

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FOURTH DAY—THURSDAY, MARCH 4, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

God of Grace and Mercy: After a week of setting a record number of bills before the Senate, we are even more mindful of the increasing demands on us who divide our time here and at home. Grant us Your Grace to use our time efficiently and balance our lives between work and play, stress and relaxation, love of work and love of family. 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.

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

Present—Senators

Banks	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—33

Absent with leave—Senator Bentley—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bland offered Senate Resolution No. 332, regarding the Forty-sixth Anniversary of the Paradise Missionary Baptist Church, Kansas City, which was adopted.

Senator Schneider offered Senate Resolution No. 333, regarding Curtis R. Weber, Florissant, which was adopted.

Senator Schneider offered Senate Resolution No. 334, regarding Paul E. Weber, Florissant, which was adopted.

Senator Schneider offered Senate Resolution No. 335, regarding Reverend James C. Marshall, St. Louis, which was adopted.

Senator Caskey offered Senate Resolution No. 336, regarding the One Hundredth Birthday of Mrs. Isa Bryant, Clinton, which was adopted.

Senator Howard offered Senate Resolution No. 337, regarding 1999 Miss Missouri Teen All American, Sarah Watkins, Dexter, which was adopted.

Senator Howard offered Senate Resolution No. 338, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Curtis Estes, Poplar Bluff, which was adopted.

Senator Westfall offered Senate Resolution No. 339, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ellis Wayne Butler, Republic, which was adopted.

REPORTS OF STANDING COMMITTEES

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, to which were referred **SCS** for **SBs 322, 150 and 151**; **SCS** for **SB 239**; **SB 197**; **SB 196**; and **SB 32**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Quick referred **SB 33** and **SCS** for **SBs 322, 150 and 151** to the Committee on State Budget Control.

SENATE BILLS FOR PERFECTION

Senator Caskey moved that **SB 335**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 335**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 335**

An Act to repeal sections 217.760, 558.016, 569.025, 569.035, 570.040 and 571.015, RSMo 1994, and sections 558.011, 558.019 and 559.115, RSMo Supp. 1998, relating to various sentencing provisions, and to enact in lieu thereof eight new sections relating to the same subject, with penalty provisions.

Was taken up.

Senator Johnson assumed the Chair.

Senator Caskey moved that **SCS** for **SB 335** be adopted.

Senator Caskey offered **SS** for **SCS** for **SB 335**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 335**

An Act to repeal sections 195.275, 217.760, 455.085, 558.016, 569.025, 569.035, 570.040 and 571.015, RSMo 1994, and sections 557.036, 558.011, 558.019, 559.026 and 559.115, RSMo Supp. 1998, relating to various sentencing provisions, and to enact in lieu thereof twelve new sections relating to the same subject, with penalty provisions.

Senator Caskey moved that **SS** for **SCS** for **SB 335** be adopted.

Senator Caskey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 335, Page 21, Section 559.026, Line 23, of said page, by striking from said line the following: "consider and may"; and

Further amend said bill, page 22, section 559.026, line 2, of said page, by inserting after the word "designate" the following: ", or the board of probation and parole shall direct".

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

Senator Caskey moved that **SS** for **SCS** for **SB 335**, as amended, be adopted, which motion prevailed.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Caskey moved that the vote by which **SS** for **SCS** for **SB 335**, as amended, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bland	Caskey	Childers	Clay
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Mueller	Quick	Rohrbach
Russell	Schneider	Sims	Singleton
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senator Banks—1

Absent—Senators

Maxwell	Scott	Staples—3
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Absent with leave—Senator Bentley—1

SS for **SCS** for **SB 335**, as amended, was again taken up.

Senator Flotron offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 335, Page

8, Section 455.085, Line 17, by inserting immediately after said line the following:

"513.653. Law enforcement agencies involved in using the federal forfeiture system under federal law shall be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body **and to the department of public safety**. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures. **The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.**"; and

Further amend the title and enacting clause accordingly.

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

Senator Caskey moved that **SS** for **SCS** for **SB 335**, as amended, be adopted, which motion prevailed.

On motion of Senator Caskey, **SS** for **SCS** for **SB 335**, as amended, was declared perfected and ordered printed.

Senator DePasco moved that **SB 373** be taken up for perfection, which motion prevailed.

