

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—THURSDAY, APRIL 19, 2001

The Senate met pursuant to adjournment.

Senator Rohrbach in the Chair.

Reverend Carl Gauck offered the following prayer:

“In regard to the moral character generally of our ancestors, the settlers of New England, my opinion is that they possessed all the Christian virtues but charity; and they seem never to have doubted that they possessed that also.” (Daniel Webster, October 14, 1826)

Loving Lord, we pray that this day and coming weekend You will bestow upon us a charitable love that lubricates our varied relationships in life. May our love be soothing for those we live with, bringing harmony and deep caring for one another. And we would pray, help us have a sense of charity as we minister to those in our state who stand in need of our help and what we have to offer. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

Senator Kenney moved that the Senate Journal for Wednesday, April 18, 2001, be corrected on Page 793, Column 1, Line 7, by deleting said line and inserting in lieu thereof the following: **“HOUSE BILLS ON THIRD READING”**, which motion prevailed.

On motion of Senator Kenney, the Journal for Wednesday, April 18, 2001, was read and approved as corrected.

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

Present—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

Yeckel—33

Absent with leave—Senator Carter—1

RESOLUTIONS

Senator Kenney offered Senate Resolution No. 580, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Clete Heidbreder, Lohman, which was adopted.

Senator Kenney offered Senate Resolution No. 581, regarding Ray Hildebrand, Overland Park, Kansas, which was adopted.

Senator Kenney offered Senate Resolution No. 582, regarding Paul Land, Kansas City, which was adopted.

Senator Kenney offered Senate Resolution No. 583, regarding Alan Goforth, Lee's Summit, which was adopted.

Senator Kenney offered Senate Resolution No. 584, regarding R.S.V.P. Productions, Lee's Summit, which was adopted.

Senator Kenney offered Senate Resolution No. 585, regarding the First National Bank of Missouri, Lee's Summit, which was adopted.

Senator Kenney offered Senate Resolution No.

586, regarding Keith A. Asel, Lee's Summit, which was adopted.

Senator Klindt offered Senate Resolution No. 587, regarding Larry Howard, Brookfield, which was adopted.

Senator Klindt offered Senate Resolution No. 588, regarding Scharlotte Liebhart, Brookfield, which was adopted.

Senator Rohrbach offered Senate Resolution No. 589, regarding Shaun Callaway, Boonville, which was adopted.

Senator Rohrbach offered Senate Resolution No. 590, regarding Rick White, Eldon, which was adopted.

Senator Wiggins offered Senate Resolution No. 591, regarding Ms. Flora Nunley, Kansas City, which was adopted.

Senator Staples offered Senate Resolution No. 592, regarding Judge Bockman, Birch Tree, which was adopted.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Westfall, Chairman of the Committee on Transportation, Senator Kenney submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **HB 954**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kinder, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Lori Smith Patterson, as a member of the Missouri Women's Council, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Cauthorn moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Lynne P. Unnerstall, as a member of the Missouri Head Injury Advisory Council, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Klarich moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of James W. Casey, as a member of the Missouri Head Injury Advisory Council, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

On behalf of Senator Rohrbach, Senator Kenney moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Pamela J. Schneeflock, as a member of the Missouri Planning Council on Developmental Disabilities, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Johnson moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Margaret Ewing Buckler, as a member of the Personnel Advisory Board, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Jacob moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Lonnie M. Boyd, as a member of the Organ Donation Advisory Committee, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Childers moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Susan K. Orton, as a member of the Missouri Head Injury Advisory Council, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Loudon moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Lori R. Darr, as a member of the Organ Donation Advisory Committee, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Jacob moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HB 9, with **SCS**, entitled:

An Act to appropriate money for the expenses,

grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up by Senator Russell.

SCS for HCS for HB 9, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, the Board of Public Buildings, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up.

Senator Russell moved that **SCS for HCS for HB 9** be adopted.

Senators Schneider and Klarich offered the following substitute motion, which was read:

SUBSTITUTE MOTION

Such Senators move that **SCS for HBs 9 through 12** be returned to the Senate Committee on Appropriations for the purpose of increasing the appropriation for state employee compensation by approximately \$32 million or in such amount as would be sufficient to provide an increase in compensation of \$600 per employee for FY 2002 and to further consider, if necessary, moving the Senate to reconsider **SCS for HBs 2 through 8** in order to consider reducing appropriations to other agencies as may be necessary to fund such increase in compensation for state employees.

