

Journal of the Senate

FIRST REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 11, 1999

The Senate met pursuant to adjournment.

President Wilson in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

Gracious and Heavenly Father, You know our “going out and our coming in.” You have brought us safely here to discern the business of this Senate and are with us always. So we pray, be with us this week as we work for the common good of the people of Missouri and let us always seek Your Holy Spirit’s guidance so our work receives Your blessings and thereby prospers. This we ask in Your Holy Name. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for Thursday, January 7, 1999, was read and approved.

Senator DePasco announced that photographers from the Associated Press had been given permission to take pictures in the Senate Chamber.

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

Present—Senators

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

Yeckel—33

Absent with leave—Senator Scott—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wiggins offered Senate Resolution No. 13, regarding the death of Martha Catherine Johnson, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 14, regarding the death of Rodger John Walsh, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 15, regarding the death of Judge Joseph Edward Stevens, Jr., Kansas City, which was adopted.

Senator Banks offered Senate Resolution No. 16, regarding the 40th Anniversary of the Missouri Commission on Human Rights, which was adopted.

Senator Quick offered Senate Resolution No. 17, regarding John Joseph Darst, Liberty, which was adopted.

Senator Quick offered Senate Resolution No. 18, regarding Tyler Scott McDaniel, Liberty, which was adopted.

Senator Quick offered Senate Resolution No. 19, regarding Daniel Morris, Liberty, which was adopted.

Senator Quick offered Senate Resolution No. 20, regarding Justin McDaniel, Liberty, which was adopted.

Senator Wiggins offered Senate Resolution No. 21, regarding the death of Irma L. (Maier) Reves, Raytown, which was adopted.

Senator Wiggins offered Senate Resolution No. 22, regarding the death of Robert Allen "Bob" Brown, Raytown, which was adopted.

Senator Wiggins offered Senate Resolution No. 23, regarding the death of Preston Moore, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 24, regarding the death of George Roscoe Aspley, which was adopted.

Senator Wiggins offered Senate Resolution No. 25, regarding the death of James Lloyd McMinn, Grandview, which was adopted.

Senators Ehlmann and House offered Senate Resolution No. 26, regarding Janet Watkins, St. Charles, which was adopted.

Senators Ehlmann and House offered Senate Resolution No. 27, regarding Dr. Henry Clever, St. Charles, which was adopted.

Senators Ehlmann and House offered Senate Resolution No. 28, regarding Andrew McColloch, St. Charles, which was adopted.

Senators Ehlmann and House offered Senate Resolution No. 29, regarding Grace Nichols, St. Charles, which was adopted.

Senator Graves offered Senate Resolution No. 30, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Virgil G. Renzelman, Carrollton, which was adopted.

Senator Graves offered Senate Resolution No. 31, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Calvin Henry, Sr., Grant City, which was adopted.

Senator Graves offered Senate Resolution No. 32, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William Marshall, Trenton, which was adopted.

Senator Graves offered Senate Resolution No. 33, regarding the Sixty-fourth Wedding Anniversary of Mr. and Mrs. Veldon Taylor, Humphreys, which was adopted.

Senator Graves offered Senate Resolution No. 34, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Clarence Rader, Chillicothe, which was adopted.

Senator Graves offered Senate Resolution No. 35, regarding Cap Marsh, Union Star, which was adopted.

Senator Graves offered Senate Resolution No. 36, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Barton, Maysville, which was adopted.

Senator Graves offered Senate Resolution No. 37, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Woodrow W. "Woody" Kline, Chillicothe, which was adopted.

Senator Graves offered Senate Resolution No. 38, regarding the Ninetieth Birthday of Edith M. Livingston, Gower, which was adopted.

Senator Graves offered Senate Resolution No. 39, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Edward Hudson, Unionville, which was adopted.

Senator Graves offered Senate Resolution No. 40, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenny Lewis, Clarksdale, which was adopted.

Senator Graves offered Senate Resolution No. 41, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Howard Almond, Brookfield, which was adopted.