Senator DePasco offered **SS** for **SB 373**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 373

An Act to repeal sections 313.530, 313.540, 313.550, 313.560, 313.580, 313.590, 313.600, 313.605, 313.610, 313.620, 313.631, 313.632, 313.640, 313.660, 313.670 and 313.710, RSMo 1994, and sections 313.500, 313.510, 313.520, 313.630, 313.652, 313.655 and 313.720, RSMo Supp. 1998, relating to horse racing and pari-mutuel wagering, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with penalty provisions.

Senator DePasco moved that **SS** for **SB 373** be adopted.

At the request of Senator DePasco, **SB 373**,

with **SS** (pending), was placed on the Informal Calendar.

Senator Schneider moved that **SB 295** and **SB 46**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Rohrbach offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 5, Section 537.610, Line 16, by deleting therefrom the word "and" and inserting in lieu thereof a comma, ",", and by inserting immediately following the word "entities", the phrase ", **public employees and members of state boards and commissions**"; and

Further amend said bill, page and section, Line 22, by inserting immediately following the period, ".", the following: "**Notwithstanding the provisions of section 105.711, the remedy against a public entity provided by section 537.600, for injuries resulting from the negligent acts or omissions of a public employee or a member of a state board or commission or a public entity is exclusive of any other civil action or proceeding for money damages by reason of the same subject matter against such public employee, board or commission member or such person's estate. Any other civil action or proceeding for money damages arising out of or relating to the same subject matter against the public employee, board or commission member or such person's estate is precluded without regard to when the act or omission occurred.**".

Senator Rohrbach moved that the above amendment be adopted.

Senator Wiggins assumed the Chair.

Senator Schneider requested a roll call vote be taken on the adoption of **SA 7** and was joined in his request by Senators Childers, Sims, Steelman and Stoll.

SA 7 failed of adoption by the following vote:

YEAS—Senators

Childers	Flotron	Graves	Kenney
Kinder	Mueller	Rohrbach	Russell
Sims	Singleton	Westfall—11	

NAYS—Senators

Banks	Bland	Caskey	Clay
DePasco	Ehlmann	House	Howard
Jacob	Johnson	Klarich	Mathewson
Maxwell	Quick	Schneider	Scott
Steelman	Stoll	Wiggins	Yeckel—20

Absent—Senators

Goode	Staples—2
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Absent with leave—Senator Bentley—1

Senator Rohrbach offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 5, Section 105.711, Line 140, by inserting immediately following said line, the following section:

"537.600. 1. Such sovereign or governmental tort immunity as existed at common law in this state prior to September 12, 1977, except to the extent waived, abrogated or modified by statutes in effect prior to that date, shall remain in full force and effect; except that, the immunity of the public entity from liability and suit for compensatory damages for negligent acts or omissions is hereby expressly waived in the following instances:

(1) Injuries directly resulting from the negligent acts or omissions by public employees arising out of the operation of motor vehicles or motorized vehicles within the course of their employment;

(2) Injuries caused by the condition of a public entity's property if the plaintiff establishes that the property was in dangerous condition at the time of the injury, that the injury directly resulted from the dangerous condition, that the dangerous condition created a reasonably foreseeable risk of harm of the kind of injury which was incurred, and that either a negligent or wrongful act or omission of an employee of the public entity within the course of his employment created the dangerous condition or a public entity had actual or constructive notice of the dangerous condition in sufficient time prior to the injury to have taken measures to protect against the dangerous condition. In any action under this subdivision wherein a plaintiff alleges that he was damaged by the negligent, defective or dangerous

design of a highway or road, [which was designed and constructed prior to September 12, 1977,] the public entity shall be entitled to a defense **as a matter of law** which shall be a complete bar to recovery whenever the [public entity can prove by a preponderance of the evidence that the alleged negligent, defective, or dangerous] design reasonably complied with highway and road design standards generally accepted at the time the road or highway was designed and constructed **regardless of any subsequent change in signing, improvement or maintenance of such highway or road if such improvement or maintenance did not alter the original physical or geometric design.**

2. The express waiver of sovereign immunity in the instances specified in subdivisions (1) and (2) of subsection 1 of this section are absolute waivers of sovereign immunity in all cases within such situations whether or not the public entity was functioning in a governmental or proprietary capacity and whether or not the public entity is covered by a liability insurance for tort.

3. The term "public entity" as used in this section shall include any multi-state compact agency created by a compact formed between this state and any other state which has been approved by the Congress of the United States. Sovereign immunity, if any, is waived for the proprietary functions of such multi-state compact agencies as of the date that the Congress of the United States approved any such multi-state compact.