Senator Schneider moved that the above substitute motion be adopted, which motion failed.

Senator Klarich assumed the Chair.

SCS for HCS for HB 9 was again taken up.

Senator Russell moved that **SCS for HCS for HB 9** be adopted, which motion prevailed.

On motion of Senator Russell, **SCS for HCS for HB 9** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senator Staples—1

Absent—Senator Bland—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

President Pro Tem Kinder assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SCS** for **HCS** for **HB 15**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Klarich assumed the Chair.

HOUSE BILLS ON THIRD READING

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, 2001 and ending June 30, 2002.

Was taken up by Senator Russell.

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, 2001 and ending June 30, 2002.

Was taken up.

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

Senator Rohrbach offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 34, Section 10.715, Lines 1 to 27, by striking all of said section and inserting in lieu thereof the following:

“Section 10.715. To the Department of Health

For the Division of Maternal, Child and Family Health

For the purpose of funding alternatives to abortion services, consisting of services or counseling offered to a pregnant woman and continuing for one year thereafter, to assist her in carrying her unborn child to term instead of having an abortion, and to assist her in caring for her dependent child or placing her child for adoption, including, but not limited to, the following: prenatal care; medical and mental health care; parenting skills; drug and alcohol testing and treatment; child care; newborn or

infant care; housing; utilities; educational services; food, clothing and supplies relating to pregnancy, newborn care and parenting; adoption assistance; job training and placement; establishing and promoting responsible paternity; ultrasound services; case management; domestic abuse protection; transportation; and administrative costs of service providers in an amount generally allowed for service providers in state contracts. Actual provision and delivery of such services shall be dependent on client needs and not otherwise prioritized by the department. Such services shall be available only during pregnancy and continuing for one year thereafter, and shall exclude any service of the type described in Section 10.710. An independent audit shall be conducted annually to ensure compliance with this section. None of these funds shall be expended to perform or induce, assist in the performing or inducing of, or refer for, abortions; and none of these funds shall be granted to organizations or affiliates of organizations that perform or induce, assist in the performing or inducing of, or refer for, abortions.

From General Revenue

Fund (0 F.T.E.) \$1,000,000”.

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

Senator Kenney offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 13, Section 10.370, Line 11, by deleting the number “1,826,518” and inserting in lieu thereof the number “1,978,669”; and

Further amend said section, line 13, by deleting the number “\$1,944,068” and inserting in lieu thereof the number “\$2,096,219”; and

Further amend said section, line 14, by deleting the figure “(255.25 FTE)” and inserting in lieu

thereof the figure “(258.75)” and deleting the number “\$9,696,594” and inserting in lieu thereof the number “\$9,848,745”.

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

Senator House offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 15, Section 10.415, Line 4, by deleting the number “68,527,778” and inserting in lieu thereof the number “78,766,577”; and

Further amend said section, line 9, by deleting the number “20,147,071” and inserting in lieu thereof the number “22,931,683”; and

Further amend said section, line 17, by deleting the number “3,714,965” and inserting in lieu thereof the number “4,228,427”; and

Further amend said section, line 19, by deleting the number “1,282,007” and inserting in lieu thereof the number “1,459,199”; and

Further amend said section, line 22, by deleting the number “114,629,970” and inserting in lieu thereof the number “128,344,035”; and

Further amend said bill, page 16, Section 10.425, line 5, by deleting the number “1,336,412” and inserting in lieu there of the number “2,466,932”; and

Further amend said section line 6, by deleting the number “2,430,407” and inserting in lieu thereof the number “3,560,927”; and

Further amend said section line 11, by deleting the number “21,502,984” and inserting in lieu thereof the number “22,633,504”.

Senator House moved that the above amendment be adopted.

Senator Gibbons assumed the Chair.

At the request of Senator Russell, **HCS** for **HB 10**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kenney, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HS for HCR 6**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 10**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 24**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 24

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, with natural gas selling at record highs, the production of reformulated gasolines containing MTBE, an additive made from natural gas, has been significantly reduced, resulting in shortages of reformulated gasoline in regions of the country dependent on the use of such gasoline blends to meet the federal

government's antipollution standards; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel cost that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

(1) Encouraging exploration for domestic petroleum sources in a manner that does not adversely impact the environment;

(2) Encouraging and creating incentives for fuel conservation measures that do not harm the economy; and

(3) Encouraging and creating incentives for research, development and use of solar and other alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Missouri Congressional delegation.

