

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-THIRD DAY—WEDNESDAY, APRIL 14, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

Gracious God: We ask that You preserve and protect us this day from all that would distract us from serving You and Your righteousness. We would also ask that You will continue to give us Your Spirit of wisdom, kindness and justice that all our interactions with each other and with those we serve may be expressions of true courtesy. Be with us in our thoughts and words and deeds as we deal with the increasing rhythm and pace of each day we meet here. 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	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 DePasco offered Senate Resolution No. 562, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenneth Lee Pitts, Blue Springs, 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 **SS** for **SCS** for **SB 94**; and **SCS** for **SBs 392, 393** and **267**, 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.

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

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

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for

HB 3, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered

the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goode requested unanimous consent of the Senate to suspend the rules for the purpose of taking up **HB 1** through **HCS** for **HB 11** for 3rd reading and final passage during the afternoon session, which request was granted.

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

THIRD READING OF SENATE BILLS

SCS for **SB 233**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 233

An Act to repeal sections 167.126 and 167.171, RSMo Supp. 1998, relating to placement of children, and to enact in lieu thereof two new sections relating to the same subject.

Was taken up by Senator Sims.

On motion of Senator Sims, **SCS** for **SB 233** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Clay Schneider—2

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

SB 215, introduced by Senator Mathewson, entitled:

An Act to repeal sections 103.083 and 103.130, RSMo 1994, relating to the health plan for state employees, and to enact in lieu thereof two new sections relating to the same subject.

Was taken up.

On motion of Senator Mathewson, **SB 215** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
DePasco	Ehlmann	Flotron	Goode
Graves	House	Jacob	Johnson
Kenney	Kinder	Klarich	Mathewson
Mueller	Quick	Rohrbach	Scott
Sims	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—27	

NAYS—Senators

Maxwell Russell Singleton—3

Absent—Senators

Banks Clay Howard Schneider—4

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

SS for SB 373, introduced by Senator DePasco, 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.

Was taken up.

Senator Johnson assumed the Chair.

Senator Scott assumed the Chair.

Senator DePasco moved that **SS** for **SB 373** be read the 3rd time and finally passed.

The roll was called and Senator Klarich requested verification. The roll was verified as follows:

YEAS—Senators

Banks	Bentley	Bland	Clay
DePasco	Graves	Howard	Jacob
Johnson	Mathewson	Quick	Schneider
Scott	Sims	Singleton	Staples
Stoll	Wiggins	Yeckel—19	

NAYS—Senators

Caskey	Childers	Ehlmann	Flotron
Goode	House	Kenney	Kinder
Klarich	Maxwell	Mueller	Rohrbach
Russell	Steelman	Westfall—15	

Absent—Senators—None

Absent with leave—Senators—None

Senator Bland rose to question why she was recorded as an aye, stating that she had voted no.

Senator Flotron raised the point of order that Senator Bland was incorrectly recorded as an aye, when in fact she voted no.

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

The corrected vote by which **SS** for **SB 373** was 3rd read and finally passed is as follows:

YEAS—Senators

Banks	Bentley	Clay	DePasco
Graves	Howard	Jacob	Johnson
Mathewson	Quick	Schneider	Scott
Sims	Singleton	Staples	Stoll
Wiggins	Yeckel—18		

NAYS—Senators

Bland	Caskey	Childers	Ehlmann
Flotron	Goode	House	Kenney
Kinder	Klarich	Maxwell	Mueller
Rohrbach	Russell	Steelman	Westfall—16

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SCS for **SBs 387, 206** and **131**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 387, 206 and 131**

An Act to repeal sections 208.040 and 208.070, RSMo 1994, and section 210.150, RSMo Supp. 1998, and to enact in lieu thereof seven new sections relating to child care and abuse.

Was taken up by Senator Clay.

On motion of Senator Clay, **SCS** for **SBs 387, 206** and **131** 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
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Clay 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 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 passed **HB 763**, entitled:

An Act to repeal sections 109.120, 109.130 and 109.241, RSMo 1994, relating to public records, and to enact in lieu thereof three new sections relating to the same subject.

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 adopted **HCS** for **HCR 3**.

**HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 3**

Relating to Joint Committee on Legislative Term Limits.

WHEREAS, at the general election of 1992, seventy-five percent of Missouri voters adopted a measure to limit the terms of members of the Missouri General Assembly; and

WHEREAS, all legislators elected after 1992 are limited to a maximum of eight years, or four terms, in the Missouri House of Representatives, and eight years, or two terms, in the Missouri Senate; and

WHEREAS, while the merits of legislative term limits can and will be debated by numerous citizens and interested parties, there is no question: that term limits are part of the Missouri Constitution; that this law has already shortened the terms of some

Missouri legislators; and that these limits will produce substantial repercussions on state government in the foreseeable future; and

WHEREAS, it would be a responsible and prudent action to prepare for the impending impact of legislative term limits; and

WHEREAS, it should be determined whether term limits will affect the balance of power between the legislative, executive and judicial branches, and if so, what measures should be taken to preserve the strength of the legislative branch; and