Senator Graves offered Senate Resolution No. 42, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Guy Griffin, Trenton, which was adopted.

Senator Graves offered Senate Resolution No. 43, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Byron "Keith" Harris, Gower, which was adopted.

Senator Graves offered Senate Resolution No. 44, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Rex Michael, Trenton, which was adopted.

Senator Kenney offered Senate Resolution No. 45, regarding Allen Bert Colfry, IV, Lake Lotawana, which was adopted.

Senator Kenney offered Senate Resolution No. 46, regarding Syed Ali Shabbir, Stilwell, Kansas, which was adopted.

Senator Kenney offered Senate Resolution No. 47, regarding Spencer Gordon Day, Kansas City, which was adopted.

Senator Westfall offered Senate Resolution No. 48, regarding the death of Reverend Dwight Seneker, Mt. Vernon, which was adopted.

Senator Schneider offered Senate Resolution No. 49, regarding Nathan A. Faltus, Florissant, which was adopted.

Senator Wiggins offered Senate Resolution No. 50, regarding the death of George T. O'Laughlin, Jr., Kansas City, which was adopted.

Senator Howard offered Senate Resolution No. 51, regarding Kirby Van Ausdall, Pemiscot County, which was adopted.

Senator Goode offered Senate Resolution No. 52, regarding Gus Lumpe, University City, which was adopted.

Senators Wiggins, Klarich, Westfall, Mueller, Kenney, House, Caskey, Quick, DePasco, Bentley, Clay and Mathewson offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 53

WHEREAS, the members of the Missouri Senate have been deeply pleased to learn that George Brett, premier player and baseball star of the Kansas City Royals, has been elected to the Baseball Hall of Fame in Cooperstown, New York; and

WHEREAS, when the results of the poll taken among the Baseball Writers of America were announced on Tuesday, January 5th, George Brett had received 98% of the vote, in his first year of eligibility, placing him 4th in the history of all time vote getters in the poll of all those elected since 1936, behind Tom Sievers, Nolan Ryan and Ty Cobb; and

WHEREAS, George Brett, a native of California, came to Kansas City to join the Kansas City Royals in 1974 via the Royals AAA Farm Club in Omaha, Nebraska; and

WHEREAS, George Brett immediately became a star in a career spanning 21 seasons highlighted by 3,154 hits, three batting titles and a Most Valuable Player Award; and

WHEREAS, George Brett in his playing career established far more records than could be placed in any one Resolution, and including being the only major league player ever to win batting crowns in three different decades, selected to play in 13 All-Star Games, established a career high batting average of .390 in 1980, second highest, since .406 by Ted Williams in 1941, collecting a hit off 661 different pitchers and a home run off 211 different hurlers on his way to collecting 3,154 hits and establishing a .305 career batting average; and

WHEREAS, George Brett, in becoming the first Kansas City

Royal to achieve baseball immortality by reaching the Hall of Fame, establishes himself as more than George Brett, the baseball hero, but makes even greater history as George Brett, the legendary man, kind, humble, gentlemanly, courteous, generous to all, particularly interested in children, and in all humanitarian causes for the good of Kansas City, its citizens, and his fans;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, pause in their deliberations to salute the outstanding accomplishments of a great and good Kansas Citian, George Brett, Mr. Kansas City Royal, express sincere congratulations and delight on his election to Baseball's Hall of Fame, and extend to George Brett, his wife Leslie, and their sons, Jackson, Dylan and Robin, many long years continued success, good health and happiness; and

BE IT FURTHER RESOLVED that the Secretary of Senate be instructed to prepare properly inscribed copies of this resolution for George Brett, Ed Molotsky, Kansas City Royals, Lewis Smith, Kauffman Foundation, Buck O'Neill, Bill Grigsby and Julia Kauffman.

Senator Quick moved that **SR 5** be taken up for adoption, which motion prevailed.

