

Journal of the Senate

FIRST REGULAR SESSION

NINTH DAY—WEDNESDAY, JANUARY 20, 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: This day we ask that our hearts and minds may be drawn to You and that You guide us, control our wills, and flow through our hearts that we may be wholly Yours in all that we do. And we would ask that You continue Your healing power for Senator Mathewson's wife and walk with Senator Scott during this difficult time of grief and sadness at the death of his mother. 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 of the previous day was read and approved.

Senator DePasco announced that photographers from KODE-TV had been given permission to take pictures in the Senate Chamber today.

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.

MESSAGES FROM THE HOUSE

The following message was 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 committee to act with a like committee from the Senate pursuant to **HCR 2**. Representatives: Backer, Foley, Graham (24), McBride, Schilling, Thompson (72), Cierpiot, Cooper, Ridgeway, Ross and Sallee.

REFERRALS

President Pro Tem Quick re-referred **SB 21** to the Committee on Ways and Means.

Senator Staples assumed the Chair.

RESOLUTIONS

Senator Wiggins offered Senate Resolution No. 87, regarding the death of Marie R. Bolls, Kansas City, which was adopted.

Senator Caskey offered Senate Resolution No. 88, regarding Terry Dickson Fleming, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 89, regarding the death of former State Representative, G. M. Allen, Harrisonville, which was adopted.

Senator Stoll offered Senate Resolution No. 90, regarding Debby Campbell, DeSoto, which was adopted.

Senator Yeckel offered Senate Resolution No. 91, regarding Mary, Mother of the Church, St. Louis County, which was adopted.

Senator Jacob offered Senate Resolution No. 92, regarding National Eye Care Month, which was adopted.

Senator Staples offered Senate Resolution No. 93, regarding the Fiftieth Anniversary of Farmington Elks Lodge No. 1765, which was adopted.

Senator Mueller offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 94

WHEREAS, the members of the Missouri Senate were deeply saddened by the death of longtime Webster Groves resident and community activist, Henrietta Smith Ambrose, on Thursday, January 14, 1999, at the age of 70; and

WHEREAS, Henrietta Ambrose had spent most of her life in her beloved community of Webster Groves, where she was known as a highly respected member of the City Council; and

WHEREAS, in addition to a decade of dedicated service on the City Council, Henrietta Ambrose enjoyed recognition during her lifetime for her untiring efforts as liaison to the Historic Preservation Commission, president of the board of directors of the Webster Groves Historical Society, president of the Webster Groves Optimist Club, trustee of the Missouri Historical Society in Columbia, and as a member of the boards of the Missouri Humanities Council, the Interfaith Housing Commission, and the Friends of Father Dickson Cemetery; and

WHEREAS, married to Walter L. Ambrose, Sr., who was a retired St. Louis Public Schools administrator, Henrietta Ambrose shared the "1991 Citizens of the Year" award from the Webster Groves Area Chamber of Commerce with her husband who preceded her in death by only one year; and

WHEREAS, co-author of North Webster: A Photographic History of a Black Community, Henrietta Ambrose received many honors and accolades throughout her long life such as the Missouri Historical Society Brownlee Fund Award and the St. Louis County Historical Society Book Award; and

WHEREAS, a native of St. Louis who attended the old Tucker Business College, Henrietta Ambrose retired in 1985 after twenty years with the Social Security Administration and earlier employment with the Missouri Division of Family and Children's Services in Clayton; and

WHEREAS, the passing away of Henrietta Ambrose is truly mourned by her many colleagues and friends, and most of all, by her family which consists of daughters Karlah Gibbs of Cincinnati, Ohio, and Cheryl Nash of Creve Coeur, Missouri; son Walter Ambrose, Jr., of Fairfax, Virginia; six grandchildren; and two great-grandchildren:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join

unanimously to extend a word of heartfelt condolences to the family of the late Henrietta Ambrose during this time of great personal loss; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the family of the late Henrietta Smith Ambrose, as a sincere expression of our profound sympathy.

INTRODUCTION OF BILLS

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

SB 308—By Scott and Russell.

An Act to repeal section 104.610, RSMo 1994, relating to certain state retirement systems, and to enact in lieu thereof thirty-three new sections relating to the same subject, with an effective date.

SB 309—By Maxwell.

An Act to repeal section 43.050, RSMo Supp. 1998, relating to public safety personnel, and to enact in lieu thereof one new section relating to the same subject.

SB 310—By Maxwell.