WHEREAS, it should also be determined whether term limits are likely to lead to an increased influence for state government employees and governmental consultants, or lobbyists, and, if so, if any preparations should be made to counteract this increased influence; and

WHEREAS, because of term limits, the citizen-members of the Missouri General Assembly will be expected to assume leadership positions and committee chairmanships at a faster rate than is currently expected even though they will have less time to study issues or learn the legislative process; and

WHEREAS, the potential impact on urban, suburban and rural issues and representation should be studied; and

WHEREAS, it could be of great assistance in preparing for the impact of term limits if ideas, recommendations and information could be garnered from present and former legislators, political scientists, interested citizens and scholars who have previously studied this issue and are familiar with term limit ramifications in other states:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Ninetieth General Assembly, First Regular Session, the Senate concurring therein, that a Joint Committee on Legislative Term Limits be created to study the likely effects of term limits and to make recommendations on how best to prepare for the impact of term limits; and

BE IT FURTHER RESOLVED that the committee be comprised of ten members, five members to be appointed by the Speaker of the House of Representatives and five members to be appointed by the President Pro Tem of the Senate, with no more than three House members or three Senate members being from the same political party and with at least two House members and two Senate members first being elected in or prior to November 1994 and at least one House member and one Senate member first being elected after November 1994; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings and investigations as it deems advisable, and that the staffs of House Research, Senate Research and the Committee on Legislative Research provide any technical or clerical assistance requested by the committee and the members of the committee shall receive reimbursement for their actual and necessary expenses incurred in the performance of their official duties for the committee; and

BE IT FURTHER RESOLVED that the committee report its recommendations and finds to the Missouri General Assembly by January 1, 2000, and that the authority of such committee shall terminate on December 31, 2000; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly

inscribed copies of this resolution for the Speaker of the House of Representatives and the President Pro Tem of the Senate.

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 adopted **HCS for HCR 19**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 19

Relating to the "Share the Harvest" program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, through the "Share the Harvest" program, hunters donate approximately thirty thousand pounds of venison annually to those in need; and

WHEREAS, through the generosity of these hunters, seventy-seven approved charitable organizations, spread throughout the state of Missouri, have received venison to distribute to needy families and individuals; and

WHEREAS, deer is a valuable source of protein but is unusually low in fat and many families and individuals have no dependable source of protein in their diets; and

WHEREAS, the program is a safe and healthy way for these individuals to get protein in their diet, because all participating deer processors must be licensed by the Department of Conservation and inspected by the United States Department of Agriculture; and

WHEREAS, the hunter normally pays the processing fee and more hunters would donate more venison to more needy families, if there were other sources of funds to pay the processing cost:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, First Regular Session, the Senate concurring therein, hereby call for the Missouri Department of Conservation and the Department of Social Services to develop a partnership with the private sector to provide funds to pay for the processing costs for those hunters who donate their venison to charity through the "Share the Harvest" program; and

BE IT FURTHER RESOLVED that the Department of Conservation actively promote the Share the Harvest Program in coordination with the Conservation Federation of Missouri and other organizations to provide additional awareness of the opportunities to donate processed venison to charitable organizations and the availability of funding of processing costs; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the directors of the Missouri Department of Conservation and the Department of Social Services.

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 adopted **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

Relating to a joint interim committee on funding of the hazardous waste fund and the hazardous waste remedial fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the safe generation, transfer, storage and disposal of hazardous waste is vital to the well-being of the state of Missouri; and

WHEREAS, emergency response to hazardous substance spills and releases, maintenance of contaminated real estate through the hazardous waste registry system, and participation in state and federal cleanups of sites contaminated by hazardous wastes is necessary to protect the health of Missouri's citizens and environment; and

WHEREAS, the Hazardous Waste Fund and the Hazardous Waste Remedial Fund are the primary means of funding the above mentioned activities, and with the balances of these funds falling and in danger of potentially not being able to adequately support necessary services in the future; and

WHEREAS, the hazardous waste generation, transfer, storage and disposal industries which contribute to the Hazardous Waste Fund and Hazardous Waste Remedial Fund enhance the economic well-being of the state of Missouri; and

WHEREAS, the fees imposed on the hazardous waste generation, transfer, storage and disposal industries should be fair and equitable; and

WHEREAS, the Department of Natural Resources and the industry have been unable to reach an agreement as to how to adequately fund the Hazardous Waste Fund and Hazardous Waste Remediation Fund; and

WHEREAS, an in-depth study needs to be conducted to determine what measures need to be taken to ensure that the Hazardous Waste Fund and Hazardous Waste Remedial Fund are sufficient to meet the obligations and provide the required services to the public, environment and the hazardous waste generation, transfer, storage and disposal industries:

NOW, THEREFORE, BE IT RESOLVED by the Missouri House of Representatives of the Ninetieth General Assembly, First Regular Session, the Senate concurring therein, that a joint legislative study committee of the General Assembly be created to be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five 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 the committee conduct an in-depth study and make appropriate recommendations concerning appropriate funding of the Hazardous Waste Fund and the Hazardous Waste Remedial Fund, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that the committee prepare a

report, together with its recommendations for any legislative action it deems necessary for submission during the First Regular Session of the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that the Committee on Legislative Research, Senate Research, and House Research provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members, and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof, be paid from the Joint Contingent Fund.