Senator Quick offered **SS** for **SR 5**:

SENATE SUBSTITUTE FOR
SENATE RESOLUTION NO. 5
Notice of Proposed Rule Change

BE IT RESOLVED that Rule 25 and Rule 28 of the temporary rules adopted by the Senate of the 90th General Assembly, First Regular Session, be amended as follows:

"Rule 25. The president pro tem of the senate shall appoint the following standing and statutory committees:

1. Committee on Administration, 5 members.
2. Committee on Aging, Families and Mental Health, 7 members.
3. Committee on Agriculture, Conservation, Parks and Tourism, 11 members.
4. Committee on Appropriations, [14] **13** members.
5. Committee on Civil and Criminal Jurisprudence, 9 members.
6. Committee on Commerce and Environment, 9 members.
- [7. Committee on Corrections and General Laws, 7 members.]
- [8.] **7.** Committee on Education, 13 members.
- [9.] **8.** Committee on Elections, [Pensions and] Veterans' Affairs **and Corrections**, 9 members.
- [10.] **9.** Committee on Ethics, [9] **8** members.
- [11.] **10.** Committee on Financial and Governmental Organization, 9 members.
- [12.] **11.** Committee on gubernatorial Appointments, [12] **11** members.
- [13.] **12.** Committee on Insurance and Housing, 9 members.
- [14. Committee on Interstate Cooperation, 5 members.]

[15.] **13.** Committee on Judiciary, 9 members.

[16.] **14.** Committee on Labor and Industrial Relations, 9 members.

[17.] **15.** Committee on Local Government and Economic Development, 7 members.

[18.] **16.** Committee on Legislative Research (statutory), 10 members.

17. Committee on Pensions and General Laws, 7 members.

[19.] **18.** Committee on Public Health and Welfare, [10] **9** members.

[20.] **19.** Committee on Rules, Joint Rules and Resolutions, 9 members.

[21.] **20.** Committee on State Budget Control, [10] **9** members.

[22.] **21.** Committee on Transportation, 9 members.

[23.] **22.** Committee on Ways and Means, 11 members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing and statutory committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Aging, Families and Mental Health shall consider and report upon all matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, family and children issues, mental health, mental retardation and developmental disabilities.

3. The Committee on Agriculture, Conservation, Parks and

Tourism shall consider all questions and report on all bills, resolutions, and all other matters referred to it relating to animals, animal disease, pest control, agriculture, the state park system, conservation of the state's natural resources, soil and water, wildlife, game refuges, and tourism and the promotion of tourism as a state industry.

4. The Committee on Appropriations shall report upon all bills and measures and questions referred to it pertaining to general appropriations and disbursement of public money.

5. The Committee on Civil and Criminal Jurisprudence shall consider, examine and report upon all matters and bills referred to it concerning civil procedure and all matters relating to the criminal laws of the state, criminal costs and all related matters. The committee shall also examine and report upon all matters and bills referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

6. The Committee on Commerce and Environment shall consider all questions and report on all bills, resolutions and all other matters referred to it relating to the development of state commerce and the commercial sector, consumer protection, the development and conservation of energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental pollution.

[7. The Committee on Corrections and General Laws shall consider and report on all bills, resolutions and all other matters concerning general topics which may be referred to it. The committee shall also examine and report upon all matters and bills referred to it concerning the department of corrections including the state's penal institutions and training facilities and the sentencing of people to the department of corrections.]

[8.] **7.** The Committee on Education shall examine into and report upon all matters referred to it relating to all matters of education in the state, including the public schools, libraries, programs and institutions of higher learning, and shall examine and report on all propositions, memorials, petitions, or bills relating thereto.

[9.] **8.** The Committee on Elections, [Pensions and] Veterans' Affairs **and Corrections** shall consider all questions and report on all bills, resolutions and on all matters referred to it relating to elections, election law, [retirement, pensions, pension plans,] and to military organizations and all matters touching on military and veterans' affairs **and all matters relating to the department of corrections including the state's penal institutions and training facilities and the sentencing of people to the department of corrections.**

[10.] **9.** The Committee on Ethics shall consider, examine and report upon all matters and bills referred to it relating to ethics and the conduct of public officials and employees, and shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted.

