

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIFTH DAY—MONDAY, APRIL 19, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

Gracious and Heavenly Father: We thank You for a great day to drive here and safely arriving for work among your people. We recognize that this world is watching our every move and every vote so we appreciate Your teaching us to follow Your will in everything we do. And we would ask for a special measure of Your help and guidance this week granting us understanding and tolerance for different points of view and pray Your love be present in all that we say and in the votes we cast this week. This we ask in Your Holy Name. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for Thursday, April 15, 1999, was read and approved.

Senator DePasco announced that photographers from KOMU-TV, KRCG-TV and the Associated Press had been given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

Absent with leave—Senators—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sims offered Senate Resolution No. 596, regarding Anne Elizabeth Freeman, Fenton, which was adopted.

Senator Sims offered Senate Resolution No. 597, regarding April Goff, Festus, which was adopted.

Senator Sims offered Senate Resolution No. 598, regarding Christine M. Grosch, Ballwin, which was adopted.

Senator Sims offered Senate Resolution No. 599, regarding Leslie Ann Hughes, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 600, regarding Janae A. Smith, Imperial, which was adopted.

Senator Sims offered Senate Resolution No. 601, regarding Kathryn Leigh Roberts, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 602, regarding Jenny Comrie, O'Fallon, which was adopted.

Senator Sims offered Senate Resolution No. 603, regarding Amber Marie Frayne, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 604, regarding Melinda Harriman, Lake St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 605, regarding Laura Levitt, Town and Country, which was adopted.

Senator Sims offered Senate Resolution No.

606, regarding Jennifer Lynn Short, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 607, regarding Stephanie Tice, O'Fallon, which was adopted.

Senator Sims offered Senate Resolution No. 608, regarding Justine Whitney Carter, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 609, regarding Danielle Clark, O'Fallon, which was adopted.

Senator Sims offered Senate Resolution No. 610, regarding Karimah Gunn, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 611, regarding Brooke Elizabeth Henry, Ballwin, which was adopted.

Senator Sims offered Senate Resolution No. 612, regarding Jennifer Pratt, Defiance, which was adopted.

Senator Sims offered Senate Resolution No. 613, regarding Rachel Andrews, Des Peres, which was adopted.

Senator Sims offered Senate Resolution No. 614, regarding Kylene A. Diller, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 615, regarding Rebecca J. Boyd, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 616, regarding Jaclyn C. Rapp, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 617, regarding Jonnesse Tammyka Triggs, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 618, regarding Lisa C. Dierkes, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 619, regarding Kate Christman, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 620, regarding Jessica Nesselhauf, Festus, which

was adopted.

Senator Sims offered Senate Resolution No. 621, regarding Courtney A. Kramer, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 622, regarding Christine Callahan, Imperial, which was adopted.

Senator Sims offered Senate Resolution No. 623, regarding Victoria Ann Altepeter, Chesterfield, which was adopted.

Senator Sims offered Senate Resolution No. 624, regarding Morgan Marie Taylor, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 625, regarding Catherine Irene Hughes, Shrewsbury, which was adopted.

Senator Sims offered Senate Resolution No. 626, regarding Amanda Deardorff, Ste. Genevieve, which was adopted.

Senator Sims offered Senate Resolution No. 627, regarding Beth Fore, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 628, regarding Kori Suzanne Frazee, Spanish Lake, which was adopted.

Senator Sims offered Senate Resolution No. 629, regarding Romney Edwards, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 630, regarding Elizabeth Hancock, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 631, regarding Staci McCoy, Lake St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 632, regarding Katie A. M. Mills, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 633, regarding Tracey Raguse, Florissant, which was adopted.

Senator Sims offered Senate Resolution No. 634, regarding Megan R. Toole, Fenton, which was adopted.

Senator Sims offered Senate Resolution No. 635, regarding Jennifer Ploch, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 636, regarding Cindy Jost, Fenton, which was adopted.

Senator Sims offered Senate Resolution No. 637, regarding Marie A. Moesch, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 638, regarding Lynne Marie Riedemann, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 639, regarding Courtney Melissa Straine, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 640, regarding Beth E. Kruegel, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 641, regarding Lynette Orton, Festus, which was adopted.

Senator Sims offered Senate Resolution No. 642, regarding Amy Karen Naylor, Wildwood, which was adopted.

Senator Sims offered Senate Resolution No. 643, regarding Elysa Weston, Fenton, which was adopted.

Senator Sims offered Senate Resolution No. 644, regarding Angela Kay Restifo, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 645, regarding Karen E. Meinecke, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 646, regarding Shannon McGuire, St. Louis, which was adopted.

Senator Sims offered Senate Resolution No. 647, regarding Kristen Hopper, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 648, regarding Emily Amanda Hill, Chesterfield, which was adopted.

Senator Sims offered Senate Resolution No.

649, regarding Elizabeth Ebersohl, Florissant, which was adopted.

Senator Sims offered Senate Resolution No. 650, regarding Melissa S. Doelling, St. Charles, which was adopted.

Senator Sims offered Senate Resolution No. 651, regarding Amy Carson, St. Peters, which was adopted.

Senator Sims offered Senate Resolution No. 652, regarding Heather Ihrig, Florissant, which was adopted.

Senator Rohrbach offered Senate Resolution No. 653, regarding Jim Neeley, Jefferson City, which was adopted.