An Act to repeal section 142.029, RSMo 1994, relating to the ethanol producer incentive fund, and to enact in lieu thereof one new section relating to the same subject.

SB 311—By Wiggins, Schneider, DePasco and Banks.

An Act to repeal sections 354.443 and 354.618, RSMo Supp. 1998, relating to protection of health care consumers, and to enact in lieu thereof four new sections relating to the same subject.

SB 312—By Sims.

An Act to repeal sections 94.110, 94.270, 94.360, 191.769 and 291.060, RSMo 1994, and to enact in lieu thereof five new sections relating to bowling centers.

SB 313—By Stoll.

An Act relating to certain real estate transfers.

SB 314—By Scott and Staples.

An Act to repeal sections 104.352, 104.354, 104.370 and 104.610, RSMo 1994, and sections 104.010, 104.395, 104.410, 104.612 and 104.620,

RSMo Supp. 1998, relating to certain state retirement systems, and to enact in lieu thereof seven new sections relating to the same subject.

SB 315—By Staples.

An Act to authorize the conveyance of state property to the city of Farmington.

SB 316—By Schneider and Ehlmann.

An Act to repeal sections 14.010, 14.020, 14.030, 59.020, 59.040, 59.041, 59.050, 59.090, 59.100, 59.130, 59.140, 59.150, 59.250, 59.255, 59.257, 59.260, 59.300, 483.010, 483.015, 483.020, 483.055, 483.060, 483.065, 483.075, 483.080, 483.082, 483.140, 483.150, 483.165, 483.170, 483.175, 483.180, 483.190, 483.195, 483.200, 483.205, 483.240, 483.245, 483.360, 483.390, 483.445 and 483.450, RSMo 1994, and sections 50.333 and 483.083, RSMo Supp. 1998, relating to certain judicial personnel, and to enact in lieu thereof thirty-two new sections relating to the same subject, with an effective date for certain sections.

SB 317—By Howard.

An Act to amend chapter 334, RSMo, relating to physicians and surgeons by adding thereto eight new sections relating to the regulation and licensing of the practice of naturopathic medicine, with penalty provisions.

SB 318—By Jacob, Howard, Stoll, Maxwell, Staples, Wiggins, House, DePasco, Quick, Schneider, Bland, Clay, Goode, Johnson, Banks, Mathewson and Scott.

An Act to repeal section 143.151, RSMo 1994, relating to income tax exemptions, and to enact in lieu thereof one new section relating to the same subject.

Senator DePasco moved that the Senate recess to repair to the House of Representatives to receive the State of the State address from His Excellency, Governor Mel Carnahan, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Wilson.

On roll call the following Senators were

present:

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
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel-32

Absent—Senator Schneider—1

Absent with leave—Senator Scott—1

On roll call the following Representatives were present:

Present—Representatives

Akin	Alter	Auer	Backer
Ballard	Barnett	Barry (100)	Bartelsmeyer
Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner
Boucher	Boykins	Bray (84)	Britt
Burton	Campbell	Carter	Chrismer
Cierpiot	Clayton	Cooper	Crawford
Crump	Daniel (42)	Daniels (41)	Davis (122)
Davis (63)	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen
Fitzwater	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill
George	Gibbons	Graham (106)	Graham (24)
Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler (123)	Hartzler (124)	Hegeman
Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley (47)	Kelly (27)	Kennedy
King	Kissel	Klindt	Koller
Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May (108)	Mays (50)
McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald
O'Connor	Ostmann	O'Toole	Overschmidt
Parker	Patek	Pouche	Pryor
Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling
Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith
Stokan	Summers	Surface	Thompson (37)

Thompson (72)	Townley	Treadway	Troupe
Tudor	VanZandt	Vogel	Wagner
Ward	Wiggins	Williams (121)	Williams (159)
Wright	Mr. Speaker—154		

Absent and Absent with Leave—Representatives

Abel	Champion	Foley	Hickey
Purgason	Sallee	Secrest	Wilson—8

Vacancies—1

The Joint Committee appointed to wait upon His Excellency, Governor Mel Carnahan, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

Missouri—Meeting the Challenges of a New Century

State of the State Address

January 20, 1999

Mr. President, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 90th General Assembly, and Citizens of the State of Missouri:

INTRODUCTION

Our nation hungers for heroes.

It is the nature of our spirit.

Heroes founded this land.

They built its greatness.

And now it is in the hands of the heroes of today to shape its vision for a new century.

For the ideals that inspired the American dream can only remain strong if we have the courage and commitment to expand their possibilities.

