

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SECOND DAY—THURSDAY, FEBRUARY 11, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

We thank You Heavenly Father for Your great love of us in allowing us to have a taste of heaven here on earth within godly, loving families. So we pray that You be with us this day as we complete those things that must be done so that we may be free to travel home ready for a weekend with those who love us. 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 the Associated Press 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	Scott	Sims	Singleton

Staples Steelman Stoll Westfall
Wiggins Yeckel—34

Absent with leave—Senators—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Flotron offered Senate Resolution No. 221, regarding David E. Cogorno, Maryland Heights, which was adopted.

Senator Ehlmann offered Senate Resolution No. 222, regarding John C. "Woody" Cozad, Platte City, which was adopted.

Senator Yeckel offered Senate Resolution No. 223, regarding Natasha Baebler, St. Louis, which was adopted.

Senator Rohrbach offered Senate Resolution No. 224, regarding Shirley A. Emling, Jefferson City, which was adopted.

Senator Rohrbach offered Senate Resolution No. 225, regarding National TRIO Week, which was adopted.

INTRODUCTION OF BILLS

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

SB 434—By Klarich.

An Act to authorize the director of the department of natural resources to grant an easement in Route 66 State Park in St. Louis County.

SB 435—By Staples.

An Act to authorize the director of the

department of natural resources to grant an easement in Taum Sauk Mountain State Park in Iron County.

SB 436—By Quick.

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to political subdivisions operating as ambulance districts.

SB 437—By Mueller.

An Act relating to a flat tax on individual incomes, with an effective date.

SB 438—By Russell, Westfall, Flotron, Childers and Kinder.

An Act to repeal section 32.091, RSMo Supp. 1998, relating to the disclosure of motor vehicle records, and to enact in lieu thereof one new section relating to the same subject.

SB 439—By Johnson.

An Act to repeal section 163.015, RSMo Supp. 1998, section 163.011 as enacted by senate bill no. 781 in the eighty-ninth general assembly, second regular session, and section 163.011 as enacted by senate bill no. 535 in the eighty-ninth general assembly, second regular session, relating to capital projects in schools, and to enact in lieu thereof one new section relating to the same subject.

SB 440—By Schneider.

An Act to repeal sections 211.023, 478.265, 478.266, 478.267 and 487.050, RSMo 1994, and sections 478.003, 478.268, 478.466, 487.020, 487.030, 487.040 and 487.170, RSMo Supp. 1998, relating to judicial commissioners in circuit courts, and to enact in lieu thereof thirteen new sections relating to the same subject, with an emergency clause and expiration dates for certain sections.

SB 441—By Schneider.

An Act to repeal section 286.005, RSMo Supp. 1998, relating to commissioners within the department of labor and industrial relations, and to enact in lieu thereof one new section relating to the same subject.

SB 442—By Schneider.

An Act to repeal sections 287.812 and 287.815, RSMo Supp. 1998, relating to administrative law

judge's retirement, and to enact in lieu thereof two new sections relating to the same subject.

THIRD READING OF SENATE BILLS

SS for **SB 141**, introduced by Senator Schneider, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 141

An Act to repeal section 516.105, RSMo 1994, relating to statutes of limitations, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

On motion of Senator Schneider, **SS** for **SB 141** was read the 3rd time and passed 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	Schneider
Scott	Sims	Staples	Stelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Singleton—1

Absent—Senator Bland—1

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 7, introduced by Senator Banks, entitled:

An Act to repeal sections 208.530 and 208.535, RSMo 1994, and section 208.533, RSMo Supp. 1998, relating to the special health, psychological, and social needs of minority older

individuals, and to enact in lieu thereof three new sections relating to the same subject.

Was taken up.

On motion of Senator Banks, **SB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mueller	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Mathewson Maxwell—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 12, introduced by Senator Russell, entitled:

An Act to amend chapter 209, RSMo, relating to aid to the blind, by adding thereto one new section relating to guide dog trainers.

Was called from the Consent Calendar and taken up.

On motion of Senator Russell, **SB 12** was read the 3rd time and passed by the following vote:

YEAS—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	Scott	Sims	Singleton

Steelman Stoll Westfall Wiggins
Yeckel—33

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President Pro Tem 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 Wiggins moved that motion lay on the table, which motion prevailed.