[11.] **10.** The Committee on Financial and Governmental Organization shall consider all questions and report on all bills, resolutions and all other matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also examine and report upon all bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards,

bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency.

[12.] **11.** The Committee on Gubernatorial Appointments shall consider and report upon all gubernatorial appointments referred to it.

[13.] **12.** The Committee on Insurance and Housing shall take into consideration all matters referred to it relating to life, accident, indemnity and other forms of insurance, and all matters relating to urban renewal and housing.

[14. The Committee on Interstate Cooperation shall perform its statutory duties and shall consider all matters and examine and report on all bills and other matters referred to it which relate to interstate problems and cooperation.]

[15.] **13.** The Committee on Judiciary shall consider all questions and bills relating to the judicial department of the state, examine the constitutionality of all bills referred to it by the senate, and examine into and report upon all matters and bills relating to the practice in the courts of this state and in which questions of law or equity may arise, and may consider, examine and report on all matters and bills referred to the committee relating to workers' compensation.

[16.] **14.** The Committee on Labor and Industrial Relations shall examine all matters and bills referred to it in relation to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine any bills referred to it relating to industrial development and other matters relating to urban areas.

[17.] **15.** The Committee on Local Government and Economic Development shall consider all questions and report on all bills, resolutions and all other matters referred to it relating to community and business development, county government, township organizations and political subdivisions, and all bills referred to it relating to the promotion of economic development.

[18.] **16.** The Committee on Legislative Research (statutory) shall perform its statutory duties and other assignments made.

17. The Committee on Pensions and General Laws shall consider and report on all bills, resolutions and all other matters concerning retirement, pensions and pension plans which may be referred to it. The committee shall also examine and report upon all matters and bills referred to it concerning general topics.

[19.] **18.** The Committee on Public Health and Welfare shall consider, examine and report upon all matters and bills referred to it concerning income maintenance, social services, health care programs, alcoholism and drug abuse, medicaid, child support enforcement, disease control and prevention, hospital operation and alternative state health care proposals.

[20.] **19.** The Committee on Rules, Joint Rules and Resolutions shall consider and report on all rules for the government of the senate and joint rules when requested by the senate, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the

committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report.

The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

[21.] **20.** The Committee on State Budget Control shall consider all bills, except regular appropriation bills, which require new appropriations or expenditures of appropriated funds in excess of \$100,000, or which reduce such funds by that amount during either of the first two years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on State Budget Control for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on State Budget Control for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during either of the first two years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on State Budget Control. The author or first-named sponsor of a bill referred to the Committee on State Budget Control shall be entitled to a hearing on his bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on State Budget Control may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted the bill shall again be referred to that committee.

[22.] **21.** The Committee on Transportation shall consider, examine and report upon all matters and bills referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating to motor vehicles and drivers' licenses.

[23.] **22.** The Committee on Ways and Means shall consider, examine and report upon all matters and bills referred to it concerning the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming."

BE IT FURTHER RESOLVED, that the temporary rules with the above amendments be adopted as the permanent rules of the Missouri Senate for the First Regular Session of the 90th General Assembly.

Senator Quick moved that **SS** for **SR 5** be adopted, which motion prevailed by the following vote:

YEAS—Senators

| | | | |
|-----------|-----------|-----------|----------|
| Banks | Bentley | Caskey | Childers |
| Clay | DePasco | Ehlmann | Flotron |
| Goode | Graves | House | Howard |
| Jacob | Johnson | Kenney | Kinder |
| Klarich | Mathewson | Maxwell | Mueller |
| Quick | Rohrbach | Russell | Sims |
| Singleton | Staples | Steelman | Stoll |
| Westfall | Wiggins | Yeckel—31 | |

NAYS—Senators—None

Absent—Senators

| | |
|-------|-------------|
| Bland | Schneider—2 |
|-------|-------------|

Absent with leave—Senators Scott—1

Senator Wiggins assumed the Chair.