Senator Stoll offered Senate Resolution No. 654, regarding Seth Haze Bailey, Crystal City, which was adopted.

Senator Bentley offered Senate Resolution No. 655, regarding David Harrison, Springfield, which was adopted.

Senator Schneider offered Senate Resolution No. 656, regarding the One Hundredth Birthday of Mrs. Mae Haeckel, Florissant, which was adopted.

Senator Schneider offered Senate Resolution No. 657, regarding the St. Louis RAMS Football Club, which was adopted.

REFERRALS

President Pro Tem Quick referred **SS** for **SCS** for **SBs 1, 92, 111, 129** and **291**; **HS** for **HCS** for **HB 274**; **HCS** for **HB 888**, with **SCS**; **HS** for **HB 450**, with **SCS**; and **HCS** for **HB 676**, with **SCS**, to the Committee on State Budget Control.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 15, 1999

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

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

Calvin W. Call, 226 Dover Street, Jefferson City, Cole County, Missouri 65109, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Joanne M. Collins, Republican, 4030 Bellefontaine Avenue, Kansas City, Jackson County, Missouri 64130, as a member of the Air Conservation Commission of the State of Missouri, for a term ending October 13, 2000, and until her successor is duly appointed and qualified; vice, Kenneth Beck, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Charles "Gil" Copley, 14 Plymouth Court, St. Charles, St. Charles County, Missouri 63304, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Angela S. Fowler-Allen, 8141 Campbell, #114, Kansas City,

Jackson County, Missouri 64131, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Sheila Greenbaum, 34 Westmoreland Place, St. Louis City, Missouri 63108, as a member of the Missouri State Public Employees Deferred Compensation Commission, for a term ending November 20, 2000, and until her successor is duly appointed and qualified; vice, Deirdre K. Hirner, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

April L. Ford Griffin, 3229 North Twentieth Street, St. Louis City, Missouri 63107, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Delores A. Jeffries, 505 Country Club Drive, Normandy, St.

Louis County, Missouri 63121, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Timothy J. Klotz, 135 Anderson Street, St. Charles, St. Charles County, Missouri 63301, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Margaret F. Koch, 3555 Longfellow Boulevard, St. Louis City, Missouri 63104, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Sandra S. Mazzocco, 1504 Subella, Columbia, Boone County, Missouri 65203, as a member of the Advisory Committee on Lead

Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

F. Leland McClure, Ph.D., 2110 Briargate Lane, Kirkwood, St. Louis County, Missouri 63122, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Gerald M. Shechter, 5825 Rockhill Road, Kansas City, Jackson County, Missouri 64110, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Ernest M. Simon, Rural Route #1, Box 90, Dover, Lafayette County, Missouri 64022-9701, as a member of the Advisory

Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Derotha G. Skaggs, 2400 A. West Maude Street, Poplar Bluff, Butler County, Missouri 63901, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until her successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Donald M. Thomas, 2433 Highway Z, Pevely, Jefferson County, Missouri 63070, as a member of the Advisory Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Daniel L. Vornberg, 556 Purdue, St Louis, St. Louis County, Missouri 63130, as a member of the Advisory Committee on Lead

Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Lois L. Vander Waerd, 7155 Washington, St. Louis, St. Louis County, Missouri 63130, as a member of the State Board of Mediation, for a term ending October 25, 1999, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Timothy J. Warren, Republican, 512 Robin Crest Court, Wildwood, St. Louis County, Missouri 63040, as a member of the Hazardous Waste Management Commission, for a term ending April 3, 2003, and until his successor is duly appointed and qualified; vice, Mat Madison Turner, resigned.

Respectfully submitted,
MEL CARNAHAN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 15, 1999

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

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

Gary S. Wasserman, D.O., 4545 Wornall Road, #102, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory

Committee on Lead Poisoning, for a term ending April 15, 2001, and until his successor is duly appointed and qualified; vice, RSMo. 701.302.

Respectfully submitted,
MEL CARNAHAN
Governor

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

HOUSE BILLS ON THIRD READING

HB 661, introduced by Representative Crump, entitled:

An Act to repeal section 43.150, RSMo Supp. 1998, relating to discipline of members of the highway patrol, 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 661** 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
Kenney	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Russell
Schneider	Scott	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senator Rohrbach—1

Absent—Senator Johnson—1

Absent with leave—Senators

Banks	Graves	Sims—3
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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 165, introduced by Representative May

(108), entitled:

An Act to repeal section 556.061, RSMo 1994, relating to criminal code definitions, 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 DePasco.

On motion of Senator DePasco, **HB 165** 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
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins—30		

NAYS—Senators—None

Absent—Senator Yeckel—1

Absent with leave—Senators

Banks	Graves	Sims—3
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The President Pro Tem 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 Caskey moved that motion lay on the table, which motion prevailed.

HB 242, introduced by Representative May (108), entitled:

An Act to repeal section 534.070, RSMo 1994, and sections 534.090 and 535.030, RSMo Supp. 1998, relating to civil procedure, and to enact in lieu thereof three new sections relating to the same subject.

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

On motion of Senator Caskey, **HB 242** 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	Scott	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators

Banks	Graves	Sims—3
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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 103, introduced by Representative Treadway, entitled:

An Act to repeal section 82.1025, RSMo Supp. 1998, relating to nuisance property, 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 DePasco.