HOUSE BILLS ON THIRD READING

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

SA 3 was again taken up.

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

SA 3 failed of adoption by the following vote:

YEAS—Senators

Bland	Cauthorn	Gibbons	House
Jacob	Loudon	Stelman—7	

NAYS—Senators

Bentley	Caskey	Childers	DePasco
Dougherty	Foster	Goode	Gross
Johnson	Kenney	Kinder	Klarich
Klindt	Mathewson	Quick	Rohrbach
Russell	Scott	Sims	Singleton
Staples	Stoll	Westfall	Wiggins
Yeckel—25			

Absent—Senator Schneider—1

Absent with leave—Senator Carter—1

Senator Schneider offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 31, Section 10.710, Lines 63-69, by striking all of said lines and inserting in lieu thereof the word “funds.”; and further amend said bill and section, page 32, lines 115-121, by striking all of said lines and inserting in lieu thereof the words “these funds.”; and further amend said bill and section, pages 33-34, lines 161-169, by striking all of said lines and inserting in lieu thereof the words “government entity receiving these funds.”.

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

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

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

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Stelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Bland—1

Absent—Senators—None

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HCS for HB 11, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up by Senator Russell.

SCS for HCS for HB 11, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up.

Senator Russell moved that **SCS for HCS for**

HB 11 be adopted.

Senator Rohrbach offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 20, Section 11.400, Line 6, by deleting the number “3,790,339” and inserting in lieu thereof the number “3,947,347”; and further amend said section, line 7, by deleting the number “489,467” and inserting in lieu thereof the number “544,822”; and further amend said section, line 8, by deleting the number “4,279,806” and inserting in lieu thereof the number “4,492,169”; and further amend said section, line 9, by deleting the number “4,777,753” and inserting in lieu thereof the number “4,934,761”; and further amend said section, line 10, by deleting the number “6,214,508” and inserting in lieu thereof the number “6,269,863”; and further amend said section, line 11, by deleting the number “10,992,261” and inserting in lieu thereof the number “11,204,624”; and further amend said section, page 21, line 33, by deleting the number “18,587,268” and inserting in lieu thereof the number “19,011,944”.

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

Senator Rohrbach offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 20, Section 11.400, Line 2, by inserting immediately after line 2, the following:

“For the purpose of funding administrative services including”.

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

Senator Dougherty offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 11, Section 11.130, Line 3, by adding after the word “staff” the following:

“; provided that the division may use up to \$350,000 for the purpose of contracting with community-based not-for-profit agencies which are certified by a recognized national body and which demonstrate a record of providing successful job placement, training and retention services to implement a retention program to address turnover in offices in the Metropolitan St. Louis Region.”.

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

Senator Quick offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 22, Section 11.420, Line 6, by deleting the number “236,446,984” and inserting in lieu thereof the number “236,538,457”; and further amend said section, line 7, by deleting the number “445,178,996” and inserting in lieu thereof the number “445,423,082”; and further amend said section, line 10, by deleting the number “729,114,031” and inserting in lieu thereof the number “729,449,590”; and further amend said bill, Section 11.425, line 8, by deleting the number “87,089,486” and inserting in lieu thereof the number “87,186,699” and further amend said section, line 9, by deleting the number “147,235,261” and inserting in lieu thereof the number “147,494,661” and further amend said section, line 11, by deleting the number “235,572,291” and inserting in lieu thereof the number “235,928,904”; and further amend said bill, Section 11.450, line 12, by deleting the number “30,771,949” and inserting in lieu thereof the number “30,775,005”; and further amend said section, line 13, by deleting the number “50,520,306” and inserting in lieu thereof the number “50,528,459”; and further amend said section, line 15, by deleting the number “81,487,136” and inserting in lieu thereof the number “81,498,345”; and further amend said bill, Section 11.460, line 5, by deleting the number “24,519,569” and inserting in lieu thereof the number “24,658,958”; and further amend said section, line 6, by deleting the number “276,239,615” and inserting in lieu thereof the number “276,611,559”; and further amend said

section, line 11, by deleting the number “450,987,337” and inserting in lieu thereof the number “451,498,670”; and further amend said bill, Section 11.510, line 5, by inserting immediately after said line the following new line:

“From General Revenue Fund \$7,057”;

and further amend said section, line 6, by deleting the number “185,175,927E” and inserting in lieu thereof the number “185,194,756E”; and further amend said section, line 6, by inserting immediately after said line, the following new line:

“Total (0 F.T.E.) \$185,201,813”.

