Julie, Eileen, Michael and Mathew Pedroley, Homeschoolers from Chesterfield; and Michael and Mathew were made honorary pages.

Senator House introduced to the Senate, Vaden and Margo Francisco, Oregon; and Robin Francisco, Columbia.

On behalf of Senator Westfall and himself,

Senator Caskey introduced to the Senate, Marie and Dalton Wessley, Nevada; and Dalton was made an honorary page.

Senator Bentley introduced to the Senate, her grandson, Charlie Bentley, Mrs. Liz Viele, Mrs. Amy Hopkins and fourth grade students from Rountree School, Springfield; and Charlie, Darren Shaw, Jaque Schoville, Rudy Fotch, Gloria

Statwick and Katelyn Oldham were made honorary pages.

Senator Steelman introduced to the Senate, her parents, John and Jackie Hearne, Jefferson City.

On motion of Senator Kenney, the Senate adjourned until 9:30 a.m., Wednesday, May 9, 2001.

SENATE CALENDAR

Unofficial
SIXTY-NINTH DAY—WEDNESDAY, MAY 9, 2001

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HCS for HBs 981 &
665-Willoughby

Journal

THIRD READING OF SENATE BILLS

SCS for SB 505-Loudon
(In Budget Control)
SS for SB 242-Kenney
(In Budget Control)

SCS for SB 225-Mathewson
(In Budget Control)
SS for SCS for SBs 334 &
228-Kinder
(In Budget Control)

Copy

SENATE BILLS FOR PERFECTION

SB 565-Staples
SB 596-Loudon
SB 597-Singleton
SB 268-Schneider, with SCS

SBs 249 & 523-Wiggins,
with SCS
SBs 508 & 468-Cauthorn
and Klindt, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HBs 205, 323
& 549, with SCS
(Childers)

2. HB 662-Green (73) and
St. Onge, with SCS
(Foster)

3. HS for HCS for HB 425-O'Toole (DePasco)
4. HB 285-Riback Wilson, et al (Jacob)
5. HB 120-O'Connor, with SCS (Caskey)
6. HB 163-Berkowitz and Wagner (Westfall)
7. HB 471-Jolly, et al, with SCS (Wiggins)
8. HB 626-Hosmer, with SCS (Bentley)
9. HS for HCS for HB 107-Clayton, with SCS (Klarich) (In Budget Control)
10. HCS for HB 50, with SCS (Stoll) (In Budget Control)
11. HCS for HBs 754, 29, 300 & 505 (Bentley) (In Budget Control)
12. HB 185-Legan, et al, with SCS (Gross)
13. HCS for HB 738 (Klarich)
14. HCS for HBs 441, 94 & 244 (Johnson)
15. HB 453-Ransdall, et al, with SCS (Steelman)
16. HB 501-Bowman, et al, with SCS (Steelman) (In Budget Control)
17. HCS for HB 581, with SCS (Klindt)
18. HB 133-Gambaro, with SCS (Yeckel)
19. HCS for HB 241, with SCS (Caskey)
20. HS for HCS for HBs 328 & 88-Harlan, with SCS (Sims)
21. HB 70-Koller, with SCA 1 (Staples)
22. HB 678-Seigfreid, with SCS (Mathewson)
23. HS for HCS for HB 824-Abel (Mathewson) (In Budget Control)
24. HS for HCS for HBs 924, 714, 685, 756, 734 & 518-Wiggins, with SCS (Mathewson) (In Budget Control)
25. HB 769-Harlan (House)
26. HS for HB 612-Ladd Baker, with SCS (Sims) (In Budget Control)
27. HB 621-Gratz and Vogel, with SCA 1 (Rohrbach)
28. HB 262-Linton, et al, with SCAs 1 & 2 (Klarich)
29. HS for HCS for HB 327-Rizzo, with SCS (In Budget Control)
30. HB 219-Townley, et al, with SCS (Cauthorn)
31. HS for HB 736-Liese, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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 445-Singleton, with SCS & SS for SCS (pending)
SB 222-Caskey, with SA 3 & SSA 1 for SA 3 (pending)	SB 454-Kinder, with SCS
SBs 238 & 250-Staples, et al, with SCS (pending)	SB 455-Kinder, et al, with SCS
SB 239-Stoll, with SCS & SA 11 (pending)	SBs 459, 305, 396 & 450- Westfall, with SCS & SS for SCS (pending)
SB 251-Kinder	SB 469-Gross, et al
SBs 253 & 260-Gross, with SCS (pending)	SB 488-Klindt, et al, with SCS
SB 331-DePasco, et al, with SCS & SS for SCS (pending)	SB 535-Rohrbach, with SCS, SS for SCS & point of order (pending)
SB 373-Gibbons and Yeckel, with SCS	SB 546-Kenney, et al, with SCS
SBs 391 & 395-Rohrbach, with SCS & SS for SCS (pending)	SB 583-Yeckel
SB 438-Bentley and Stoll, with SS, SS for SS & SA 1 (pending)	SB 586-Klindt, with SCS (pending)
	SB 593-Klindt, with SCS
	SJR 11-Yeckel