On motion of Senator DePasco, **HB 103** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Flotron	Goode
House	Howard	Jacob	Johnson
Kenney	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Rohrbach
Russell	Scott	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Ehlmann	Schneider—2
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Absent with leave—Senators

Banks	Graves	Sims—3
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The President Pro Tem 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 Scott moved that motion lay on the table, which motion prevailed.

HB 275, with **SCS**, introduced by Representatives May (108) and O'Toole, entitled:

An Act to repeal section 473.737, RSMo 1994, relating to public administrators, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

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

SCS for **HB 275**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 275

An Act to repeal section 473.737, RSMo 1994, relating to public administrators, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Was taken up.

Senator Scott moved that **SCS** for **HB 275** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HB 275** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators

Graves Sims—2

The President Pro Tem declared the bill passed.

Senator Mathewson assumed the Chair.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Graves Sims—2

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

Senator Scott 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 10, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up by Senator Goode.

SCS for HCS for HB 10, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1999 and ending June 30, 2000.

Was taken up.

Senator Goode moved that **SCS** for **HCS** for **HB 10** be adopted.

Senator Goode offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 5, Section 10.060, Lines 1-11, by deleting all of said lines and inserting in lieu thereof the following:

"There is transferred out of the State Treasury, chargeable to the General Revenue Reimbursements Fund, Forty Five Million, One Hundred Fifty Seven Thousand, Eight Hundred Forty One Dollars (\$45,157,841).".

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

Senator Wiggins assumed the Chair.

Senator Schneider offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 36, Section 10.705, Lines 16-23 of said page, all of page 37 and lines 1-12 of page 38, by striking all of said lines and inserting in lieu thereof the following:

"1. For the purpose of funding family planning services, pregnancy testing and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative

expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility including adoption, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy and childbirth care, including abortion providers. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share any of the following:

- (a) The same or similar name;
- (b) Medical or non-medical facilities, including but not limited to business offices, treatment, consultation, examination, and waiting rooms;
- (c) Expenses;
- (d) Employee wages or salaries;

(e) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment and office supplies; or

(f) Fundraising activities.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect economic or marketing benefit from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section.

2. If any provision of subsection 1 of this section is held invalid, the provision shall be severed from subsection 1 of this section and the remainder of subsection 1 of this section shall be enforced. If the entirety of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3 of this section, otherwise subsection 3 of this section shall have no effect.

3. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the department of health or provided directly by governmental agencies of this state or provided directly by any political subdivision of this state through contractual agreement with the department, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility including adoption, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective

counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy and childbirth care."

Senator Schneider moved that the above amendment be adopted.

President Pro Tem Quick assumed the Chair.

At the request of Senator Goode, **HCS** for **HB 10**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

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 adopted **SCS** for **HB 1** and has again taken up and passed **SCS** for **HB 1**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2** and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 3** and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4**, as amended, and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 5**, as amended, and requests the Senate to recede from its

position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6**, as amended, and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 7** and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Goode moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**, as amended; **SCS** for **HCS** for **HB 5**, as amended; **SCS** for **HCS** for **HB 6**, as amended; **SCS** for **HCS** for **HB 7**; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**, and grants the House conferences thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committees to act with like

committees from the House on **SCS for HCS for HB 2**; **SCS for HCS for HB 3**; **SCS for HCS for HB 4**, as amended; **SCS for HCS for HB 5**, as amended; **SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**; **SCS for HCS for HB 8**; **SCS for HCS for HB 9**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

HOUSE BILLS ON THIRD READING

Senator Goode moved that **HCS for HB 10**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

Senator Banks raised the point of order that **SA 2** is out of order in that it is not germane to the bill, stating that the amendment attempts to legislate through appropriations.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

President Wilson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Clay assumed the Chair.

Senator Schneider offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 4, Line 13, by inserting after the words: "childbirth care" the words: "including abortion providers".

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

Senator Mathewson assumed the Chair.

Senator Maxwell offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 36, Section 10.705, Lines 16-23 of said page, all of page 37 and lines 1-12 of page 38, by striking all of said lines and inserting in lieu thereof the

following:

"1. For the purpose of funding family planning services, pregnancy testing and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy may be provided. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share the same name, or any of the following without reimbursement for same:

(a) Medical or non-medical facilities, including but not limited to treatment, consultation, examination, and waiting rooms;

(b) Expenses;

(c) Employee wages or salaries;

(d) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment and office supplies; or

(e) Fundraising activities.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect subsidy from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section. Nothing in this section requires an agency receiving federal funds pursuant to Title X of the Public Health Services Act to refrain from performing any service required pursuant to Title X, regulations adopted pursuant to Title X or the Title X Program Guidelines for Project Grants for Family Planning Services as published by the U.S. Department of Health and Human Services in order to remain eligible to receive Title X funds, to be eligible to receive state funds pursuant to this section.

2. If any provision of subsection 1 of this section is held invalid, the provision shall be severed from subsection 1 of this section and the remainder of subsection 1 of this section shall be enforced. If the entirety of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3 of this section, otherwise subsection 3 of this section shall have no effect.

3. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the department of health or provided directly by governmental agencies of this state or provided directly by any political subdivision of this state through contractual agreement with the department, provided that none of these funds appropriated herein may be expended to directly or indirectly

subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy care may be provided. Nothing in this section requires an agency receiving federal funds pursuant to Title X of the Public Health Services Act to refrain from performing any service required pursuant to Title X, regulations adopted pursuant to Title X or the Title X Program Guidelines for Project Grants for Family Planning Services as published by the U.S. Department of Health and Human Services in order to remain eligible to receive Title X funds, to be eligible to receive state funds pursuant to this section."