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 adopted **HCR 21**.

HOUSE CONCURRENT RESOLUTION NO. 21

Relating to the United States Postal Service issuing a commemorative stamp honoring law enforcement officers killed in the line of duty.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, since 1988, over seven hundred law enforcement officers throughout the United States have been killed in the line of duty and in addition over six hundred have been killed in duty-related accidents and over six hundred thousand officers have been assaulted; and

WHEREAS, while progress is being made in fighting crime, violence remains a serious threat to those officers who have sworn to protect society; and

WHEREAS, these heroic men and women of our law enforcement agencies who face danger every day and their fallen colleagues come from many different backgrounds; and

WHEREAS, we the members of the Ninetieth General Assembly believe these heroes who fought and died for the strongly held principles of law and order and whose sacrifices have made a difference to each and everyone of us should be honored in some significant way; and

WHEREAS, the U.S. Postal Service issues commemorative stamps which honor deceased heroes and we believe there are no greater heroes than our fallen law enforcement officers:

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Postal Service to issue a commemorative stamp honoring all law enforcement officers who have been killed in the line of duty; and

BE IF FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution to be sent to the Citizens' Stamp

Advisory Committee, c/o Stamp Management, U.S. Postal Service, 475 L'Enfant Plaza, SW, Room 4474EB, Washington, DC 20260-6756.

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 adopted **HCR 17**.

HOUSE CONCURRENT RESOLUTION NO. 17

Relating to the annexation of a portion of Northwest Missouri State University by the city of Maryville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the portion of Northwest Missouri State University which lies north of Fourth Street, South of the former Norfolk & West Railroad, and three hundred thirty feet east of Country Club Drive is within the Maryville city limits; and

WHEREAS, Northwest Missouri State University would like to have three additional tracts of property annexed into the city limits of Maryville; and

WHEREAS, the city of Maryville would, also, like to encompass these three additional tracts of Northwest Missouri State University; and

WHEREAS, work on some planned city projects hinges on these three tracts being approved for annexation; and

WHEREAS, section 71.012, RSMo Supp. 1998, requires that all fee interest owners of property within a proposed area of annexation sign a verified petition requesting such annexation; and

WHEREAS, section 37.005, RSMo Supp. 1998, vests the fee title of this state property in the governor:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, First Regular Session, the Senate concurring therein, hereby authorize the Governor to approve the proposed annexation of three tracts of property of Northwest Missouri State University into the city of Maryville. The property is more particularly described as followed:

Tract 1

Commencing at the intersection of the West Line of Section 18, Township 64 North, Range 35 West, with the southerly right-of-way of the former Norfolk and Western Railroad Company railroad right-of-way; thence along Range Line, South to a point 132 feet North of the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 18; thence East 330 feet; thence North along a line 330 feet East and parallel to Range Line to the intersection of the southerly right-of-way of the former Norfolk and Western Railroad Company railroad right-of-way; thence westerly along said right-of-way to the point of beginning.

Tract 2

Commencing at the Northeast Corner of Section 18, Township 64 North, Range 35 West, Nodaway County, Missouri; thence South along the North/South Quarter Section Line of Section 18 to the intersection with the southerly right-of-way of the former Norfolk and Western Railroad; thence westerly along said right-of-way to the West Line of said Section 18; thence North along Range Line to a point 30 feet South of the Northwest Corner of said Section 18, said point being the southerly right-of-way of West Sixteenth Street; thence East along said right-of-way to the southerly extension of the East Line of Village "O" Estates Subdivision, a Subdivision of the Southwest Quarter of Section 7. Township 64 North, Range 35 West, Nodaway County; thence North along said extension to the intersection of the North Line of Section 18; thence East along Section Line to the Northeast Corner of said Section 18 and the point of beginning.

Tract 3

All of the Northeast Quarter (NE1/4) of Section Thirteen (13), Township Sixty-four (64), Range Thirty-six (36), lying North of the right-of-way of the former Norfolk and Western Railroad, Except the West 470 feet thereof.; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the board of regents of Northwest Missouri State University and the City Council of the city of Maryville, Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Wilson assumed the Chair.

Senator Wiggins assumed the Chair.

RESOLUTIONS

Senator Quick offered Senate Resolution No. 563, regarding Kyle Douglas Popa, Liberty, which was adopted.

Senator Mathewson offered Senate Resolution No. 564, regarding Joseph A. Mickes, Jefferson City, which was adopted.

Senator Mathewson offered Senate Resolution No. 565, regarding the One Hundredth Anniversary of the Missouri Association of Insurance Agents, which was adopted.

On motion of Senator DePasco, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Johnson.

RESOLUTIONS

Senator Mueller offered Senate Resolution No. 566, regarding Megan Henderson, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 567, regarding Tomasina Floresvega, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 568, regarding Justin Steinbruegge, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 569, regarding Michael Richars, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 570, regarding Megan Barnes, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 571, regarding Brian Baldwin, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 572, regarding Colin Koproske, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 573, regarding Kourtney Matthews, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 574, regarding Jason Steinbruegge, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 575, regarding Nicole Odenwald, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 576, regarding Erica Womack, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 577, regarding Nicholas Renfrow, Fenton, which was adopted.