SB 216, introduced by Senator Wiggins, entitled:

An Act to repeal section 195.030, RSMo Supp. 1998, relating to controlled substances, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Wiggins, **SB 216** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Mathewson Staples—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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 Schneider moved that motion lay on the table, which motion prevailed.

SB 110, introduced by Senator Schneider, entitled:

An Act to repeal section 287.210, RSMo Supp. 1998, relating to workers' compensation, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Schneider, **SB 110** was read the 3rd time and passed by the following vote:

YEAS—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	Scott	Sims	Singleton
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 225, with **SCS**, introduced by Senator Caskey, entitled:

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.

Was called from the Consent Calendar and taken up.

SCS for **SB 225**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 225

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.

Was taken up.

Senator Caskey moved that **SCS** for **SB 225** be adopted, which motion prevailed.

On motion of Senator Caskey, **SCS** for **SB 225** was read the 3rd time and passed by the following vote:

YEAS—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
Scott	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Schneider Staples—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—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	Scott	Sims	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Singleton Staples—2

Absent with leave—Senators—None

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 Mathewson moved that motion lay on the table, which motion prevailed.

Senator DePasco announced that photographers from Channel 9 had been given permission to take pictures in the Senate Chamber today.

SB 15, introduced by Senator Mathewson, entitled:

An Act to repeal section 650.005, RSMo Supp. 1998, relating to the state fire marshal, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Mathewson, **SB 15** was read the 3rd time and passed by the following vote:

YEAS—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	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Scott Staples—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 153, introduced by Senator Childers, entitled:

An Act to repeal section 70.322, RSMo 1994, relating to contracting with road districts, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Childers, **SB 153** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Klarich	Mathewson	Maxwell	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Kinder Mueller Staples—3

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 214, introduced by Senator Mathewson, entitled:

An Act to repeal section 79.280, RSMo 1994, relating to certain fourth class cities, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Mathewson, **SB 214** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Mueller	Staples—2
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Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

President Wilson assumed the Chair.

President Pro Tem Quick assumed the Chair.

SB 220, introduced by Senator Caskey, entitled:

An Act to repeal section 50.660, RSMo Supp. 1998, relating to county bid requirements, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Caskey, **SB 220** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Goode	Graves	House	Howard
Jacob	Kenney	Kinder	Klarich
Mathewson	Maxwell	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Flotron	Johnson	Mueller	Staples—4
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Absent with leave—Senators—None

The President Pro Tem 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 DePasco moved that motion lay on the table, which motion prevailed.

INTRODUCTION OF BILLS

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

SB 443—By Jacob.

An Act to repeal section 173.820, RSMo Supp. 1998, relating to Missouri college guarantee program, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 417—Pensions and General Laws.

REPORTS OF STANDING COMMITTEES

Senator Wiggins, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which were referred **SB 14**, **SB 60** and **SB 69**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Banks, Chairman of the Committee on Public Health and Welfare, submitted the following report:

Mr. President: Your Committee on Public Health and Welfare, to which were referred **SB 8**

and **SB 173**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Scott, Chairman of the Committee on Pensions and General Laws, submitted the following report:

Mr. President: Your Committee on Pensions and General Laws, to which were referred **SB 308** and **SB 314**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Caskey, Chairman of the Committee on Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **SB 224**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Appropriations, to which was referred **SJR 25**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Howard, Chairman of the Committee on Aging, Families and Mental Health, submitted the following report:

Mr. President: Your Committee on Aging, Families and Mental Health, to which was referred **SB 22**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Johnson, Chairman of the Committee on Agriculture, Conservation, Parks and Tourism, Senator DePasco submitted the following report:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Tourism, to which was referred **SB 95**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Clay, Chairman of the Committee on Financial and Governmental Organization,

submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organization, to which was referred **SB 309**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Mathewson, Chairman of the Committee on Local Government and Economic Development, submitted the following report:

Mr. President: Your Committee on Local Government and Economic Development, to which were referred **SB 240**, **SB 226** and **SB 229**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator House, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 180**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Maxwell, Chairman of the Committee on Commerce and Environment, submitted the following report:

Mr. President: Your Committee on Commerce and Environment, to which was referred **SB 81**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Jacob, Chairman of the Committee on Insurance and Housing, submitted the following report:

Mr. President: Your Committee on Insurance and Housing, to which was referred **SB 20**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bland, Chairman of the Committee on Labor and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Labor and Industrial Relations, to which was referred **SB 32**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator DePasco, Chairman of the Committee on Rules, Joint Rules and Resolutions, submitted

the following reports:

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, after examination of **SB 275**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SCR 1**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SCR 2**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **REMONSTRANCE 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
REMONSTRANCE NO. 1

WHEREAS, the state of Missouri has been found to be a violator of the United States Constitution in two federal school desegregation court cases, one affecting Kansas City area schools and the other affecting St. Louis City and County schools; and

WHEREAS, the state of Missouri has paid over three billion dollars pursuant to those court cases for a variety of measures intended to remove the vestiges of unlawful segregation; and

WHEREAS, the General Assembly enacted SB 781 in 1998 to establish in state law a framework for the settlement of the Liddell case affecting St. Louis City and County; and

WHEREAS, St. Louis Public Schools has many poor performing schools, as measured by the low performance of students in those schools; and

WHEREAS, The Department of Elementary and Secondary Education will conduct a review of the St. Louis Public Schools in March of 1999 as part of the Missouri School Improvement Plan and provide the results of the review to the State Board of Education for the purpose of classifying the St. Louis Public Schools as accredited, provisionally accredited or unaccredited, pursuant to the State Board's authority to classify schools under section 161.092, RSMo; and

WHEREAS, the State Board is expected to make a determination regarding the classification status of St. Louis Public Schools, based upon the Department's review, no later than the end of 1999; and

WHEREAS, SB 781 created accountability provisions to ensure that St. Louis City students would benefit from improved schools as soon as possible; and

WHEREAS, one of those accountability measures was establishment of a Transitional School District authorized to take control of the school system within ninety days and effect systemic reforms, as is provided in subsection 2 of section 162.1100, RSMo, if the St. Louis Public Schools should be determined to be unaccredited by the State Board of Education; and

WHEREAS, the St. Louis Public Schools was a party to the Liddell case and a participant in the settlement negotiations which have led to a recent announcement of a proposed settlement of the case to be submitted for consideration by Judge Limbaugh; and

WHEREAS, the St. Louis Public Schools obtained agreement among the parties to a provision in the proposed settlement which, if observed, would protect the power and control of the Board of Education of the St. Louis Public Schools upon loss of accreditation in violation of both the letter and intent of section 162.1100, RSMo:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Senate herewith remonstrate against the Board of Education of St. Louis Public Schools for its willingness to insert this parochial issue into an agreement which should be, and otherwise is, about the quality of education afforded to its students; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to send a copy of this remonstrance to the Secretary of the Board of Education of St. Louis Public Schools so that the Board of Education of St. Louis Public Schools will be apprised of the Senate's displeasure with the Board of Education of St. Louis Public Schools.

Senator Scott, Chairman of the Committee on Pensions and General Laws, submitted the following report:

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SB 288**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Howard, Chairman of the Committee on Aging, Families and Mental Health, submitted the following report:

Mr. President: Your Committee on Aging, Families and Mental Health, to which were referred **SB 322**, **SB 150** and **SB 151**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Clay, Chairman of the Committee on Financial and Governmental Organization, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organization, to which was referred **SB 239**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTION OF BILLS

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

SB 444—By Maxwell.

An Act to repeal section 105.030, RSMo 1994, relating to vacancies in state or county offices, and to enact in lieu thereof two new sections relating to the same subject.

SJR 27—By Maxwell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, relating to elective state officers and adopting one new section in lieu thereof relating to the same subject.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 11**.

HOUSE CONCURRENT RESOLUTION NO. 11

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

WHEREAS, there is a nationwide trend toward deregulation of telecommunications services and energy services and sources which may create competitive markets and make available new services and customer choices; and

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

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

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

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

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied the above-mentioned issues during the tenure of the Eighty-ninth General Assembly and recommends that a similar study committee be established to such study during the tenure of the Ninetieth General Assembly;

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

BE IT FURTHER RESOLVED that said committee conduct an in-depth study and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 533**, entitled:

An Act relating to employment of illegal aliens, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 346**, entitled:

An Act to repeal section 92.402, RSMo Supp. 1998, relating to sales taxation, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Sims offered Senate Resolution No. 226, regarding Bell Electrical Contractors, Maryland Heights, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Mathewson introduced to the Senate, Mark and Connie Chapman.