4. Pursuant to the prerogative of the general assembly to declare the public policy of the state in matters concerning liability in tort for public entities, the general assembly declares that prior to September 12, 1977, there was no sovereign or governmental immunity for the proprietary functions of multi-state compact agencies operating pursuant to the provisions of sections 70.370 to 70.440, RSMo, and 238.030 to 238.110, RSMo, including functions such as the operation of motor vehicles and the maintenance of property, involved in the operation of a public transit or public transportation system, and that policy is hereby reaffirmed and declared to remain in effect.

5. Any court decision dated subsequent to

August 13, 1978, holding to the contrary of subsection 4 of this section erroneously interprets the law and the public policy of this state, and any claimant alleging tort liability under such circumstances for an occurrence within five years prior to February 17, 1988, shall in addition to the time allowed by the applicable statutes of limitation or limitation of appeal, have up to one year after July 14, 1989 to file or refile an action against such public entity and may recover damages imposed by the common law of this state as for any other person alleged to have caused similar damages under similar circumstances."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Senator Rohrbach moved that the above amendment be adopted.

Senator Johnson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Childers requested a roll call vote be taken on the adoption of SA 8 and was joined in his request by Senators Steelman, Schneider, Russell and Rohrbach.

SA 8 failed of adoption by the following vote:

YEAS—Senators

Childers	Ehlmann	Flotron	Graves
Kenney	Kinder	Mueller	Rohrbach
Russell	Sims	Singleton	Westfall
Yeckel—13			

NAYS—Senators

Banks	Bland	Caskey	DePasco
Goode	House	Howard	Jacob
Johnson	Klarich	Mathewson	Maxwell
Quick	Schneider	Scott	Staples
Stelman	Wiggins—18		

Absent—Senators

Clay Stoll—2

Absent with leave—Senator Bentley—1

Senator Westfall offered SA 9:

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 5, Section 105.711,

Line 140, by inserting immediately following said line, the following section:

"516.140. Within two years: An action for injuries, death or property damage permitted pursuant to the provisions of section 537.600, RSMo, libel, slander, assault, battery, false imprisonment, criminal conversation, malicious prosecution or actions brought under section 290.140, RSMo. An action by an employee for the payment of unpaid minimum wages, unpaid overtime compensation or liquidated damages by reason of the nonpayment of minimum wages or overtime compensation, and for the recovery of any amount under and by virtue of the provisions of the Fair Labor Standards Act of 1938 and amendments thereto, such act being an act of Congress, shall be brought within two years after the cause accrued."; and

Further amend said bill and page, by amending the title and enacting clause accordingly.

Senator Westfall moved that the above amendment be adopted.

Senator Schneider requested a roll call vote be taken on the adoption of SA 9 and was joined in his request by Senators Childers, Klarich, Mueller and Steelman.

SA 9 failed of adoption by the following vote:

YEAS—Senators

Childers	Flotron	Graves	Kenney
Kinder	Mueller	Rohrbach	Russell
Sims	Singleton	Westfall	Yeckel—12

NAYS—Senators

Banks	Bland	Caskey	Clay
DePasco	Ehlmann	Goode	House
Howard	Jacob	Johnson	Klarich
Mathewson	Maxwell	Quick	Schneider
Scott	Staples	Stelman	Stoll
Wiggins—21			

Absent—Senators—None

Absent with leave—Senator Bentley—1

Senator Childers offered SA 10:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 6, Section 537.010, Line 34, by inserting after the word "with" on said line the following "a rate equal to one half of"; and

Further amend said bill, page 8, section 537.756, line 6, by inserting after the word "with" on said line the following: "a rate equal to one half of".

Senator Childers moved that the above amendment be adopted.

President Pro Tem Quick assumed the Chair.

President Wilson assumed the Chair.

Senator Mueller offered **SSA 1** for **SA 10**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 6, Section 537.610, Line 32, by deleting all of said lines 32 through 40; and further amend said bill, section 537.756, page 8, line 4, by deleting all of said line through line 12; and further renumber subsections as needed.

Senator Mueller moved that the above substitute amendment be adopted.

Senator Schneider requested that a roll call vote be taken on the adoption of **SSA 1** for **SA 10** and was joined in his request by Senators Clay, Russell, Steelman and Westfall.

SSA 1 for **SA 10** failed of adoption by the following vote:

YEAS—Senators

Childers	Kenney	Kinder	Mueller
Rohrbach	Russell	Sims	Singleton
Westfall	Yeckel—10		

NAYS—Senators

Bland	Caskey	Clay	DePasco
Ehlmann	House	Howard	Jacob
Johnson	Klarich	Mathewson	Maxwell
Quick	Schneider	Staples	Stelman
Stoll	Wiggins—18		

Absent—Senators

Banks	Flotron	Goode	Graves
Scott—5			

Absent with leave—Senator Bentley—1

SA 10 was again taken up.