CONCURRENT RESOLUTIONS

Senators Ehlmann and Klarich offered the following concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION NO. 3

WHEREAS, the federal Clean Air Act, as amended, requires the United States Environmental Protection Agency to establish National Ambient Air Quality Standards; and

WHEREAS, the St. Louis metropolitan area is currently designated as a nonattainment area with regard to the National Ambient Air Quality Standard for low-level atmospheric ozone; and

WHEREAS, the General Assembly has devoted considerable effort and attention during the last five years to authorizing air pollution control measures needed to improve air quality in the St. Louis nonattainment area, including the enactment of SB 590 from 1994 which authorizes an enhanced motor vehicle emissions inspection and maintenance program; and

WHEREAS, the Department of Natural Resources is currently implementing the enhanced motor vehicle emissions inspection and maintenance program, a key component of the comprehensive State Implementation Plan designed to bring the area into attainment of the National Ambient Air Quality Standards; and

WHEREAS, the Sierra Club and the Missouri Coalition for the Environment filed suit on November 12, 1998 in the United States District Court for the District of Columbia to: compel the United States Environmental Protection Agency to redesignate St. Louis as a "serious" non-attainment area; require the state to submit a new State Implementation Plan which includes all the air pollution reduction measures required for serious nonattainment areas; postpone approval of any Transportation Implementation Plan until the new State Implementation Plan has been approved; and impose the "emissions offset" penalty and the loss of highway funding penalty on the St. Louis nonattainment area; and

WHEREAS, the state's flexibility in choosing appropriate air pollution measures will be impaired by reclassification of the St. Louis nonattainment area as "serious" with the attendant increase the mandatory reduction measures; and

WHEREAS, the emissions offset penalty will require any new business or industry which seeks to locate in the St. Louis area to arrange for reduction of air emissions from existing sources which is greater than the emissions the new business or industry will make, thereby significantly hampering or perhaps eliminating the siting of new businesses or industries in the area, thereby undermining the area economy; and

WHEREAS, the loss of federal highway funding for the St. Louis area will cripple the state's ability to maintain needed roadways and to create new transportation facilities, which may lead to greater traffic congestion, worsening the air quality problems in the area;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, that Governor Mel Carnahan is hereby urged to immediately seek to intervene in this federal litigation, to support the defendant in this litigation which would enable the defendant to continue to implement the federal Clean Air Act in a manner which properly serves the interests of society to protect public health and the environment while encouraging economic growth and development; and

BE IT FURTHER RESOLVED that the Attorney General is urged to provide any and all necessary legal assistance to the Department of Natural Resources to initiate and sustain any such intervention;

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to provide properly inscribed copies of this resolution to the Governor, the Director of the Department of Natural Resources and the Attorney General.

President Wilson assumed the Chair.

INTRODUCTION OF BILLS

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

SB 224—By Caskey.

An Act to amend chapter 434, RSMo, by adding thereto one new section relating to construction contracts.

SB 225—By Caskey.

An Act to repeal section 334.655, RSMo Supp. 1998, relating to physical therapist assistants, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

SB 226—By Mathewson.

An Act to repeal section 67.1360, RSMo Supp. 1998, relating to local sales tax for tourism, and to enact in lieu thereof one new section relating to the same subject.

SB 227—By Mathewson.

An Act to repeal section 312.100, RSMo 1994, relating to nonintoxicating beer, and to enact in lieu thereof one new section relating to the same subject.

SB 228—By Russell.

An Act authorizing the governor to convey certain state property to the city of Osage Beach.

SB 229—By Russell.

An Act to amend chapter 67, RSMo, relating to powers of political subdivisions by adding thereto two new sections relating to a tourism tax for a certain city.

SB 230—By Russell.

An Act to repeal section E of Proposition A as approved by the voters on November 3, 1998, relating to animal fighting, and to enact in lieu thereof one new section relating to the same subject.

SB 231—By Banks.

An Act to repeal section 701.316, RSMo 1994, relating to lead-bearing substance activities, and to enact in lieu thereof one new section relating to the same subject.

SB 232—By Banks.

An Act to amend chapter 320, RSMo, by adding thereto four new sections relating to fire protection, with penalty provisions.