Last year the eyes of the entire world were riveted on Missouri to watch the birth of a new American hero.

The young man might have seemed to some an unlikely candidate to reach such heights.

After all, he had 20/500 vision, a bulging disk in his back, weak arches that required special shoe inserts, and had undergone three foot surgeries.

Yet at 8:18 p.m., on September 8, in St. Louis, none of those obstacles seemed important.

Mark McGwire sent the first pitch sailing over the corner of the left field wall and into the history books.

But the McGwire miracle was far from over.

By the time the season ended, Mark not only broke the record for the number of home runs hit in a single season—he demolished it.

And he did it with a humility and grace that made Missouri proud.

However, the true heroism of Mark McGwire is taking place off the field.

He is donating one million dollars for the next three years to help abused and neglected children.

The reason?

Because he wants to give something back to a world that has given him so much.

From his own success, he wants to create opportunities for others.

Throughout our state, thousands of Missourians share those goals.

They may never be in the history books, or make millions of dollars, but they are dedicated to helping others.

These are today's heroes.

It is my privilege to introduce three of these who are here with us today.

First, I would like you to meet the youngest member of our group—Ashlee Vann from Springfield.

Ashlee is a young girl with a big job.

She is only eleven, but she has been running a Kid's Café since she was nine.

Every evening, Ashlee feeds dinner to 60-70 needy children at her café.

She coordinates the entire project of preparing and serving the food, which is donated by Ozark Food Harvest.

Ashlee has three to four other people, including several adults, who work with her, and she does a great job.

Ashlee, would you please stand so we can recognize you for the work you do.

The second person I would like you to meet is Erika Lipiec from Maryville.

Erika is a high school freshman and has been actively involved in the anti-teen smoking campaign in her community for more than two years.

She has testified before her city council in support of a city youth anti-smoking program that she helped pass in 1997.

And she spoke at the Great American Smoke Out news conference last year.

Erika feels teen-age smoking is a serious problem and wants to improve the health of her generation.

Erika, we appreciate your work on behalf of the good health of Missouri citizens.

Please stand and be recognized.

Our third guest today is Laurie Sybert, who teaches second grade at Leland Mills Elementary School in Lake Ozark.

Laurie is one of those people we talk about when we say

someone was "born to teach."

Her mother taught in a one-room schoolhouse and instilled in Laurie the need to go above and beyond what she thought she was capable of doing.

During her thirteen years in the classroom, Laurie has taught her students that same lesson.

Ten years ago, Laurie's ability to reach beyond her limits was tested.

She was diagnosed with MS.

Her symptoms became so bad five years ago that she could barely walk, and her doctor advised her to quit teaching.

Yet, this illness has inspired Laurie to be even more enthusiastic about her life and her work.

Today she lives each day to the fullest.

She is an outstanding example of the many excellent teachers we have in Missouri, and that is why she was selected as the 1998-99 Missouri Teacher of the Year.

Laurie, we want to show our appreciation for you and all the other Missouri educators who have dedicated their lives to preparing our young people for the future.

Please stand to be recognized.

All three of these honored guests here with us today are true Missouri heroes.

Each of them, in her own special way, is making a significant contribution to the success of our state by bettering the lives of others.

As we begin this 1999 legislative session, these Missourians should be an inspiration to all of us.

We, too, have accepted the responsibility of working on behalf of a better life for others.

Today, I come before you to ask your cooperation in working on behalf of the best interests of the people of Missouri as we prepare to meet the challenges of a new century.

ECONOMY

The foundation for our success is found in a thriving economy.

Only a few short years ago, constructing such a foundation seemed impossible.

In the early years of this decade, we were mired in a recession.

Our companies were downsizing, forcing many Missourians to seek a new job for the first time in years.

Yet today our unemployment rate is historically low.

According to the latest monthly reports, our unemployment numbers are the lowest in twenty years.

They are significantly lower than the national rate.

While Missouri's unemployment rate is holding at 3.3 percent, the national rate is 4.1.

Our aggressive approach to economic development and our landmark welfare reform efforts have made the difference.

Since 1992, we created over 350,000 new jobs and moved over 121,000 of our citizens off welfare.

We gained 382 new or expanding business operations last year alone.

This gain translates into over a billion dollars of new private investment in our state.

At the same time, Missourians are receiving a good return on their tax dollars.

By any objective measure, Missouri is a low tax, low spending state.

We are one of only nine states to receive the highly coveted Triple A bond rating from all three major bond rating agencies.

By completing a top to bottom review of government service—the first in several decades—we have further reduced waste, duplication, and bureaucracy.