Senator Childers moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Kenney, Russell, Steelman and Yeckel.

SA 10 failed of adoption by the following vote:

YEAS—Senators

Childers	Ehlmann	Flotron	Graves
Kenney	Kinder	Mueller	Rohrbach
Russell	Sims	Westfall	Yeckel—12

NAYS—Senators

Bland	Caskey	Clay	DePasco
House	Howard	Jacob	Johnson
Klarich	Mathewson	Maxwell	Quick
Schneider	Staples	Stelman	Stoll
Wiggins—17			

Absent—Senators

Banks	Goode	Scott	Singleton—4
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Absent with leave—Senator Bentley—1

Senator Childers offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 5, Section 537.610, Line 10, by inserting after the word "of" on said line the following: "one half of"; and further amend said section and line by inserting after the word "upon" on said line the following: "previous to January 1, 2005 as provided in this section".

Senator Childers moved that the above amendment be adopted.

Senator Schneider requested that a roll call vote be taken on the adoption of **SA 11** and was joined in his request by Senators Clay, Staples, Steelman and Wiggins.

SA 11 failed of adoption by the following vote:

YEAS—Senators

Childers	Graves	Kenney	Kinder
Mueller	Rohrbach	Russell	Sims
Singleton	Westfall	Yeckel—11	

NAYS—Senators

Bland	Caskey	Clay	DePasco
Ehlmann	House	Howard	Jacob
Johnson	Klarich	Mathewson	Maxwell
Quick	Schneider	Staples	Steelman
Stoll	Wiggins—18		

Absent—Senators

Banks	Flotron	Goode	Scott—4
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Absent with leave—Senator Bentley—1

Senator Mueller offered SA 12:

SENATE AMENDMENT NO. 12

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 1, In the Title, Line 2, by striking the words "sovereign immunity" and inserting in lieu thereof the words "civil actions"; and

Further amend said bill, Page 8, Section 537.756, Line 12, by inserting immediately after all of said line the following:

"537.800. 1. In any action against a licensed professional for damages or injuries on account of the rendering of or failure to render professional services, the plaintiff or his attorney shall file an affidavit with the court stating that he has obtained the written opinion of a legally qualified like licensed professional which states that the defendant licensed professional failed to use such care as a reasonably prudent and careful licensed professional would have under similar circumstances and that such failure to use such reasonable care directly caused or directly contributed to cause the damages claimed in the petition.

2. The affidavit shall state the qualifications of such like licensed professional to offer such opinion.

3. A separate affidavit shall be filed for each defendant named in the petition.

4. Such affidavit shall be filed no later than ninety days after the filing of the petition unless the court, for good cause shown, orders that such time be extended.

5. If the plaintiff or his attorney fails to file such affidavit, the court may, upon motion of any party, dismiss the action against such moving party without prejudice.

6. For purposes of this act, the term "licensed professional" shall mean every licensed architect, professional engineer, land surveyor or any corporation authorized to render any of the aforementioned professional services. This section shall not apply to any "health care provider" as that term is defined in section 538.205, RSMo.

7. The provisions of this section shall not apply to actions filed in small claims court pursuant to chapter 482, RSMo.;" and

Further amend the title and enacting clause accordingly.

Senator Mueller moved that the above amendment be adopted.

Senator Schneider raised the point of order that SA 12 is out of order in that it goes beyond the scope of the bill.

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

Senator Kinder offered SA 13:

SENATE AMENDMENT NO. 13

Amend Senate Committee Substitute for Senate Bills Nos. 295 and 46, Page 6, Section 537.610, Line 42, by adding after said line the following:

"7. In the event a court renders final judgment determining that any provision of this act taking effect on or after its effective date constitutes a new activity or service or an increase in the level of an activity or service beyond that required by existing law pursuant to article X, section 21 of the Missouri constitution, or any successor to that section, such provision shall be void ab initio."

Senator Kinder moved that the above

amendment be adopted, which motion failed.

Senator Schneider moved that **SCS** for **SBs 295** and **46**, as amended, be adopted, which motion prevailed.

On motion of Senator Schneider, **SCS** for **SBs 295** and **46**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

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, to which was referred **SS No. 2** for **SB 163**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SCR 14**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HCS** for **HB 14**: Representatives: Franklin, Williams (121), Troupe, Legan and Shields.