Senator Mueller offered Senate Resolution No. 578, regarding Ashley Kahlmeyer, Fenton, which

was adopted.

Senator Mueller offered Senate Resolution No. 579, regarding Daniel Looby, Fenton, which was adopted.

Senator Caskey offered Senate Resolution No. 580, regarding the Seventy-third Wedding Anniversary of Mr. and Mrs. Dale Spradling, Raymore, which was adopted.

CONCURRENT RESOLUTIONS

Senator Mathewson moved that **HCR 4** be taken up for adoption, which motion prevailed.

Senator Caskey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Concurrent Resolution No. 4, Page 1, Line 12, by deleting "one thousand five hundred" and inserting in lieu thereof "two thousand".

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

On motion of Senator Mathewson, **HCR 4**, as amended, was adopted by the following vote:

YEAS—Senators

Banks	Caskey	Childers	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—30		

NAYS—Senators—None**Absent—Senators**

Bentley	Bland	Clay	Staples—4
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Absent with leave—Senators—None**HOUSE BILLS ON THIRD READING**

HB 895, introduced by Representative Crump, entitled:

An Act to repeal section 57.201, RSMo Supp. 1998, relating to sheriffs' deputies in certain counties, and to enact in lieu thereof one new

section relating to the same subject.

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

On motion of Senator Caskey, **HB 895** was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	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—32

NAYS—Senators—None

Absent—Senators

Clay Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

HB 76, introduced by Representative Smith, entitled:

An Act to repeal section 456.535, RSMo 1994, relating to trustee's powers, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Caskey, **HB 76** 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 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.

HCS for HB 348, with **SCS**, entitled:

An Act to amend chapter 211, RSMo, relating to juvenile courts by adding thereto one new section relating to the registration of juvenile sex offenders, with penalty provisions.

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

SCS for HCS for HB 348, entitled:

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

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the registration of juvenile sex offenders, with penalty provisions.

Was taken up.

Senator Caskey moved that **SCS for HCS for HB 348** be adopted, which motion prevailed.

On motion of Senator Caskey, **SCS for HCS for HB 348** 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	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Singleton Staples—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

HB 359, introduced by Representative Hosmer, entitled:

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

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

President Pro Tem Quick assumed the Chair.

On motion of Senator Caskey, **HB 359** 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.

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.

HB 248, with **SCS**, introduced by Representative Kissell, entitled:

An Act to repeal section 575.010, RSMo 1994, relating to offenses against the administration of justice, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

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

SCS for **HB 248**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 248

An Act to repeal section 575.010, RSMo 1994, relating to offenses against the administration of justice, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

Was taken up.

Senator Westfall moved that **SCS** for **HB 248** be adopted, which motion prevailed.

On motion of Senator Westfall, **SCS** for **HB 248** 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.

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

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

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

HB 1, with **SCS**, introduced by Representative Franklin, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up by Senator Goode.

SCS for **HB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, Stormwater Control Fund, and Fourth State Building Fund and to transfer money among certain funds for the period beginning July 1, 1999 and ending June 30, 2000.

Senator Goode moved that **SCS** for **HB 1** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HB 1** 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
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

HCS for **HB 2**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up by Senator Goode.

SCS for **HCS** for **HB 2**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 2** be adopted.

Senator Ehlmann offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, by deleting said section and inserting in lieu thereof the following:

"Section 2.005. To the Department of Elementary and Secondary Education

For the purpose of funding the Division of General Administration Personal Service and/or Expense and Equipment, at such time as the State School Board reestablishes the Transitional School District pursuant to Section 162.1100.12, RSMo

From General Revenue Fund	\$3,821,242
From Federal Funds	3,077,614
From Lottery Proceeds Fund	110,880
From Excellence in Education Fund	3,215,259

For the purpose of funding enhancements to the computer information system for the Department of Elementary and Secondary Education

From Federal Funds	3,000,000
Total (Not to exceed 132.00 F.T.E.).....	\$13,224,995".

Senator Ehlmann moved that the above

amendment be adopted.

Senator Staples assumed the Chair.

Senator Wiggins assumed the Chair.

Senator Caskey requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Childers, Ehlmann, Steelman and Stoll.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Childers	Ehlmann	Flotron	Graves
House	Kenney	Kinder	Klarich
Mueller	Rohrbach	Russell	Sims
Singleton	Steelman	Westfall	Yeckel—16

NAYS—Senators

Banks	Bentley	Bland	Caskey
DePasco	Goode	Howard	Jacob
Johnson	Mathewson	Maxwell	Quick
Schneider	Scott	Staples	Stoll
Wiggins—17			

Absent—Senator Clay—1

Absent with leave—Senators—None

Senator Graves offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 3, Section 2.020, Lines 8-10, by deleting said lines and inserting in lieu thereof the following:

"And three hundred thirty-two million, one hundred ninety-one thousand, five hundred fifty-one dollars (\$332,191,551) for line 14 at-risk program, any amount of this appropriation in excess of the amount required for full funding of line 14 shall be distributed by the equity formula; and no more than one hundred forty-"; and

Further amend said section, line 29, by deleting the number "444,185,268E" and inserting in lieu thereof the number "470,885,268E"; and

Further amend said section, line 38, by deleting the number "2,327,646,861" and inserting in lieu thereof the number "2,354,346,861".