HOUSE BILLS ON THIRD READING

HB 80-Ross, with SCS & SA 9 (pending) (Kenney)	HS for HCS for HB 762- Barry, with SCS, SS for SCS, SA 8 & SSA 1 for SA 8 (pending) (Sims and Stoll)
HS for HB 381-Hoppe, with SCS, SS for SCS & SA 12 (pending) (Kenney)	HB 949-Barry, with SCS, SS for SCS & SA 7 (pending) (Sims)
HB 385-Franklin, with SCS & SS for SCS (pending) (Foster)	HB 954-Hosmer (Westfall)
HB 444-Kreider, et al, with SCA 1 (Wiggins)	HJR 5-Barry, et al, with SS, SA 1 & point of order (pending) (Yeckel)
HB 544-Holand and Treadway, with SA 1 (pending) (Bentley)	

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 4/12

HB 111-Ladd Baker (Gross)

HB 309-McKenna, et al
(Stoll)

HB 202-Rizzo, with SCS
(Kenney)

HB 242-Smith, with SCS
(House)

HB 361-Shoemyer, with SCS
(Goode)

HB 498-Wagner and McKenna,
with SCS (Stoll)

HB 679-Boykins (Sims)

HB 473-Robirds, with SCS
(Foster)

HB 904-Merideth, et al,
with SCS (Foster)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 86-Rohrbach, with HCS,
as amended

SB 274-Caskey, with HCS
SB 307-Jacob, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SCS for SB 151-Childers, with HCS	HCS for HB 10, with SCS, as amended (Russell)
SS for SB 193-Rohrbach, with HCS, as amended	HCS for HB 11, with SCS, as amended (Russell)
SS for SCS for SB 267- Klarich, with HS for HCS, as amended	HCS for HB 12, with SCS (Russell)
SB 462-Westfall, with HCS, as amended	HCS for HB 13, with SCS (Russell)
SB 610-Westfall, with HCS	HCS for HB 14, with SCS (Russell)
HCS for HB 2, with SCS (Russell)	HB 16-Green, with SCS (Russell)
HCS for HB 3, with SCS (Russell)	HCS for HB 18, with SCS, as amended (Russell)
HCS for HB 4, with SCS (Russell)	HCS for HB 19, with SCS (Russell)
HCS for HB 5, with SCS (Russell)	HCS for HBs 144 & 46, with SS for SCS, as amended (Kenney)
HCS for HB 6, with SCS, as amended (Russell)	HCS for HBs 302 & 38, with SCS, as amended (Westfall)
HCS for HB 7, with SCS (Russell)	HB 491-George, with SCS (Goode)
HCS for HB 8, with SCS (Russell)	HCS for HB 567, with SS for SCS, as amended (Klarich)
HCS for HB 9, with SCS (Russell)	

Requests to Recede or Grant Conference

SS for SCS for SBs 323 & 230-Childers, with HS, as amended (Senate requests House recede or grant conference)	HS for HJR 11-Gambaro, with SA 1 (Goode) (House requests Senate recede or grant conference)
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RESOLUTIONS

SR 345-Quick, et al

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

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

HCR 24-Boucher, with SCS
(Yeckel)

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS

(Senate requests House
recede or grant conference)

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