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 308**, entitled:

An Act to repeal sections 210.211, 210.245, 210.251, 210.252, 210.254, 210.256 and 210.485, RSMo 1994, and section 210.221, RSMo Supp. 1998, relating to the regulation of certain child care providers, and to enact in lieu thereof ten new sections relating to the same subject, 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 **HCS** for **HB 267**, entitled:

An Act to repeal sections 311.093, 311.178, 311.210, 311.220, 311.240, 311.293, 311.298, 311.310, 311.328, 311.329, and 311.660, RSMo 1994, and sections 311.098, 311.200, 311.260 and 311.680, RSMo Supp. 1998, relating to the division of liquor control, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Quick, Chairman of the Committee on gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John P. Smith, as Director, Division of Credit Unions;

Also,

Mary L. James, Connie H. Silverstein and M. Sean McGinnis, as members of the University of Missouri Board of Curators;

Also,

Janet M. Williams, as a member of the Missouri Head Injury Advisory Council;

Also,

Mary S. "Molly" Strassner, as a public member of the Video Instructional Development and Educational Opportunity Program;

Also,

Pamela J. Nunn, Susan I. Green, Thomas C. Roeseler and Phyllis J. Steckel, as members of the Seismic Safety Commission;

Also,

Terry Jo Fox and Gregory L. Solum, as members of the Missouri Planning Council for Developmental Disabilities;

Also,

Steven P. Gietschier, as a member of the State Historical Records Advisory Board;

Also,

Wilma J. Maddox and John W. Briscoe, as members of the Truman State University Board of Governors;

Also,

Donald L. Dickerson, as a member of the Southeast Missouri State University Board of Regents.

Senator Quick requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Quick moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

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

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SB 467**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

COMMUNICATIONS

President Pro Tem Quick submitted the following:

February 8, 1999

The Honorable Steve Stoll
Missouri Senate
Capitol Building
Jefferson City, MO 65101

Dear Senator Stoll:

Please be advised that I am appointing you as a member of the Highway Employees' and Highway Patrol Retirement System Board of Trustees Section 104.160, RSMo.

If I can be of any assistance please feel free to contact me.

Sincerely,

/s/ Ed Quick
Edward E. Quick
State Senator
District #17

INTRODUCTIONS OF GUESTS

Senator Westfall introduced to the Senate, Howard and Jane Huff, Wayne Butler, Marvin Grier and John Sparkman, Greene County.

Senator Russell introduced to the Senate, Charles Bassett, Dixon.

Senator Stoll introduced to the Senate, Tom Muzzy, Tina Thebea and the eighth grade Honor Society from Hillsboro.

Senator Russell introduced to the Senate, Owen Smith and Dayle Nelson, Dallas County.

On behalf of Senator Westfall and himself, Senator Russell introduced to the Senate, Sheila Van Dieggelen, Deena Jo Weaver, Bryan Campbell and 3rd grade students from Marshfield.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Frank G. Rieger, Columbia.

On motion of Senator DePasco, the Senate adjourned until 4:00 p.m., Monday, March 8, 1999.

SENATE CALENDAR

 THIRTY-FIFTH DAY—MONDAY, MARCH 8, 1999

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 501-Westfall	SB 514-Bland
SB 502-Howard	SB 515-Bland
SB 503-Howard	SB 516-Bland
SB 504-Mueller	SB 517-Bland
SB 505-Wiggins	SB 518-Staples
SB 506-Wiggins	SB 519-Banks
SB 507-Childers	SB 520-Banks
SB 508-Johnson	SB 521-Banks
SB 509-Maxwell	SB 522-Rohrbach
SB 510-Graves	SB 523-Kinder
SB 511-Graves	SB 524-House
SB 512-Stoll and Flotron	SB 525-Rohrbach
SB 513-Bland and DePasco	SB 526-Schneider

HOUSE BILLS ON SECOND READING

HCS for HB 349	HB 318-Leake and Treadway
HCS for HB 533	HCS for HB 524
HB 346-Thompson (37th)	HCS for HB 139
HB 152-Leake, et al	HB 541-Kreider, et al
HB 79-Ransdall and Gaw	HB 368-Murray and Franklin
HB 39-Dougherty	HB 63-Relford, et al
HB 399-Bray	HCS for HB 52
HB 35-Campbell	HCS for HB 60
HJR 5-Barry, et al	HCS for HB 348
HB 153-Leake, et al	HB 65-O'Toole and May (108th)
HB 323-Gratz and Vogel	HB 271-Clayton
HB 338-Koller	HB 265-Smith
HS for HCS for HB 618- Harlan	HB 103-Treadway