Senator Graves moved that the above

amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Childers, Ehlmann, Mueller and Russell.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Graves
Rohrbach	Singleton	Steelman	Yeckel—8

NAYS—Senators

Banks	Bland	Caskey	Clay
DePasco	Flotron	Goode	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Russell	Schneider
Staples	Stoll	Westfall	Wiggins—24

Absent—Senators

Scott Sims—2

Absent with leave—Senators—None

Senator Mathewson assumed the Chair.

Senator Goode moved that **SCS** for **HCS** for **HB 2** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Banks Graves—2

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Goode moved that the vote by which

the bill passed be reconsidered.

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

HCS for **HB 3**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up by Senator Goode.

SCS for **HCS** for **HB 3**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 3** be adopted.

Senator Staples offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 3, Page 12, Section 3.105, Line 3, by deleting the number "42,885,396" and inserting in lieu thereof the number "43,285,396" and further amend said section, line 8, by deleting the number "48,127,770" and inserting in lieu thereof the number "48,527,770".

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

Senator Johnson assumed the Chair.

Senator Ehlmann offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 3, Page 9, Section 3.090, Line 4, by deleting the number "96,415,318" and inserting in lieu thereof the number "96,660,228" and further amend said section, line 36, by deleting the number "144,387,478" and inserting in lieu thereof the number "144,632,388".

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

President Pro Tem Quick assumed the Chair.

Senator Goode moved that **SCS** for **HCS** for **HB 3** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 3** 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
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President Pro Tem declared the bill passed.

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

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

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

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, 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 reports:

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 327**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 268**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 724**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HB 266**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred **HS** for **HCS** for **HB 256**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which was referred

HB 792, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Staples, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 261**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 346**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 300**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 452**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 680**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1, and be placed on the Consent Calendar.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 680, Page 1, In the Title, Line 2, by inserting after the numeral "142.875," the numeral "142.896,"; and

Further amend said bill, Page 1, In the Title, Line 3, by striking the word "five" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting immediately after the word "subject" the following: ", with penalty provisions"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the numeral "142.875," the numeral "142.896,"; and

Further amend said bill, Page 1, Section A, Line 2, by striking the word "five" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the numeral "142.875," the numeral "142.896,"; and further amend said line, by striking the following: "and 142.908" and inserting in lieu thereof the following: ", 142.908, 142.955, 142.957 and 194.960"; and

Further amend said bill, Page 6, Section 142.875, Line 27, by inserting after all of said line the following:

"142.896. 1. Distributors shall be required to post a bond of not less than three months' total liability based on the number of gallons handled as estimated by the director, with a maximum amount of one hundred and fifty thousand dollars for gasoline and diesel fuel separately.

2. The tax on the motor fuel imported shall not be considered part of potential liability for calculation of the bond required of a distributor's license if the nonexempt motor fuels meet the following conditions:

(1) All of the motor fuel is subject to one or more tax precollection agreements to remit the motor fuel tax of this state to the supplier or permissive supplier as trustee with respect to the imports, as provided under section 142.839; and

(2) The director has determined that all border states have adopted terminal reporting requirements adequate for the mutual enforcement of this chapter.

3. If a distributor qualifies under subsection 3 of section 142.851 and was not required to have a bond posted under the predecessor act, then such distributor may elect to either post the bond as set out in this subsection or participate in a cash bond as set out below. The cash bond shall be held by the

director in a "Motor Fuel Bond Trust Fund", which is hereby created, for the benefit of the participating distributors. The bond shall be used solely for the purpose of preventing a loss to the state for motor fuel taxes, surcharges and fees not paid. No distributor shall have any claim or rights against the fund as a separate person. Contributions to the fund will be made at the rate [of one-fourth of one percent of the prevailing motor fuel tax rate until such fund equals one-fourth of one percent of the prior year's motor fuel tax collections] **as defined in regulations set by the director of the department of revenue.** Contributions will be remitted by the participating distributors through the suppliers under the same procedures as set out for remitting of motor fuel taxes set out in this chapter. The director shall notify the suppliers of which distributors have elected to participate, when the contributions are required and when the fund has reached its maximum. At that time no further contributions will be required until the fund has been depleted to [one-eighth of one percent of prior year's motor fuel tax collections] **the minimum amount established by regulation,** at which time the director shall notify the distributors and suppliers to resume contributions at the [above] rate **as defined by regulation.** In the event the director has made a demand for payment from a participating distributor in this fund, and such demand has not been satisfied within ninety days, the director shall use the cash bond to satisfy the delinquency. Such action shall not affect the liability of the distributor for the tax or prevent the director from taking other actions permitted by this chapter.

4. After the expiration of three consecutive years of satisfactory tax compliance, as determined by the director, a licensed distributor will be eligible to participate in the pool bond in lieu of furnishing any other type of bond. The licensed distributor will be required to pay into the pool bond for a minimum of one year regardless whether the pool bond has reached its maximum or not.