Senator Maxwell moved that the above substitute amendment be adopted.

Senator Schneider offered **SA 1 to SSA 1 for SA 2:**

**SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 2**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Line 8, Pages 1 to 4, by striking all language after the word "expenses" and substitute the following:

"Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility including adoption, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning

services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy, abortion services and childbirth care. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share any of the following:

- (a) The same or similar name;
- (b) Medical or non-medical facilities, including but not limited to business offices, treatment, consultation, examination, and waiting rooms;
- (c) Expenses;
- (d) Employee wages or salaries;
- (e) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment and office supplies; or
- (f) Fundraising activities.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict

compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect economic or marketing benefit from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section.

2. If any provision of subsection 1 of this section is held invalid, the provision shall be severed from subsection 1 of this section and the remainder of subsection 1 of this section shall be enforced. If the entirety of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3 of this section, otherwise subsection 3 of this section shall have no effect.

3. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the department of health or provided directly by governmental agencies of this state or provided directly by any political subdivision of this state through contractual agreement with the department, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility including adoption, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy and childbirth care."

Senator Schneider moved that the above amendment be adopted.

Senator Maxwell offered **SSA 1** for **SA 1** to **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 36, Section 10.705, Lines 16-23 of said page, all of page 37 and lines 1-12 of page 38, by striking all of said lines and inserting in lieu thereof the following:

"1. For the purpose of funding family planning services, pregnancy testing and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Nondirective counseling relating to pregnancy may be provided. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute direct referral marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share the same name, or medical or non-medical facilities, including but not limited to treatment, consultation, examination, and waiting rooms, or any of the following without reimbursement for same:

(a) Expenses;

(b) Employee wages or salaries; or

(c) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment and office supplies.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect subsidy from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section. Nothing in this section requires an agency receiving federal funds pursuant to Title X of the Public Health Services Act to refrain from performing any service required pursuant to Title X, regulations adopted pursuant to Title X or the Title X Program Guidelines for Project Grants for Family Planning Services as published by the U.S. Department of Health and Human Services in order to remain eligible to receive Title X funds, to be eligible to receive state funds pursuant to this section."

Senator Maxwell moved that the above substitute amendment be adopted.

Senator Schneider raised the point of order that **SSA 1 for SA 1 to SSA 1 for SA 2** is out of order in that it is in the third degree.

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

Senator Jacob raised the point of order that **SA 1 to SSA 1 for SA 2** is out of order in that it attempts to replace the subject matter of the substitute amendment with what, in effect, is the same language of the underlying amendment.

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

At the request of Senator Maxwell, **SSA 1 for SA 2** was withdrawn.

Senator Maxwell offered **SSA 2 for SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 2
FOR SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 36, Section 10.705, Lines 16-23 of said page, all of page 37 and lines 1-12 of page 38, by striking all of said lines and inserting in lieu thereof the following:

"1. For the purpose of funding family planning services, pregnancy testing and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Nondirective counseling relating to pregnancy may be provided. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute direct referral marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share the same name, or medical or non-medical facilities, including but not limited to treatment, consultation, examination, and waiting rooms, or any of the following without reimbursement for same:

- (a) Expenses;
- (b) Employee wages or salaries; or
- (c) Equipment or supplies, including but not

limited to computers, telephone systems, telecommunications equipment and office supplies.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect subsidy from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section. Nothing in this section requires an agency receiving federal funds pursuant to Title X of the Public Health Services Act to refrain from performing any service required pursuant to Title X, regulations adopted pursuant to Title X or the Title X Program Guidelines for Project Grants for Family Planning Services as published by the U.S. Department of Health and Human Services in order to remain eligible to receive Title X funds, to be eligible to receive state funds pursuant to this section."

Senator Maxwell moved that the above substitute amendment be adopted.

Senator Klarich offered **SA 1** to **SSA 2** for **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 2
FOR SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 3, Line 16, by adding at the end thereof, the following:

"Any reference to Title X, Title X regulations, Title X program guidelines herein shall be those drafted and in effect as of 1980."; and

Further amend said bill, line 11, page 3, by deleting the word "required" on said line and replace in lieu thereof, the following: "defined as a "must or shall" service".

Senator Klarich moved that the above amendment be adopted.

At the request of Senator Klarich, **SA 1** to **SSA 2** for **SA 2** was withdrawn.

Senator Schneider offered **SA 2** to **SSA 2** for **SA 2**:

**SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 2
FOR SENATE AMENDMENT NO. 2**

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Line 8, Pages 1-4, by striking all language after the word "expenses" and substitute the following:

"Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility including adoption, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy, abortion services and childbirth care and may provide nondirective counseling in regard to such options. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute marketing materials about abortion services to patients. An otherwise qualified organization shall not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives

these funds and its independent affiliate that provides abortion services may not share any of the following:

- (a) The same or similar name;
- (b) Medical or non-medical facilities, including but not limited to business offices, treatment, consultation, examination, and waiting rooms;
- (c) Expenses;
- (d) Employee wages or salaries;
- (e) Equipment or supplies, including but not limited to computers, telephone systems, tele-communications equipment and office supplies; or
- (f) Fundraising activities.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect economic or marketing benefit from these funds. The director of the department of health shall retain an independent auditing firm to conduct an audit at least annually to ensure compliance under this section. Nothing in this section requires an agency receiving Federal Title X funds to refrain from performing any service that must or shall be provided under Title X as defined in 1970 and regulations drafted in 1980.