We must continue to give Missourians an even better return on their investment.

TAX CUTS

Because we have nurtured such a growing economy, we have, for the first time in almost a generation, been able to give Missourians major permanent tax relief over the past few years.

In 1997, we eliminated the three percent general state sales tax on food.

These cuts give the average Missouri family the equivalent of two weeks of free groceries every year.

In 1998, we extended more tax relief to Missouri families and senior citizens.

We tripled the amount Missouri families can deduct for their dependents on their state income tax.

We expanded the property tax credit that senior and disabled citizens receive so that more Missourians on fixed incomes can stay in their homes.

And we implemented a new deduction so that those who care for elderly and disabled dependents in their homes could also receive tax relief.

In fact, since 1994, we have been able to provide Missouri families with almost 430 million dollars in permanent tax cuts.

This year I want to continue this good news for taxpayers.

Our robust economy makes it possible to offer new, meaningful tax relief this year.

First of all, we should increase the personal exemption that all Missourians receive on their state income tax by \$900.

This will raise each taxpayer's personal exemption to \$2,100.

Every Missouri income taxpayer will benefit from this tax cut.

Our citizens have not received an increase in this exemption since 1946.

This plan will reduce the amount of state income tax that couples pay by up to \$108 annually and give individual filers up to a \$54 tax break.

Over 200,000 more state households will not pay any state income tax at all.

We should also help Missouri businesses this year by reducing the amount they have to pay in corporate franchise tax.

The vast majority of our Missouri businesses are small, but they create most of our new jobs.

Right now, businesses have to pay this tax if they have assets of at least \$200,000.

I want to raise that threshold to one million dollars.

This tax cut would virtually eliminate the corporate franchise tax for small businesses.

The third prong of my tax relief plan is targeted at helping the self-employed in Missouri.

Currently, many of these entrepreneurs cannot afford health insurance.

By allowing our smallest businesses to deduct health insurance premiums from their adjusted gross income, we can help them purchase affordable health care for themselves and their families.

When fully implemented, these three steps will give Missourians \$191 million in new tax cuts.

And we can afford to give Missourians this reasonable tax relief without jeopardizing our investments in education, public safety, and other crucial state services.

EDUCATION

Without question, the most important thing we can do to prepare Missourians to meet the challenges of a new century is to offer a high quality education system.

From the day Missouri children are born, each experience shapes their future and the future of our state.

Because of our actions last session, Missouri families will have new opportunities to provide their children with the experiences they need in order to enter school ready to learn.

Our early childhood initiative provides thousands of Missouri children with access to affordable, quality child care so they can receive a strong start in life.

And I want to publicly thank our Missouri veterans for their help during the legislative process in getting this legislation passed.

These men and women who served in our Armed Forces to protect our generation are now helping to protect the next one through their support of new child care services for Missouri's children.

One of these new child care services that is receiving an exciting response is our "Jump Start" program.

Because of "Jump Start," Missouri parents will now have access to quality child care for their pre-school children in many of our public schools and communities.

So far, 160 sites at 124 different school districts have requested to participate in this innovative new approach to early childhood care and education.

To implement the work we began last year, my budget contains \$55.6 million for early childhood care and education.

Of course, once our children enter public school, we want them to receive the best education possible.

I am pleased to announce that for the fourth year in a row I am recommending that you act to fully fund our new, more equitable school foundation formula.

By doing so, we give students the resources they need to receive a world class education.

This new formula was a part of our Outstanding Schools Act of 1993.

It implemented numerous reforms to make both Missouri schools and students more accountable for their progress.

I believe we can do more this session in the area of school accountability by ensuring that children are mastering the basics, particularly in the early grades.

The public and employers are rightfully concerned when students are promoted from one grade to the next without acquiring the basic academic knowledge and skills they need to succeed at the next grade level.

To address their concerns, I want to allow school districts to make remedial classes a condition of promotion for those students who have not mastered the basic skills of their particular grade level.

This is especially important in the early grades where students must build a solid foundation for advanced learning.

Our proposal provides the funds to enable schools to offer this extra attention to students who need it.

Students judged to be academically deficient can be required to attend summer school classes or tutorial activities after school or on weekends.

Schools can also require parents to sign a contract pledging to conduct home-based support activities as a condition of promotion.

Under this plan, our Department of Elementary and Secondary Education will examine how well schools are improving the scores of the lowest performing students on our assessment tests.

These results will be taken into consideration when the school's accreditation status is reviewed.