SB 233—By Sims.

An Act to repeal section 167.126, RSMo Supp. 1998, relating to placement of children, and to enact in lieu thereof one new section relating to the same subject.

SB 234—By Stoll.

An Act to amend chapter 286, RSMo, by adding thereto one new section relating to the department of labor and industrial relations, with an emergency clause.

SB 235—By Stoll.

An Act to repeal section 572.010, RSMo 1994, for the sole purpose of defining amusement devices, and to enact in lieu thereof one new section relating to the same subject.

SB 236—By Stoll.

An Act to repeal sections 160.051, 160.053, 160.054 and 160.055, RSMo Supp. 1998, relating to summer school attendance prior to kindergarten, and to enact in lieu thereof four new sections relating to the same subject.

SB 237—By Klarich.

An Act to repeal section 211.421, RSMo 1994, relating to endangering the welfare of a child, and to enact in lieu thereof one new section relating to the same subject.

SB 238—By Jacob.

An Act to repeal section 175.021, RSMo 1994, and sections 172.035 and 174.055, RSMo Supp. 1998, relating to student representatives on the governing boards of certain institutions of higher education, and enact in lieu thereof three new sections relating to the same subject.

SB 239—By Jacob.

An Act to repeal section 205.190, RSMo Supp. 1998, relating to powers of the board of hospital trustees, and to enact in lieu thereof one new section relating to the same subject.

SB 240—By DePasco.

An Act to amend chapter 67, RSMo, by adding thereto one new section, relating to local tax for tourism, with an emergency clause.

SB 241—By Bland.

An Act relating to educational programs.

SB 242—By Bland.

An Act establishing tax credits for businesses which purchase certain goods and services, with penalty provisions and an effective date.

SB 243—By Bland.

An Act relating to certain health care benefits with a conditional effective date for certain sections, and submitting said act to the voters of the state for approval or rejection under referendum provisions of the constitution.

SB 244—By Schneider.

An Act to repeal section 337.029, RSMo Supp. 1998, as enacted by conference committee

substitute for senate committee substitute for house substitute for house committee substitute for house bills nos. 1601, 1591, 1592, 1479 and 1615 and house committee substitute for house bills nos. 1094, 1213, 1311 and 1428, eighty-ninth general assembly, second regular session, relating to the regulation and licensing of psychologists.

SB 245—By Maxwell, Staples and Clay.

An Act to amend chapter 295, RSMo, by adding thereto one new section relating to project labor agreements.

SB 246—By Maxwell and Goode.

An Act to repeal section 701.304, RSMo Supp. 1998, relating to inspections for lead hazard, and to enact in lieu thereof one new section relating to the same subject.

SB 247—By Maxwell.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to state contracts.

SB 248—By Maxwell.

An Act to repeal section 365.140, RSMo 1994, relating to retail installment contracts, and to enact in lieu thereof one new section relating to the same subject.

SB 249—By Maxwell.

An Act to amend chapter 700, RSMo, by adding thereto twenty-one new sections relating to setup contractors for the manufactured housing industry, with penalty provisions and an expiration date.

SB 250—By Bland.

An Act relating to tax relief for child care payments.

SB 251—By Bland.

An Act to amend chapter 215, RSMo, by adding two new sections relating to the Missouri housing development commission.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri

January 7, 1999

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

The following addendum should be made to the appointment of Gary F. Sobocinski, R.Ph. for the State Board of Pharmacy, made and commissioned by me on September 4, 1998, and submitted to the Senate on January 6, 1999. Line three should be amended to read:

of Pharmacy, for a term ending September 4, 2003, and until his successor

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri

January 7, 1999

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

The following addendum should be made to the appointment of Barbara J. Dunning for the Missouri Board of Pharmacy, made and commissioned by me on December 15, 1998, and submitted to the Senate on January 6, 1999. Line three should be amended to read:

Pharmacy, for a term ending December 15, 2003, and until her

Respectfully submitted,
MEL CARNAHAN
Governor

INTRODUCTIONS OF GUESTS

On behalf of Senator Jacob and himself, Senator Rohrbach introduced to the Senate, Dr. Don Vanderfeltz, California; and Mike Nichols, Columbia.