2. If any provision of subsection 1 of this section is held invalid, that provision shall be severed from subsection 1 and the remainder of subsection 1 shall be enforced. If the entirety of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3, otherwise subsections 3 through 5 shall have no effect.

3. For the purpose of funding family planning services, pregnancy testing, and follow-up services provided directly by the Department of Health or provided directly by government agencies of this state or any political subdivision of this state or directly by public health entities, through contractual agreement with the Department, provided that none of these funds may be expended for the purpose of performing, assisting, or encouraging abortion, and further provided that

none of these funds may be expended to directly or indirectly subsidize abortion services or administrative expenses. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include obstetric or prenatal care. None of these funds may be expended for directly referring for abortion; however, nondirective counseling relating to pregnancy may be provided. Nondirective counseling is defined as providing patients with a list of health care providers that provide pregnancy, abortion services and childbirth care. For the purpose of this subsection, public health entities shall include community mental health centers organized pursuant to section 205.975 to 205.990, RSMo, and community action agencies organized pursuant to sections 660.370 to 660.374, RSMo.

4. If the entirety of subsection 1 of this section is held invalid and any provision of subsection 3 of this section are held invalid, then this appropriation shall be in accordance with subsection 5, otherwise subsection 5 shall have no effect.

5. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the Department of Health or provided directly by government agencies of this state or any political subdivision of this state through contractual agreement with the Department, provided that none of these funds appropriated herein shall be expended for the purposes of performing, assisting, or encouraging abortion, provided that none of these funds may be expended to directly or indirectly subsidize abortion services or administrative expenses, and further provided that none of these funds may be expended for directly referring for abortion. Family planning services are services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning

services and pregnancy testing but do not include pregnancy or childbirth care."

Senator Schneider moved that the above amendment be adopted.

Senator Johnson assumed the Chair.

Senator Maxwell requested a roll call vote be taken on the adoption of **SA 2** to **SSA 2** for **SA 2** and was joined in his request by Senators Kinder, Mueller, Russell and Wiggins.

SA 2 to **SSA 2** for **SA 2** was adopted by the following vote:

YEAS—Senators

Childers	Ehlmann	Flotron	Graves
House	Kenney	Kinder	Klarich
Mueller	Rohrbach	Russell	Schneider
Scott	Steelman	Stoll	Westfall
Wiggins	Yeckel—18		

NAYS—Senators

Banks	Bentley	Bland	Caskey
Clay	DePasco	Goode	Howard
Jacob	Johnson	Mathewson	Maxwell
Quick	Sims	Singleton	Staples—16

Absent—Senators—None

Absent with leave—Senators—None

SSA 2 for **SA 2**, as amended, was again taken up.

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

SSA 2 for **SA 2**, as amended, was adopted by the following vote:

YEAS—Senators

Childers	DePasco	Ehlmann	Flotron
Graves	House	Kenney	Kinder
Klarich	Mueller	Rohrbach	Russell
Schneider	Scott	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—20

NAYS—Senators

Banks	Bentley	Bland	Caskey
Clay	Goode	Howard	Jacob
Johnson	Mathewson	Maxwell	Quick
Sims	Staples—14		

Absent—Senators—None

Absent with leave—Senators—None

Senator Banks offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 26, Section 10.600, Line 2, by deleting the number "954,335" and inserting in lieu thereof the number "1,024,535"; and further amend said section, line 5, by deleting the number "256,164" and inserting in lieu thereof the number "377,964"; and further amend said section, line 6, by deleting the number "1,210,499" and inserting in lieu thereof the number "1,402,499"; and further amend said section, line 10, by deleting "Total (Not to exceed 42.90 F.T.E.) \$2,282,386" and inserting in lieu thereof "Total (Not to exceed 44.90 F.T.E.) \$2,474,386".

Senator Banks moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bland, Caskey, Clay and Howard.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Banks	Bland	Caskey	Clay
DePasco	Howard	Jacob	Johnson
Scott	Staples—10		

NAYS—Senators

Bentley	Childers	Ehlmann	Flotron
Goode	Graves	House	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—24

Absent—Senators—None

Absent with leave—Senators—None

Senator Steelman offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 40, Section 10.710, Line 34, by deleting the

number "\$900,000" and inserting in lieu thereof the number "\$1,200,000".

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

Senator Goode moved that **SCS** for **HCS** for **HB 10**, as amended, be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **HCS** for **HB 10**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Childers	Clay
DePasco	Ehlmann	Flotron	Goode
Graves	House	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Rohrbach	Russell	Schneider
Scott	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—27	

NAYS—Senators

Banks	Bland	Howard	Jacob
Quick	Sims	Staples—7	

Absent—Senators—None

Absent with leave—Senators—None

RESOLUTIONS

Senator Scott offered Senate Resolution No. 658, regarding the Ninetieth Birthday of Mr. Timothy J. Ryan, St. Louis, which was adopted.

Senator Howard offered Senate Resolution No. 659, regarding the death of David R. Humes, Sr., Hayti Heights, which was adopted.

Senator Bentley offered Senate Resolution No. 660, regarding the death of John Arnold Appelquist, Springfield, which was adopted.