School districts will also keep their patrons informed on the progress of underachieving students through their public school report card.

These actions will reinforce our emphasis on high

expectations and accountability for learning.

Over the past few years, we have focused a great deal of attention on making our schools safe places for our students to attend—inside, outside, and on the bus.

For the safety of our students, I have also directed the departments of Elementary and Secondary Education and Public Safety to jointly develop a model school disaster plan.

Many of our local schools are ill prepared to handle all aspects of the natural disasters and traumatic crises that can occur such as the tragic shootings in Jonesboro, Arkansas.

By developing a model plan, school districts will have a standard to compare against their local plan to see if changes need to be made.

A statewide crisis team will be available upon the request of local school officials to offer immediate assistance in the case of any school emergencies.

We will also finish our efforts this year to wire schools to the Internet, so Missouri students will have access to information from around the world.

This year, for the first time, every school district in Missouri will have high speed access to the Internet.

Computer literacy is a vital tool for today's job seekers and will be indispensable in the workplace of the future.

Last year, we made major progress in improving access to higher education for Missourians by authorizing four new programs.

Our new Bridge Scholarships, College Guarantee Program, Advantage Missouri, and MOSTARS Higher Education Savings Fund will make it possible for more of our high school graduates to gain the advanced education and training they need to meet the demands of today's employers.

My budget recommendations include \$10.5 million to implement these new education access tools.

WORKFORCE DEVELOPMENT

Making it possible for our young people to have access to a better and more advanced education is going to pay tremendous dividends for the generations to come.

But in the new world economy, we must ensure Missouri businesses have the kind of highly skilled workers they need to compete.

I am proud of the workforce development progress we have made.

Last year our workforce system helped 125,000 Missourians get jobs.

But even though we are using innovative practices such as one-stop career centers, our fragmented workforce system is not as efficient and user friendly as it could be.

Many Missourians who seek employment and training services are still being bounced from office to office to have their needs met.

During a one month period this summer, the same St. Louis employer received visits by job development representatives from three different state agencies that were all trying to help him find qualified people to fill his job openings.

This kind of duplication is a waste of time and money.

Therefore, we must take our approach to workforce development in a new direction.

Our administration wants to create a Division of Workforce Development.

According to our proposal, this new division will replace our existing Division of Job Development and Training that is under our Department of Economic Development.

All employment, training, and job matching functions from the Department of Labor and Industrial Relations will move to the new division.

This consolidation will be a huge improvement for both workers and employers.

Employers will find state workforce services to be more responsive to their needs, and Missourians will be better prepared for the jobs that are available in the labor force.

HEALTH

Missourians will need all the education and training they can obtain to meet the challenges of a new century, but they must be healthy if they are to be able to use their talents productively.

Last year I came to you on behalf of the thousands of children in our state who are not receiving the basic primary and preventive health care services they need.

These families had no health insurance and no realistic prospect of obtaining affordable health insurance.

But today, many of these families are breathing a sigh of relief because you approved our Children's Health Initiative last session.

Thanks to our new MC-Plus Program for Kids, 90,000 children with no health insurance and no prospect of getting health insurance can now have access to affordable health care.

In only four months of the program, we have already enrolled nearly 25,000 children.

Thousands of Missouri children whose lives were in danger have been rescued by the responsible action we took last year, and I commend you for your support of this program.

Unfortunately, the good health of many of our citizens is in danger because of another threat—smoking.

Tobacco use is the leading cause of cancer in this country, and Missouri has the second highest rate of tobacco use of any state.

Approximately 28 percent of all Missouri adults smoke.

Even more alarming, recent studies indicate that more than 40 percent of our state's teenagers smoke.

These statistics are taking their toll.

Tobacco use contributes to 28 deaths in Missouri every day.

And now we know that nicotine found in tobacco is often a "gateway" drug that leads our teenagers to other substance abuse.

That is why the work of every day heroes like Erika here is so important.

Ninety percent of all smokers started smoking before the age of 21.

So if we can stop teens from smoking before they start, we can make significant headway in bringing down both the human and health care costs of tobacco use.

Now, because of a recent legal development, we have a tremendous opportunity to save the lives of countless Missouri young people in future years.

The recent Tobacco Settlement that was reached will allow Missouri to recover a portion of the health care costs our state and taxpayers have incurred or will incur because of smoking and tobacco use.

I want to applaud the work of our Attorney General Jay Nixon for his leadership in reaching this monumental agreement.

However, litigation involving these funds is still pending.

Payments under the settlement are not expected to begin until the year 2000.