Senator Bentley introduced to the Senate, Naara and Roger Kean, and their children, Guy, Phillip and Jennifer, Homeschoolers from Fair Grove; and Guy was made an honorary page.

Senator Bentley introduced to the Senate, the Physician of the Day, Dr. Jim Blaine, M.D., Skip Funk, Gus Kolilis, Ken Ordway and Bob Patterson.

On motion of Senator DePasco, the Senate adjourned until 4:00 p.m., Monday, February 15, 1999.

SENATE CALENDAR

TWENTY-THIRD DAY—MONDAY, FEBRUARY 15, 1999

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 415-Goode
 SB 416-Maxwell
 SB 418-Singleton
 SB 419-DePasco
 SB 420-Jacob
 SB 421-Mathewson and
 Maxwell
 SB 422-Westfall, et al
 SB 423-Westfall
 SB 424-Westfall
 SB 425-Stoll, et al
 SB 426-Howard
 SB 427-Flotron
 SB 428-Graves
 SB 429-Jacob
 SB 430-House

SB 431-House
 SB 432-Flotron
 SB 433-Russell
 SB 434-Klarich
 SB 435-Staples
 SB 436-Quick
 SB 437-Mueller
 SB 438-Russell, et al
 SB 439-Johnson
 SB 440-Schneider
 SB 441-Schneider
 SB 442-Schneider
 SB 443-Jacob
 SB 444-Maxwell
 SJR 26-Westfall, et al
 SJR 27-Maxwell

HOUSE BILLS ON SECOND READING

HCS for HB 349
HCS for HB 533

HB 346-Thompson (37th)

SENATE BILLS FOR PERFECTION

1. SB 78-Russell
2. SB 203-Wiggins
3. SBs 31 & 285-Howard,
with SCS
4. SB 294-Staples
5. SB 184-Staples, with SCA 1
6. SB 163-House
7. SB 289-Goode, et al,
with SCAs 1 & 2
8. SBs 160 & 82-Maxwell,
with SCS
9. SB 282-Clay, et al, with SCS
10. SB 266-Klarich
11. SBs 14, 60 & 69-Mathewson,
with SCS
12. SBs 8 & 173-Banks,
with SCS
13. SBs 308 & 314-Scott
and Russell, with SCS
14. SB 224-Caskey
15. SJR 25-Rohrbach and Goode
16. SB 22-Flotron
17. SB 95-Maxwell
18. SB 309-Maxwell
19. SBs 240, 226 & 229-
DePasco, with SCS
20. SB 180-Johnson
21. SB 81-Mathewson
22. SB 20-Goode, et al
23. SB 32-Howard
24. SB 288-Quick, et al
25. SBs 322, 150 & 151-Sims and
Goode, with SCS
26. SB 239-Jacob, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 295 & 46-Schneider,
et al, with SCS (pending)

SB 318-Jacob, et al, with
SCS, SS for SCS, SA 1
& SSA 2 for SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 315-Staples

Reported 2/3

SB 312-Sims, with SCA 1

Reported 2/8

SB 112-Schneider

SB 264-Caskey

SB 321-Caskey

SB 271-Ehlmann

SB 213-Scott

SB 188-House

SB 139-Childers

SB 90-Johnson, with SCS

SB 169-Maxwell

SB 149-Childers

SB 17-Staples

SB 10-Scott

SB 51-Westfall, with SCS

SB 115-Russell

SB 61-Bentley, with SCS

SB 277-Russell, with

SCA 1

SB 187-Kenney

SB 124-Sims

Reported 2/9

SB 28-Mueller

SB 83-Goode

SB 4-Wiggins

SB 105-Sims and Yeckel,
with SCA 1

SB 159-House, with SCS

SB 219-Caskey

SB 189-House

SB 34-Johnson

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HCRs 6 & 7 (Staples),
with SA 1, as amended & SA 2
(Senate refuses to recede and
requests House grant conference)

RESOLUTIONS

SCR 9-Mueller

To be Referred

HCR 11-Mays

Reported from Committee

SCR 1-Clay

SCR 2-Goode, et al

MISCELLANEOUS

REMONSTRANCE 1-Ehlmann and
Schneider, with SCS

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