Senators Howard, Banks, Clay and Bland offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 661

WHEREAS, the members of the Missouri Senate were truly saddened by the recent demise of David R. Humes, Sr., who passed away on April 8, 1999, at the age of sixty-five; and

WHEREAS, David Humes had enjoyed the honor, privilege, and distinction of serving as mayor of Hayti Heights, Missouri, since

its incorporation in 1972; and

WHEREAS, born in Casilla, Mississippi, June 8, 1933, to Henry and Sammie Humes, David Humes confessed his Christian hope early in life through the auspices of the Methodist Church with which he remained a devoted member throughout his childhood and adult life; and

WHEREAS, in 1952 David Humes took the hand of his beloved bride, Doretha Kuykendoll, in holy matrimony during solemn ceremonies held on Saturday, July 5, and then later that same year entered military service to begin a two-year tour of duty with the United States Army; and

WHEREAS, a cotton worker with an enviable performance record, David Humes availed himself of Great Society programs such as the Ford Foundation, Community Based Leadership Development, and other training programs which prepared him to accept appointment as Mayor of Hayti Heights after its 1972 incorporation as a fourth class city; and

WHEREAS, a leader of a town of 2,000 inhabitants and little in the way of basic or necessary services, Mayor Humes oversaw the extension of a private water line into the city, the enactment of a livestock ordinance, training of the City Council by Lincoln University, development of a youth government structure, paving of city streets, replacement of the private water supply by a city-owned system, and establishment of a housing authority and fire and police protection; and

WHEREAS, the passing of Mayor Humes will be mourned by the many constituents, neighbors, and friends whose lives were bettered through his diligent efforts, and by his loving extended family which includes his wife, Doretha; daughters, Vernice Jones and Anita Orr; sons, David and Karl; twelve grandchildren; two sisters; a brother; two aunts; and numerous nieces, nephews, and other relatives:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join unanimously to extend our heartfelt condolences to the family and friends of the late Mayor David Humes during this difficult period of loss and sorrow; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the widow and children of the late David R. Humes, Sr.

SENATE BILLS FOR PERFECTION

Senator Wiggins moved that **SB 5** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wiggins offered **SS** for **SB 5**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 5

An Act to repeal sections 147.010, 147.020, 147.030, 147.040, 147.050, 147.070, 147.080, 147.100, 351.484 and 351.598, RSMo 1994, and sections 147.120 and 351.120, RSMo Supp. 1998,

relating to corporation franchise tax, and to enact in lieu thereof ten new sections relating to the same subject, with an emergency clause.

Senator Wiggins moved that **SS** for **SB 5** be adopted.

At the request of Senator Wiggins, **SB 5**, with **SS** (pending), was placed on the Informal Calendar.

Senator Wiggins moved that **SB 75**, **SB 381** and **SB 204**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 75, 381** and **204**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 75, 381 and 204

An Act to repeal sections 144.030 and 306.016, RSMo Supp. 1998, relating to exemptions from state and local sales and use taxes, and to enact in lieu thereof four new sections relating to the same subject, with an effective date for certain sections.

Was taken up.

Senator Wiggins moved that **SCS** for **SBs 75, 381** and **204** be adopted.

Senator Wiggins offered **SS** for **SCS** for **SBs 75, 381** and **204**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 75, 381 AND 204

An Act to repeal sections 136.300, 144.190 and 144.605, RSMo 1994, and sections 144.014, 144.030 and 306.016, RSMo Supp. 1998, relating to sales and use taxes, and to enact in lieu thereof ten new sections relating to the same subject, with an effective date for certain sections.

Senator Wiggins moved that **SS** for **SCS** for **SBs 75, 381** and **204** be adopted.

At the request of Senator Wiggins, **SB 75**, **SB 381** and **SB 204**, with **SCS** and **SS** for **SCS** (pending), were placed on the Informal Calendar.

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, after examination of **HB 266**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SS No. 2** for **SB 70**, 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.

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 2**: Representatives: Franklin, Williams (121), Lakin, Legan, Patek.

Also,

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 3**: Representatives: Franklin, Williams (121), Lakin, Legan, Burton.

Also,

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 4**, as amended: Representatives: Franklin, Williams (121), Green, Legan, Gross.

Also,

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 5**, as amended: Representatives: Franklin, Williams (121), Green, Legan, Shields.

Also,

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 6**, as amended: Representatives: Franklin, Scheve, Williams (159), Legan, Graham (106).

Also,

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 7**: Representatives: Franklin, Scheve, Williams (159), Legan, McClelland.

Also,

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 8**: Representatives: Franklin, Williams (121), Lakin, Legan, Crawford.

Also,

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 9**: Representatives: Franklin, Troupe, Kelly (27), Kelley (47), Legan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 277**, entitled:

An Act relating to insurance coverage.

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 **SB 169**.

With House Committee Amendment No. 1.

HOUSE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 169, Page 1, Section 42.105, Line 3, by striking the word "Missouri"; and

Further amend said bill, Page 1, Section 42.105, Line 4, by inserting immediately after the word "guard" the following: ", **with preference given to the Missouri national guard,**".

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 188**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 184**.

Bill ordered enrolled.

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 SCS for SB 275**, entitled:

An Act to repeal sections 56.065, 56.151 and 56.755, RSMo 1994, and sections 56.066, 56.067, 56.265, 56.363, 56.365 and 56.765, RSMo Supp. 1998, relating to prosecution services, and to enact in lieu thereof seven new sections relating to the same subject, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 237**.