Before any settlement dollars come to Missouri, a final judgment must be obtained.

In addition, the federal government may try to recover these funds or dictate their use.

While we intend to fight this action, none of us can be certain of the outcome.

Therefore, we need to set this money aside until we are confident that these funds are, in fact, available to Missouri.

I ask you to establish a Tobacco Settlement Trust Fund, pending the outcome of the litigation and other uncertainties.

Its purpose will be to preserve these funds for future investments to support anti-teen smoking initiatives and to improve the health and education of future generations.

Unless we can reduce the number of teens and young people who are smoking in Missouri, our taxpayers will continue to pay the huge financial and human price that is associated with tobacco.

The emotional well being of our citizens is just as important as their physical health.

When our citizens develop a serious mental illness, the necessary treatment they require can financially ruin their family.

The Joint Interim Committee on Mental Health Insurance Availability, co-chaired by Senator Jerry Howard and Rep. Mike Schilling, should be recognized for its examination of the accessibility of mental health services in Missouri.

I look forward to working with the committee members this session to see how we can improve both the quality and access to

mental health services in Missouri.

PUBLIC SAFETY

In addition to preparing a healthier and better educated Missouri for a new century, we must ensure that our streets and neighborhoods are safe for our citizens.

During the six years of our administration, we have passed some of the toughest crime laws in the country.

Our new, tougher sentencing laws are helping to keep the most dangerous criminals behind bars and making juveniles that commit dangerous felonies serve adult sentences.

Partly as a result of tougher sentencing, we have experienced a great reduction in serious crime in Missouri.

Our new law passed last year to battle the evil producers and traffickers of the deadly drug methamphetamine is the toughest in the nation.

Other states are looking at our legislation as a model for their own approaches.

Our strong new laws to keep insidious sexual offenders under intense supervision for the rest of their lives are taking hold.

But we need to take some additional actions this session for the further protection of our citizens.

The law we enacted in 1994 requires sex offenders to register and provide information to local law enforcement agencies.

Currently, our citizens can only keep track of these criminals by contacting law enforcement offices or the State Highway Patrol's central registry during regular business hours.

To make this information more accessible to the public, we need to make it available on the Internet through our Department of Public Safety's home page.

Missourians going to that web page will be able to find out the offender's name, place of residence, date of birth, appearance, and criminal record.

We also need a juvenile sexual offender registry.

In 1997, 961 minors in our state were referred to juvenile court for sexual offenses.

But we currently have no law requiring the registration of juvenile sex offenders, even though this information would greatly assist the police and juvenile authorities in keeping our schools and our streets safe from dangerous sex offenders.

While we must maintain the confidentiality that is required by state law for young offenders, we need to require juvenile courts to maintain a registry of juvenile sex offenders.

State agencies would be required to share information.

TRANSPORTATION

A sound transportation infrastructure is crucial to Missouri's economic vitality and the safety of its motorists in a new century.

I, like many of you, am greatly disheartened by the financial

insolvency of the 15-Year Plan.

Throughout my years of public service, I have been a strong advocate of a top quality transportation infrastructure for Missouri.

When the 15-Year Plan was under consideration in the legislature years ago, I came up here as Lieutenant Governor to lobby for its passage.

However, it is now clear that despite the good intentions of many people, the plan cannot be built with currently available revenues.

However, many of the projects in the 15-Year Plan remain crucial to Missouri's future.

And important new needs have emerged since the plan was originally drafted.

To protect and advance Missouri's economic health, we must find enough common ground to move forward in the development of a total transportation plan that has bipartisan support.

I fully recognize that we face major obstacles.

But we must keep working at it until we can achieve enough consensus to move forward.

And we must make real progress this year because delay will only cost more money, more lives, and more missed economic opportunities.

Among the more significant obstacles is the divisiveness over the regional allocation of transportation dollars.

The rural/urban split will continue to be a highly contentious issue—and an impediment to statewide progress—unless we can reach agreement on an allocation process that Missourians in all regions will view as fair.

The Highway and Transportation Commission has taken an important step toward addressing this matter.

It will soon establish a Rural/Urban Advisory Group to recommend changes that will increase public confidence in the way the Commission makes future rural/urban allocation decisions.

I urge all of you to lend your support to this important initiative.

STATE EMPLOYEES

During our administration, we have demanded much more of our state employees.

We have put a great deal of effort into eliminating government inefficiency in order to improve customer service.

But improved customer service in state government requires an experienced, dedicated, and productive workforce.