HB 530-May (108th) and Liese	HB 478-Ward, et al
HB 136-Smith	HB 185-Lakin
HB 216-Parker	HB 662-Crump
HB 518-Ross	HB 514-Franklin
HB 248-Kissell	HB 94-Clayton
HB 165-May (108th)	HB 468-Koller
HB 359-Hosmer	HB 300-Green
HB 69-Elliott	HB 407-Robirds
HB 358-Hosmer	HB 366-Hartzler (123rd)
HB 183-Pouche	HB 64-Long
HB 76-Smith	HB 646-Hampton, et al
HB 369-Murray	HB 464-Richardson
HB 275-May (108th) and O'Toole	HB 445-Auer
HS for HB 450-Relford	HB 34-Auer
HB 107-Days and Foley	HB 680-Leake, et al
HCS for HBs 321 & 493	HB 678-Leake and Koller
HS for HCS for HB 274-May (108th)	HB 661-Crump
HCS for HB 888	HB 242-May (108th)
HS for HB 162-Luetkenhaus	HB 282-Clayton
HB 191-Dougherty, et al	HCS for HB 308
HB 315-Hosmer	HCS for HB 267
HB 517-Backer, et al	

THIRD READING OF SENATE BILLS

1. SCS for SB 282-Clay, et al
(In Budget Control)
2. SB 95-Maxwell
(In Budget Control)
3. SJR 25-Rohrbach and Goode
(In Budget Control)
4. SB 180-Johnson
5. SS for SCS for SBs 14,
60 & 69-Mathewson
(In Budget Control)
6. SS for SB 22-Flotron
(In Budget Control)
7. SB 20-Goode, et al
8. SB 33-Johnson
(In Budget Control)
9. SCS for SBs 322, 150
& 151-Sims and Goode
(In Budget Control)
10. SCS for SB 239-Jacob
11. SB 197-DePasco
12. SB 196-DePasco
13. SB 32-Howard
14. SS#2 for SB 163-House

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| 1. SB 19-Goode, with SCS | 10. SB 394-Quick, with SCS |
| 2. SB 339-Howard and
Sims, with SCS | 11. SB 235-Stoll |
| 3. SB 405-Scott, et al,
with SCS | 12. SB 209-Goode, et al,
with SCA 1 |
| 4. SB 249-Maxwell, with SCS | 13. SB 179-Goode, with SCA 1 |
| 5. SB 338-Howard and
Sims, with SCS | 14. SB 37-Rohrbach, with SCS |
| 6. SJR 23-Mathewson, et al | 15. SB 425-Stoll, et al, with SCS |
| 7. SBs 1, 92, 111, 129 &
222-Schneider, with SCS | 16. SB 215-Mathewson |
| 8. SB 205-Westfall and
Staples, with SCA 1 | 17. SB 386-Clay, with SCS |
| 9. SB 70-Schneider, with SCS | 18. SB 233-Sims, with SCS |
| | 19. SBs 347, 40, 241 &
301-House, with SCS |
| | 20. SB 467-Caskey, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 5-Wiggins | SB 309-Maxwell, with SA 2
(pending) |
| SB 78-Russell, with SA 4
(pending) | SB 318-Jacob, et al, with
SCS & SS for SCS (pending) |
| SB 203-Wiggins | SB 373-DePasco and Jacob,
with SS (pending) |
| SB 288-Quick, et al, with
SS, SA 1 & points of
order (pending) | SB 417-Quick, with SCA 1 |
| SB 289-Goode, et al, with
SCAs 1 & 2 | |

CONSENT CALENDAR

Senate Bills

Reported 2/22

SB 353-Goode, with SCA 1
(In Budget Control)

SB 403-Rohrbach and Goode

Reported 3/1

SB 433-Russell
SB 362-Westfall
SB 177-DePasco
SB 456-Klarich
SB 148-Childers
SB 460-House

SBs 320 & 445-Caskey, with SCS
SB 201-Childers, with SCA 1
SB 426-Howard
SB 207-Klarich and Wiggins
SB 399-Maxwell
SB 142-Schneider

Reported 3/2

SB 436-Quick, with SCS
SB 396-Mathewson, with SCS

SB 391-Schneider, et al, with SCS
SB 348-Wiggins

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 14, with SCS (Goode)

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

Reported from Committee

SCR 14-Quick

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