Bill ordered enrolled.

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 SCS for SBs 240, 226 and 229**, entitled:

An Act to repeal section 67.1360, RSMo Supp. 1998, relating to local sales tax for tourism, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 10**.

With House Committee Amendment No. 1.

HOUSE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 10, Page 1, Section 227.303, Line 1, by striking the following: "within a county of the first"; and further amend line 2, by striking all of said line.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 268**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 189**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 213**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

has taken up and passed **SB 112**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 17**.

With House Committee Amendment No. 1.

HOUSE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 17, Page 1, In the Title, Lines 2 to 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 304.170, RSMo 1994, and section 304.157, RSMo Supp. 1998, relating to motor vehicles, and to enact in lieu thereof two new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Section 304.170, RSMo 1994, and section 304.157, RSMo Supp. 1998, are repealed and two new sections enacted in lieu thereof, to be known as sections 304.157 and 304.170, to read as follows:

304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

(1) The abandoned property is left unattended for more than forty-eight hours; or

(2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. The owner of real property or lessee **or property or security manager** in lawful possession of the real property may authorize a towing company to remove abandoned property **or property parked in a restricted or assigned area**

without authorization by a law enforcement officer only when the owner, lessee or [agent] **property or security manager** of the real property is present [and]. **A property or security manager must be a full-time employee of a business entity. An authorization to tow under this subsection may be made** only under any of the following circumstances:

(1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property **or property improperly parked in a restricted or assigned area** will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained; **or a twenty-four-hour staffed emergency information telephone number, other than the number of a towing company, by which the owner of the abandoned property or improperly parked property may call to receive information regarding the location of such owner's property; or**

(2) The abandoned property is on private property and lacks an engine, transmission, wheels, tires, doors, windshield or any other major part or equipment necessary to operate safely on the highways, the owner or lessee of the private property has notified the city police or county sheriff, as appropriate, and ninety-six hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ten days have elapsed since that notification.

3. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall within one hour of the tow file an abandoned property report with the appropriate law

enforcement agency where the property is located. The report shall contain the following:

(1) The year, model, make and abandoned property identification number of the property **and the owner and any lienholders, if known;**

(2) A description of any damage to the **abandoned** property noted by owner [or lessee], **lessee or property or security manager** in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The signature and printed name, **address and phone number** of the owner [or lessee], **lessee or property or security manager** in possession of the real property; [and]

(7) The towing company's name and address;

(8) The signature of the towing operator;

[(7)] **(9)** The name of the law enforcement agency notified of the abandoned property.

The department of revenue may design and make available to police agencies throughout the state a uniform "Authorization to Tow" form. The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. The cost of the forms shall be determined by the department of revenue. The completed form shall be issued by the authorizing officer to the tow operator for that company's records as proof of authorization to tow a particular vehicle.

4. The law enforcement agency receiving such abandoned property report must record the date the abandoned property report is filed with such agency and within five days of such filing make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has

been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide enforcement computer system. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

5. Neither the law enforcement officer nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subdivision (1) of subsection 2 of this section shall within one hour of the tow report the event and the circumstances to the local law enforcement agency where the abandoned property report was filed.

7. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall record the date the property was towed and shall forward a copy of the abandoned property report to the director of revenue.

8. If any owner or lessee of real property authorizes the removal of abandoned property pursuant to subsection 2 of this section and such property is so removed and no sign is displayed prior to such removal as required pursuant to subsection 2 of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor."; and

Further amend said bill, Page 1, Section 304.170, Line 9, by inserting at the end of said line the following: "**Provided however, a recreational vehicle as defined in section 700.010, RSMo, may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.**"; and

Further amend said bill, Page 3, Section

304.170, Line 58, by inserting after the phrase "stinger-steered combinations" the following: "**shall include a semitrailer length not to exceed fifty-three feet and**".

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Ways and Means, to which was referred **HS** for **HB 516**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Commerce and Environment, to which was referred **SB 447**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Agriculture, Conservation, Parks and Tourism, to which was referred **HCS** for **HB 139**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

Senator Kenney introduced to the Senate, Brean Nieman, Lee's Summit.

Senator Wiggins introduced to the Senate, Dee Harkins, Betty Ulschak, Pat Bivins, Marge Griff, Doreen Haake and Ann Patterson, Kansas City; and Kathleen Devine and Mary Kay Masucci, Overland Park, Kansas.

Senator Steelman introduced to the Senate, Green Forest seventh graders.

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

SENATE CALENDAR

FIFTY-SIXTH DAY—TUESDAY, APRIL 20, 1999

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HB 492-Hosmer
HS for HCS for HBs 718,
225, 876 & 838-Harlan

HCS for HBs 192 & 945
HB 277-Carter

THIRD READING OF SENATE BILLS

- 1. SJR 17-Mueller
(In Budget Control)
- 2. SB 359-Mueller, et al
- 3. SCS for SB 351-Johnson
and Russell

- 4. SB 472-House
(In Budget Control)
- 5. SCS for SB 440-Schneider
(In Budget Control)