If we want high quality services, we must have high quality people providing those services.

So for my past six years as governor, we have taken steps to attract and retain the best state employees so we would not lose them to private industry.

This year is no exception.

For the fourth year in a row, I am recommending that our state employees receive marketplace salary increases.

While the percentage will vary depending on the salary relationship of the employee to the marketplace, most of our state employees will receive about a five percent increase.

As we continue to work to bring public sector salaries in line with the private sector, we should also work in other ways to place public employees on an equal footing with their private sector counterparts.

I hope this General Assembly will work to send me a bipartisan bill granting public employees the right to bargain collectively.

CONCLUSION

These are some of the major issues that I would like us to address this year.

And as we begin that work, I believe we can look to the every day heroes who have joined us today for inspiration.

Ashlee, Erika, and Laurie are heroes, not because of one single act of bravery.

But because they have found the courage to embrace goals that are bigger than any one person and the selflessness to work toward those goals every day of their lives.

Feeding sixty people day in and day out is not an easy task.

But Ashlee does it so that these children will have the nourishment they need to grow into strong adults.

Standing up against the peer pressure to smoke and working to convince others of the dangers of tobacco is difficult.

But Erika does it so that the teenagers in her community will be able to grow up to be healthy adults.

Teaching a class full of second graders every day and dealing with all their questions, problems, and enthusiasm is always challenging.

But Laurie is dedicated to helping them become productive, responsible adults.

Now is our time to be the heroes of our day—to embrace goals that are bigger than any one person, one party, or one branch of government.

Our state and our nation have just gone through another hard fought election campaign.

But that campaign is over, and the people have spoken.

Now the citizens of the State of Missouri expect us to work together on the issues that matter to them—good jobs, a better education and health care for their children, and a safe place to live.

This is not the time to speak of politics.

That time will come again, but it is not this day.

This is a time to do the people's business.

When I was elected governor, I made a commitment to the people of Missouri to do a good job on their behalf.

And that is what I intend to do.

I want to work with all of you in building on the tremendous accomplishments we have achieved in the past.

And so I ask that you join me in the spirit of bipartisan cooperation that has made those accomplishments possible.

Where there are questions, let us find answers.

Where there is emotion, let us find reason.

Where there are differences, let us find common ground.

May this sacred seat of government and the hallowed principles that shaped it, elevate our ideas and our conduct.

The people of the State of Missouri have entrusted us with their future.

We must not fail them.

On motion of Senator DePasco, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Wilson.

INTRODUCTION OF BILLS

The following Bill and Joint Resolution were read the 1st time and 1,000 copies ordered printed:

SB 319—By House.

An Act to repeal section 205.969, RSMo 1994, relating to sheltered workshops, and to enact in lieu thereof one new section relating to the same subject.

SJR 20—By Stoll.

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

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on State Budget Control, to which was referred **SB 193**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SB 193, introduced by Senator Wiggins, entitled:

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to sales tax for flood relief projects, with an emergency clause.

Was taken up.

On motion of Senator Wiggins, **SB 193** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	Graves	House	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Schneider	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators	
Ehlmann	Howard—2

Absent with leave—Senator Scott—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators			
Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Sims	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators	
Ehlmann	Singleton—2

Absent with leave—Senator Scott—1

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

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

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

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
January 19, 1999

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

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

Billie Sue Graves, 10384 Highway J, Perryville, Perry County, Missouri 63775, as a member of the Missouri Head Injury Advisory Council, for a term ending July 1, 2000, and until her successor is duly appointed and qualified; vice, Nancy Koenig, term expired.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
January 19, 1999

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

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

Mary Wheeler-Jones, 4115 A Sacramento Avenue, St. Louis City, Missouri 63115, as a public member of the Missouri Board for Respiratory Care, for a term ending April 3, 1999, and until her successor is duly appointed and qualified; vice, Vetta Sanders-Thompson, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
January 19, 1999

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

I have the honor to transmit to you herewith for your advice

and consent the following appointment to office:

Janet M. Williams, 620 West 59th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2001, and until her successor is duly appointed and qualified; vice, vacancy, RSMo. 192.745.

Respectfully submitted,
MEL CARNAHAN
Governor

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

SECOND READING OF SENATE BILLS

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

SB 201—Commerce and Environment.

SB 202—Education.

SB 203—Civil and Criminal Jurisprudence.

SB 204—Ways and Means.

SB 205—Transportation.

SB 206—Aging, Families and Mental Health.

SB 207—Commerce and Environment.

SB 208—Education.