5. The director shall compile a monthly report of all activities regarding the motor fuel bond fund including the name and license number of all licensees who have had a claim made against them, and the report shall be made available to pool

members.

6. A distributor is required to remit the tax due on the last day of the succeeding month and file reports prescribed by the director.

7. Each licensed distributor shall report such information as required by the director including, but not limited to imports of motor fuel, exports of motor fuel, blending of motor fuels, all receipts of motor fuel, all receipts and sales of dyed fuel, all receipts and sales of tax-free undyed kerosene and the transporting of motor fuel or blend stocks for or on behalf of others.

8. The report required by this section shall be due on the last day of each month with respect to information required for the next preceding calendar month."; and

Further amend said bill, Page 7, Section 142.908, Line 13, by inserting after all of said line the following:

"142.955. The director or any person designated by the director may, in the enforcement of this chapter, conduct investigations he or she deems necessary.

142.957. The director may prescribe the forms upon which reports are made to the director and other forms and information the director deems necessary in the enforcement of this chapter, and may require periodic submission of information from any person dealing in, transporting or storing motor fuel.

142.960. A person who violates any provision of this chapter, including, but not limited to, the failure to obtain required licenses or permits, or fails to keep records as prescribed herein, or neglects, fails or refuses to allow the director, his or her authorized agents or the Missouri highway patrol to inspect an item of equipment or records, or who fails, neglects or refuses to pay the tax due is guilty of a class A misdemeanor. Any person who violates any of the provisions of this section, with the purpose to defraud, is guilty of a class D felony."

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 **HB 58**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 903**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Insurance and Housing, to which was referred **HB 926**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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 328, 87, 100** and **55**; **SS** for **SB 455**; and **SS** for **SCS** for **SBs 347, 40, 241** and **301**, 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.

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 passed **HCS** for **HB 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money

for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1999, and ending June 30, 2000.

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 17**, entitled:

An Act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

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 **HS** for **HB 700**, entitled:

An Act to amend chapter 393, RSMo, relating to allowing certain electrical corporations to recover certain costs, by adding thereto one new section for the sole purpose of allowing certain electrical corporations to recover certain costs, with an emergency clause.

Emergency clause defeated.

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 **HS** for **HB 971**, entitled:

An Act to repeal section 305.200, RSMo

1994, relating to airports, 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

Senators House and Ehlmann offered Senate Resolution No. 581, regarding the Honorable Edward W. Hajek, Jr., Mayor of the City of Lake Saint Louis, which was adopted.

Senator Bentley offered Senate Resolution No. 582, regarding the Thirty-fifth Anniversary of the Springfield Branch of the Service Corps of Retired Executives, which was adopted.

Senator Johnson offered Senate Resolution No. 583, regarding Adam Miller, Kansas City, which was adopted.

Senator Johnson offered Senate Resolution No. 584, regarding Bo Brown, Kansas City, which was adopted.

Senator Johnson offered Senate Resolution No. 585, regarding Brian Atkins, Kansas City, which was adopted.

Senator Johnson offered Senate Resolution No. 586, regarding Brendan Duede, Kansas City, which was adopted.

Senator Rohrbach offered Senate Resolution No. 587, regarding Elizabeth McReynolds Rozier, Jefferson City, which was adopted.

Senator Sims offered the following resolution, which was referred to the Committee on Rules, Joint Rules and Resolutions:

SENATE RESOLUTION NO. 588

WHEREAS, education should be a national priority but a local responsibility; and

WHEREAS, federal involvement in education has mushroomed into burdensome regulations, unfunded mandates, and unwanted meddling; and

WHEREAS, federal funding should be getting back to the classrooms; and

WHEREAS, education can be improved best in each local school district by giving the resources directly to the local schools; and

WHEREAS, parents, teachers, and local school administrators, and local school boards are the key to true education reform; and

WHEREAS, flexible funding and increased resources will provide schools a greater opportunity to meet their specific needs; and

WHEREAS, time and resources applying for federal funds reduces the time that could be spent in the classrooms, preparing lesson plans, and providing for the direct instruction of the children:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, endorse Senator Christopher S. Bond's proposal for a "Direct Check for Education" that will return federal money directly to local school districts in the form of flexible funding to meet local school district needs.

INTRODUCTIONS OF GUESTS

Senator DePasco introduced to the Senate, Teresa, Jessica and Jacob Ray, Homeschoolers from Independence; and Jessica and Jacob were made honorary pages.

Senator Flotron introduced to the Senate, Kim Lieberman, John Rehmer, Melissa Stief and Sharon Wiggins, St. Louis County.

Senator Johnson introduced to the Senate, Elaine, Emily, Kimberly, Saralee and Randy Dunster, Homeschoolers from Savannah; and Emily, Kimberly, Saralee and Randy were made honorary pages.

Senator Russell introduced to the Senate, Carol Gariepy, Mychyl Plaster, Whitney Plaster and Dea Keeling; and Mark, Rachel, Marie and Maranda Townsend, Homeschoolers from Marshfield; Cheri, Laurin and Hannah Miller, Homeschoolers from Niangua; and Jimmy and Barbara Littlefield, Neosho.