Senator Bentley introduced to the Senate, Steve Rice, Springfield.

Senator Caskey introduced to the Senate, former State Senator Bill Cason and his wife, Lois, and Rick and Martha Nichols, Clinton.

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

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 12, 1999

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Schneider
SB 2-Schneider
SB 3-Schneider
SB 4-Wiggins
SB 5-Wiggins
SB 6-Wiggins
SB 7-Banks
SB 8-Banks
SB 9-Banks
SB 10-Scott
SB 11-Russell
SB 12-Russell
SB 13-Russell
SB 14-Mathewson
SB 15-Mathewson
SB 16-Mathewson, et al
SB 17-Staples
SB 18-Goode, et al
SB 19-Goode
SB 20-Goode, et al
SB 21-Flotron
SB 22-Flotron
SB 23-Flotron
SB 24-Singleton
SB 25-Singleton and
 Schneider
SB 26-Singleton
SB 27-Mueller
SB 28-Mueller
SB 29-Mueller
SB 30-Howard
SB 31-Howard
SB 32-Howard
SB 33-Johnson
SB 34-Johnson
SB 35-Johnson
SB 36-Rohrbach
SB 37-Rohrbach
SB 38-Rohrbach
SB 39-Clay
SB 40-Clay
SB 41-Clay
SB 42-Ehlmann
SB 43-Ehlmann
SB 44-Ehlmann
SB 45-Kinder, et al
SB 46-Maxwell
SB 47-Maxwell
SB 48-Maxwell
SB 49-Westfall
SB 50-Westfall
SB 51-Westfall
SB 52-Klarich and Flotron
SB 53-Klarich
SB 54-Graves
SB 55-Graves
SB 56-Graves
SB 57-Kenney
SB 58-Kenney
SB 59-Kenney

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| SB 60-Bentley | SB 102-Bentley |
| SB 61-Bentley | SB 103-Bentley |
| SB 62-Bentley | SB 104-Sims, et al |
| SB 63-Sims, et al | SB 105-Sims and Yeckel |
| SB 64-Sims, et al | SB 106-Sims |
| SB 65-Sims, et al | SB 107-Childers |
| SB 66-Childers | SB 108-Childers and Westfall |
| SB 67-Childers | SB 109-Childers |
| SB 68-Childers | SB 110-Schneider |
| SB 69-Steelman | SB 111-Schneider |
| SB 70-Schneider | SB 112-Schneider |
| SB 71-Schneider | SB 113-Wiggins |
| SB 72-Schneider | SB 114-Russell |
| SB 73-Wiggins | SB 115-Russell |
| SB 74-Wiggins, et al | SB 116-Russell |
| SB 75-Wiggins | SB 117-Goode |
| SB 76-Banks | SB 118-Goode |
| SB 78-Russell | SB 119-Goode |
| SB 79-Russell | SB 120-Singleton |
| SB 80-Russell | SB 121-Singleton |
| SB 81-Mathewson | SB 122-Singleton |
| SB 82-Goode, et al | SB 123-Ehlmann |
| SB 83-Goode | SB 124-Sims |
| SB 84-Goode and Johnson | SB 125-Childers |
| SB 85-Flotron | SB 126-Childers |
| SB 86-Singleton | SB 127-Childers |
| SB 87-Singleton | SB 128-Schneider |
| SB 88-Singleton | SB 129-Schneider |
| SB 89-Mueller | SB 130-Schneider |
| SB 90-Johnson | SB 131-Russell |
| SB 91-Rohrbach | SB 132-Russell |
| SB 92-Ehlmann | SB 133-Russell |
| SB 93-Ehlmann | SB 134-Goode |
| SB 94-Ehlmann | SB 135-Goode |
| SB 95-Maxwell | SB 136-Goode |
| SB 97-Maxwell | SB 137-Childers |
| SB 98-Kenney | SB 138-Childers |
| SB 99-Kenney | SB 139-Childers |
| SB 100-Kenney | SB 140-Schneider |
| SB 101-Bentley | |