SB 209—Commerce and Environment.

SB 210—Elections, Veterans' Affairs and Corrections.

SB 211—Civil and Criminal Jurisprudence.

SB 212—Elections, Veterans' Affairs and Corrections.

SB 213—Pensions and General Laws.

SB 214—Local Government and Economic Development.

SB 215—Local Government and Economic Development.

SB 216—Public Health and Welfare.

SB 217—Transportation.

SB 218—Education.

SB 219—Ways and Means.

SB 220—Local Government and Economic

Development.

SB 221—Insurance and Housing.

SB 222—Judiciary.

SB 223—Pensions and General Laws.

SB 224—Civil and Criminal Jurisprudence.

SB 225—Public Health and Welfare.

SB 226—Local Government and Economic Development.

SB 227—Pensions and General Laws.

SB 228—Financial and Governmental Organization.

SB 229—Local Government and Economic Development.

SB 230—Agriculture, Conservation, Parks and Tourism.

SB 231—Commerce and Environment.

SB 232—Local Government and Economic Development.

SB 233—Aging, Families and Mental Health.

SB 234—Labor and Industrial Relations.

SB 235—Elections, Veterans' Affairs and Corrections.

SB 236—Education.

SB 237—Civil and Criminal Jurisprudence.

SB 238—Education.

SB 239—Financial and Governmental Organization.

SB 240—Local Government and Economic Development.

SB 241—Education.

SB 242—Commerce and Environment.

SB 243—Insurance and Housing.

SB 244—Aging, Families and Mental Health.

SB 245—Labor and Industrial Relations.

SB 246—Public Health and Welfare.

SB 247—Labor and Industrial Relations.

SB 248—Commerce and Environment.

SB 249—Commerce and Environment.

SB 250—Pensions and General Laws.

SB 251—Insurance and Housing.

SB 252—Judiciary.

SB 253—Judiciary.

SB 254—Local Government and Economic Development.

SB 255—Local Government and Economic Development.

SB 256—Insurance and Housing.

SB 257—Commerce and Environment.

SB 258—Education.

SB 259—Judiciary.

SB 260—Local Government and Economic Development.

SB 291—Civil and Criminal Jurisprudence.

INTRODUCTIONS OF GUESTS

Senator DePasco introduced to the Senate, Leroy and Anne Cole, Lincoln.

Senator Howard introduced to the Senate, Kirby and Steve Van Ausdell, Caruthersville.

Senator Caskey introduced to the Senate, L.M. Rice, Knob Noster.

Senator Jacob introduced to the Senate, Dr. Dan Schoenleber, Columbia; and Rich Paul and Dr. Steve Slokum, St. Louis.

Senator Yeckel introduced to the Senate, John Howard, St. Louis County.

Senator Sims introduced to the Senate, Judith Hinrichs, St. Louis.

Senator Quick introduced to the Senate, the Physician of the Day, John C. Hagan, III, M.D., North Kansas City.

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

SENATE CALENDAR

TENTH DAY—THURSDAY, JANUARY 21, 1999

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 261-Howard	SB 293-Staples
SB 262-Caskey	SB 294-Staples
SB 263-Caskey	SB 295-Schneider, et al
SB 264-Caskey	SB 296-Wiggins, et al
SB 265-Jacob	SB 297-Howard
SB 266-Klarich	SB 298-Kinder
SB 267-Kenney	SB 299-Yeckel
SB 268-Staples	SB 300-Goode
SB 269-Scott	SB 301-Ehlmann
SB 270-Ehlmann	SB 302-Bland
SB 271-Ehlmann	SB 303-Flotron
SB 272-Ehlmann	SB 304-Childers
SB 273-Ehlmann	SB 305-Wiggins
SB 274-House, et al	SB 306-Wiggins
SB 275-Caskey	SB 307-Rohrbach
SB 276-Caskey	SB 308-Scott and Russell
SB 277-Russell	SB 309-Maxwell
SB 278-Klarich	SB 310-Maxwell
SB 279-Bland	SB 311-Wiggins, et al
SB 280-Bland	SB 312-Sims
SB 281-Bland	SB 313-Stoll
SB 282-Clay, et al	SB 314-Scott and Staples
SB 283-Clay	SB 315-Staples
SB 284-Yeckel	SB 316-Schneider and Ehlmann
SB 285-Yeckel	SB 317-Howard
SB 286-Maxwell	SB 318-Jacob, et al
SB 287-Maxwell	SB 319-House
SB 290-House	SJR 20-Stoll
SB 292-Sims	