Senator Kinder introduced to the Senate, twenty-five students from May Greene School, Cape Girardeau.

Senator Maxwell introduced to the Senate, his cousin, Elaine Cornett, Mexico; and members of the Missouri Federation of Democratic Women.

Senator Jacob introduced to the Senate, Kris Johnson and Nicole Bloom, Fayette.

On behalf of Senator Johnson and Senator Quick, the President introduced to the Senate, members of the Missouri Federation of Democratic Women: Helen Weigman, Jeanie Baker and Mary Edna Nower, Weston; Mayor Pauli Kendrick,

Weatherby Lake; Dot Stahl, Parkville; Shirley Kimsey, Patsy Baber and Rosie Fulk, Platte City; and Sharon Aring, Smithville.

Senator Schneider introduced to the Senate, Marie Fischer and ninety fourth grade students from Jana Elementary School, Florissant; and Spencer Clark, Wesliegh McDonald, Kayleigh Johnson and Stacie Seppelt were made honorary pages.

Senator Howard introduced to the Senate, Martha Ware, Bloomfield; Sherry Disney, Stoddard County; and Ray and Phyllis Robertson, Quin.

Senator Yeckel introduced to the Senate, James Vest, St. Louis County; and James was made an honorary page.

Senator Kenney introduced to the Senate, Linda, Mariah, Annie and Rebekah Friend, Homeschoolers from Buckner; and Mariah, Annie and Rebekah were made honorary pages.

Senator Flotron introduced to the Senate, Joe Locastro, Bevin Kloepper and Nancy Glascock, Webster Groves.

Senator Westfall introduced to the Senate, Franz and Loretta Penner, Barton County.

Senator Staples introduced to the Senate, Corwin Ruge, Wright City; and Ed Buscher, Larry Boyd and Brad Williams, Shannon County.

Senator Maxwell introduced to the Senate, Suzanne Easley and the tenth and eleventh grade American Government Class from Kirksville Christian High School, Kirksville.

Senator Caskey introduced to the Senate, Elaine Paxton, Clinton.

Senator Singleton introduced to the Senate, Amy Ford, Justin Buerge, Linda Garrett, Kathie Meyer, LaDonna Stroud and Alden Buerge, Joplin.

Senator Staples introduced to the Senate, Denise Thompson and students from East Carter County School, Ellsinore.

Senator Caskey introduced to the Senate, William R. (Bill) McDaniel and Jerry Martin, Raymore.

Senator Caskey introduced to the Senate, Scott and Charlotte Buerge, Nevada.

On behalf of Senator Ehlmann and himself, Senator House introduced to the Senate, Mayor Patti York and Councilman Tom Dempsey, St. Charles.

Senator Flotron introduced to the Senate, Marie, Christy and Michelle Sinay, Manchester; and Christy and Michelle were made honorary pages.

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

SENATE CALENDAR

FIFTY-FOURTH DAY—THURSDAY, APRIL 15, 1999

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HB 492-Hosmer

HB 763-O'Toole and Kelly (27th)

HCS for HB 13

HB 17-Franklin

HS for HB 700-Mays (50th)

HS for HB 971-Shelton

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SJR 17-Mueller
(In Budget Control) | 8. SB 125-Childers |
| 2. SB 359-Mueller, et al | 9. SB 29-Mueller |
| 3. SCS for SB 351-
Johnson and Russell | 10. SB 495-Goode |
| 4. SB 472-House
(In Budget Control) | 11. SS for SCS for SB 94-Ehlmann |
| 5. SCS for SB 440-Schneider
(In Budget Control) | 12. SCS for SBs 392, 393
& 267-Goode |
| 6. SCS for SB 377-Howard
(In Budget Control) | 13. SCS for SBs 328, 87,
100 & 55-Clay, et al |
| 7. SB 371-Flotron, et al | 14. SS for SB 455-Stoll |
| | 15. SS for SCS for
SBs 347, 40, 241 &
301-House |

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| 1. SB 248-Maxwell, with SCS | 7. SBs 398 & 376-Maxwell,
with SCS |
| 2. SBs 429, 430 & 407-
Jacob, with SCS | 8. SB 507-Childers |
| 3. SB 525-Rohrbach, with SCS | 9. SB 413-Johnson, et al |
| 4. SB 374-Mathewson,
with SCS | 10. SJR 16-Schneider, with SCS |
| 5. SB 274-House, et al,
with SCS | 11. SB 98-Kenney |
| 6. SBs 18, 49 & 167-
Goode, et al, with SCS | 12. SJR 29-Caskey |
| | 13. SB 16-Mathewson,
et al, with SCA 1 |
| | 14. SB 52-Klarich and Flotron |

HOUSE BILLS ON THIRD READING

- | | |
|--------------------------------------|---------------------------------------|
| 1. HCS for HB 4, with
SCS (Goode) | 6. HCS for HB 9, with
SCS (Goode) |
| 2. HCS for HB 5, with
SCS (Goode) | 7. HCS for HB 10, with
SCS (Goode) |
| 3. HCS for HB 6, with
SCS (Goode) | 8. HCS for HB 11, with
SCS (Goode) |
| 4. HCS for HB 7, with
SCS (Goode) | 9. HCS for HB 12, with
SCS (Goode) |
| 5. HCS for HB 8, with
SCS (Goode) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 425-Stoll, et al