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| SB 141-Schneider | SB 180-Johnson |
| SB 142-Schneider | SB 181-Maxwell |
| SB 143-Russell | SB 182-Westfall |
| SB 144-Russell | SB 183-Staples |
| SB 145-Russell | SB 184-Staples |
| SB 146-Goode | SB 185-Goode |
| SB 147-Goode | SB 186-Kenney |
| SB 148-Childers | SB 187-Kenney |
| SB 149-Childers | SB 188-House |
| SB 150-Childers | SB 189-House |
| SB 151-Childers | SB 190-House |
| SB 152-Childers | SB 191-House |
| SB 153-Childers | SB 192-Wiggins |
| SB 154-Childers | SB 193-Wiggins |
| SB 155-Kinder | SB 194-Singleton |
| SB 156-Schneider, et al | SB 195-Rohrbach |
| SB 157-Flotron and Kenney | SB 196-DePasco |
| SB 158-Singleton and Schneider | SB 197-DePasco |
| SB 159-House | SB 198-House |
| SB 160-Maxwell | SB 199-Scott |
| SB 161-Maxwell | SB 200-Rohrbach |
| SB 162-Maxwell | SB 201-Childers |
| SB 163-House | SB 202-Childers |
| SB 164-Kenney | SB 203-Wiggins |
| SB 165-Steelman | SB 204-Rohrbach |
| SB 166-Kinder | SB 205-Westfall and Staples |
| SB 167-Westfall | SB 206-Childers |
| SB 168-Ehlmann | SB 207-Klarich and Wiggins |
| SB 169-Maxwell | SB 208-House and Ehlmann |
| SB 170-Schneider | SB 209-Goode, et al |
| SB 171-Maxwell | SB 210-Howard |
| SB 172-Goode | SB 211-Howard |
| SB 173-Jacob | SB 212-Jacob |
| SB 174-Quick | SB 213-Scott |
| SB 175-Rohrbach | SB 214-Mathewson |
| SB 176-Rohrbach | SB 215-Mathewson |
| SB 177-DePasco | SB 216-Wiggins |
| SB 178-Maxwell | SB 217-Wiggins |
| SB 179-Goode | SB 218-Caskey |
| | SB 219-Caskey |

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| SB 220-Caskey | SB 245-Maxwell, et al |
| SB 221-House | SB 246-Maxwell and Goode |
| SB 222-Clay | SB 247-Maxwell |
| SB 223-Bland | SB 248-Maxwell |
| SB 224-Caskey | SB 249-Maxwell |
| SB 225-Caskey | SB 250-Bland |
| SB 226-Mathewson | SB 251-Bland |
| SB 227-Mathewson | SJR 1-Schneider |
| SB 228-Russell | SJR 2-Schneider |
| SB 229-Russell | SJR 3-Schneider |
| SB 230-Russell | SJR 4-Banks |
| SB 231-Banks | SJR 5-Goode, et al |
| SB 232-Banks | SJR 6-Goode, et al |
| SB 233-Sims | SJR 7-Goode |
| SB 234-Stoll | SJR 8-Maxwell |
| SB 235-Stoll | SJR 9-Klarich, et al |
| SB 236-Stoll | SJR 10-Yeckel |
| SB 237-Klarich | SJR 11-Goode and Yeckel |
| SB 238-Jacob | SJR 12-Kinder and Steelman |
| SB 239-Jacob | SJR 13-Ehlmann |
| SB 240-DePasco | SJR 14-House |
| SB 241-Bland | SJR 15-Klarich |
| SB 242-Bland | SJR 16-Schneider |
| SB 243-Bland | SJR 17-Mueller |
| SB 244-Schneider | SJR 18-Wiggins |

RESOLUTIONS

To be Referred

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|--------------------|---------------------------|
| SCR 1-Clay | SCR 3-Ehlmann and Klarich |
| SCR 2-Goode, et al | |

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