- | | |
|---|--|
| <ul style="list-style-type: none"> 6. SCS for SB 377-Howard
(In Budget Control) 7. SB 371-Flotron, et al 8. SB 125-Childers 9. SB 29-Mueller 10. SB 495-Goode 11. SS for SCS for SB 94-
Ehlmann 12. SCS for SBs 392, 393
& 267-Goode
(In Budget Control) | <ul style="list-style-type: none"> 13. SCS for SBs 328, 87,
100 & 55-Clay, et al 14. SS for SB 455-Stoll 15. SS for SCS for SBs
347, 40, 241 & 301-House
(In Budget Control) 16. SS for SCS for SBs 1,
92, 111, 129 & 222-Schneider
(In Budget Control) 17. SS#2 for SB 70-
Schneider |
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SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. SB 248-Maxwell, with SCS 2. SBs 429, 430 & 407-
Jacob, with SCS 3. SB 525-Rohrbach, with
SCS 4. SB 374-Mathewson,
with SCS 5. SB 274-House, et al,
with SCS 6. SBs 18, 49 & 167-
Goode, et al, with SCS 7. SBs 398 & 376-Maxwell,
with SCS | <ul style="list-style-type: none"> 8. SB 507-Childers 9. SB 413-Johnson, et al 10. SJR 16-Schneider,
with SCS 11. SB 98-Kenney 12. SJR 29-Caskey 13. SB 16-Mathewson,
et al, with SCA 1 14. SB 52-Klarich and
Flotron 15. SB 236-Stoll 16. SB 447-Stoll |
|---|--|

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| <ul style="list-style-type: none"> 1. HCS for HB 11, with
SCS (Goode) 2. HCS for HB 12, with
SCS (Goode) 3. HB 857-Monaco, et al
(Caskey) 4. HCS for HB 343, with
SCS (Caskey) 5. HS for HCS for HB 274-
May (108th) (Schneider)
(In Budget Control) 6. HCS for HB 814, with
SCS (Quick) 7. HS for HCS for HB 618-
Harlan, with SCS
(Maxwell) | <ul style="list-style-type: none"> 8. HCS for HB 888, with
SCS (Mathewson)
(In Budget Control) 9. HCS for HB 349, with
SCS (Clay) 10. HJR 5-Barry, et al,
with SCA 1 (Stoll) 11. HS for HB 450-Relford,
with SCS (Maxwell)
(In Budget Control) 12. HB 468-Koller, with
SCS (Staples) 13. HCS for HB 676, with SCS
(Stoll) (In Budget Control) 14. HS for HB 162-
Luetkenhaus (House) |
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- | | |
|---|-------------------------------------|
| 15. HB 65-O'Toole and May
(108th), with SCS (Scott) | 18. HS for HB 516-Bray,
with SCS |
| 16. HB 779-Skaggs, with SCS | 19. HCS for HB 139, with
SCS |
| 17. HS for HCS for HBs 427, 40,
196 & 404-Luetkenhaus, with
SCS (House) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 425-Stoll, et al

SENATE BILLS FOR PERFECTION

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

CONSENT CALENDAR

House Bills

Reported 4/6

- | | |
|---|---|
| HB 366-Hartzler (123rd),
with SCS (Caskey) | HB 853-Seigfreid, with
SCA 1 (Mathewson) |
| HB 776-McBride (Maxwell) | HB 464-Richardson, with
SCS (Howard) |
| HB 795-Kennedy and
Crawford, with SCS
(Scott) | HB 514-Franklin (Stoll) |
| | 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)

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 (Stoll)
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)

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 (House)
HB 402-Relford, et al
(Mathewson)

HB 748-O'Toole and May
(108th) (Scott)
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 (Caskey)

HB 268-Crawford, et al
(Caskey)

HB 724-Crump (Caskey)

HS for HCS for HB 256-
George (Caskey)

HB 792-Kissell & McKenna,
with SCS (Mathewson)

HB 261-Auer (Scott)

HB 346-Thompson (37th)
(Wiggins)

HB 300-Green (Staples)

HB 452-Boatright, et al
(Mathewson)

HB 680-Leake, et al, with
SCA 1 (Stoll)

HB 58-Treadway, with SCS
(Maxwell)

HB 903-Auer (Jacob)

HB 926-Liese and Ward
(Jacob)

Unofficial

Reported 4/15

HB 326-Parker

HB 415-Vogel and Gratz,
with SCA 1

HB 812-Berkowitz, et al,
with SCS

HB 866-Treadway, with SCS

HB 548-Kennedy, with SCS
(Wiggins)

HB 988-Backer (Wiggins)

HB 399-Bray

HB 115-Kreider, et al
(Mathewson)

HB 472-Nordwald (House)

Journal

SENATE BILLS WITH HOUSE AMENDMENTS

SB 10-Scott, with HCA 1

SB 17-Staples, with HCA 1

SB 169-Maxwell, with HCA 1

SCS for SBs 240, 226 &
229-DePasco, with HCS

SCS for SB 275-Caskey,
with HCS

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BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS
(Goode)

HCS for HB 3, with SCS
(Goode)

HCS for HB 4, with SCS,
as amended (Goode)

HCS for HB 5, with SCS,
as amended (Goode)

HCS for HB 6, with SCS,
as amended (Goode)

HCS for HB 7, with SCS
(Goode)

HCS for HB 8, with SCS
(Goode)

HCS for HB 9, 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)

Unofficial
RESOLUTIONS

SR 359-Ehlmann

SCR 9-Mueller

Reported from Committee

HCR 11-Mays (Goode)

HCR 9-Bonner (DePasco)

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