SENATE BILLS FOR PERFECTION

SB 5-Wiggins	SB 316-Schneider and Ehlmann
SB 30-Howard, with SCS (pending)	SB 318-Jacob, et al, with SCS & SS for SCS (pending)
SB 70-Schneider, with SS#2 (pending)	SB 336-Caskey, with SA 3 (pending)
SBs 75, 381 & 204-Wiggins, with SCS	SB 339-Howard and Sims, with SCS & SS#2 for SCS (pending)
SB 78-Russell, with SA 4 (pending)	SB 345-Johnson, with SS (pending)
SB 97-Maxwell and Sims	SB 397-Maxwell, with SCS
SB 179-Goode, with SA 3 & SSA 1 for SA 3 (pending)	SB 417-Quick, with SS#2 & SA 1 (pending)
SB 203-Wiggins	
SB 208-House, with SCS & SS for SCS (pending)	
SB 235-Stoll, with SS & SA 2 (pending)	

CONSENT CALENDAR

House Bills

Reported 4/6

HB 661-Crump (Caskey)	HB 776-McBride (Maxwell)
HB 165-May (108th) (DePasco)	HB 795-Kennedy and Crawford, with SCS (Scott)
HB 242-May (108th) (Caskey)	HB 853-Seigfreid, with SCA 1 (Mathewson)
HB 103-Treadway (DePasco)	HB 464-Richardson, with SCS (Howard)
HB 275-May (108th) and O'Toole, with SCS (Scott)	HB 514-Franklin (Stoll)
HB 366-Hartzler (123rd), with SCS (Caskey)	HB 662-Crump (Scott)

HB 920-Farnen, with SCA 1
(Maxwell)
HB 778-Luetkenhaus (House)
HB 282-Clayton (Wiggins)
HB 445-Auer, with SCA 1
(Jacob)
HB 478-Ward, et al (Scott)
HB 35-Campbell, with SCS
(Johnson)

HB 834-Crump (Staples)
HB 518-Ross, with SCA 1
(Mathewson)
HB 708-Meredith, et al
(Johnson)
HB 800-Linton (Klarich)
HB 791-Wagner (Russell)

Unofficial
Reported 4/12

HB 570-Rizzo (DePasco)
HB 476-Hegeman, with SCS
(Johnson)
HB 528-Chrismer (Ehlmann)
HB 789-Berkstresser and
Bartelsmeyer, with SCS
(Childers)
HB 930-Ward, et al
HB 271-Clayton (Maxwell)
HB 721-Barry, with SCS
(Howard)
HB 893-Murray, et al,
with SCA 1 (Maxwell)
HB 94-Clayton (Wiggins)
HB 358-Hosmer (Singleton)

HB 185-Lakin, with SCA 1
(Sims)
HB 290-Champion (Bentley)
HB 517-Backer, et al
(Staples)
HB 646-Hampton, et al
(Staples)
HB 678-Leake and Koller
(Mathewson)
HB 34-Auer, with SCA 1
(Mueller)
HB 915-Mays (50th) and
Legan (Maxwell)
HB 145-Wiggins (Maxwell)
HB 216-Parker (Maxwell)

Copy
Reported 4/13

HB 328-Parker (Caskey)
HB 136-Smith (Caskey)
HB 39-Dougherty, with SCS
(Maxwell)
HB 929-Griesheimer
(Klarich)
HB 453-Gross (Yeckel)
HB 568-May (108th)
(Schneider)

HB 861-Griesheimer and
Murray (Sims)
HB 965-Wilson (Bentley)
HB 201-Boucher (Caskey)
HB 352-Foley, et al, with SCA 1
HB 402-Relford, et al
(Mathewson)
HB 748-O'Toole and May
(108th)

HB 775-Hosmer, with SCS
(Bentley)
HB 796-Smith (Jacob)
HB 987-Backer
HB 607-Wilson, et al
(Jacob)
HB 265-Smith (Caskey)

HB 79-Ransdall and Gaw,
with SCS (Maxwell)
HB 867-McKenna, with
SCA 1 (Scott)
HB 979-Auer (Scott)
HB 152-Leake, et al, with
SCS (Maxwell)

Reported 4/14

HB 327-Parker
HB 268-Crawford, et al
HB 724-Crump
HB 266-Britt, et al
HS for HCS for HB 256-
George
HB 792-Kissell & McKenna,
with SCS (Mathewson)
HB 261-Auer

HB 346-Thompson (37th)
HB 300-Green
HB 452-Boatright, et al
HB 680-Leake, et al, with
SCA 1
HB 58-Treadway, with SCS
(Maxwell)
HB 903-Auer
HB 926-Liese and Ward

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

SR 359-Ehlmann

SCR 9-Mueller

To be Referred

HCS for HCR 3
HCS for HCR 19
HCR 28-Ransdall

HCR 21-Kissell &
Kelly (27th)
HCR 17-Barnett



Unofficial

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