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

Senator Russell moved that **SCS** for **HCS** for **HB 11**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HCS** for **HB 11**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Johnson—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HCS for **HB 12**, with **SCS**, entitled:

An Act to appropriate money for the expenses,

grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up by Senator Russell.

SCS for **HCS** for **HB 12**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for

the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Was taken up.

Senator Russell moved that **SCS** for **HCS** for **HB 12** be adopted.

Senator Schneider offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 12, In the Title, Line 12, by inserting after the word "Assembly," the following: "salary increases and related fringe benefit increases for all state employees,"; and further amend said bill, page 18, Section 12.430, line 3, by adding one new section to read as follows:

"Section 12.435. To the Board of Fund Commissioners, Board of Public Buildings, Department of Elementary and Secondary Education, Department of Higher Education, Department of Revenue, Department of Transportation, the Office of Administration, Department of Agriculture, Department of Natural Resources, Department of Conservation, Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, Department of Public Safety, Department of Corrections, Department of Mental Health, Department of Health, Department of Social Services, the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, and Attorney General, the State Senate, and the House of Representatives

For state employee salary increases and related fringe benefits

From Healthy Families Trust Fund \$44,800,000".

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

Senator Russell moved that **SCS** for **HCS** for

HB 12 be adopted, which motion prevailed.

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

YEAS—Senators

Bentley	Bland	Childers	DePasco
Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senators

Caskey	Cauthorn	Steelman—3
--------	----------	------------

Absent—Senator Johnson—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HOUSE BILLS ON SECOND READING

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

HB 915—Judiciary.

HS for **HB 891**—Financial and Governmental Organization, Veterans' Affairs and Elections.

REFERRALS

President Pro Tem Kinder referred **HB 321**; **HB 808** and **HB 951**, with **SCS**; and **HB 742**, with **SCS**, to the Committee on State Budget Control.

RESOLUTIONS

Senator Gross offered Senate Resolution No. 593, regarding Janet Dunham, O'Fallon, which was adopted.

Senator Gross offered Senate Resolution No. 594, regarding the Fort Zumwalt School District, which was adopted.

Senator Gross offered Senate Resolution No. 595, regarding Mick's Exterminating, O'Fallon, which was adopted.

Senator Gross offered Senate Resolution No. 596, regarding Cindy Goldschmidt, O'Fallon, which was adopted.

Senator Gross offered Senate Resolution No. 597, regarding Stefanina's Restaurant, O'Fallon, which was adopted.

Senator Bland offered Senate Resolution No. 598, regarding the Honorable Maxine Waters, Congresswoman from south central Los Angeles, California, which was adopted.

Senators DePasco and Schneider offered Senate Resolution No. 599, regarding Michael F. Garozzo, Lee's Summit, which was adopted.

Senator Gross offered Senate Resolution No. 600, regarding Bernice H. Schulte, O'Fallon, which was adopted.

Senator Gross offered Senate Resolution No. 601, regarding Bradley W. Goodloe, St. Peters, which was adopted.

Senator Klindt offered the following resolution:

SENATE RESOLUTION NO. 602

WHEREAS, the national economy and financial markets have begun to experience significant slowing; and

WHEREAS, the federal government is taking an ever larger percentage of taxes from working Americans and American businesses; and

WHEREAS, President George Bush last year campaigned on the need for a substantial federal tax cut for all Americans; and

WHEREAS, the Missouri Senate strives to responsibly reflect the community spirit and job creation attitudes of main street America; and

WHEREAS, the Missouri Senate has long advocated market-based solutions as well as efficiencies in the spending of state and federal governments; and

WHEREAS, the Missouri Senate believes that reducing marginal rates on all taxpayers will bolster confidence, put

disposable income in the hands of consumers and stimulate economic growth; and

WHEREAS, the Missouri Senate, with this resolution, is joining as a leader of the Tax Relief Coalition, a rapidly growing group of several hundred trade associations, chambers of commerce, businesses and citizens groups that advocate for the general components of President Bush's 2001 tax package; and

WHEREAS, the United States Congress is currently considering the first substantial, broad-based income tax reduction in almost a decade:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, hereby urge the Missouri delegation of the United States House of Representatives and the United States Senate to support a tax cut that is:

(1) Clean, fair and substantial - close to the 10-year \$1.6 trillion package that the President is currently proposing, including reductions in marginal tax rates and the number of tax brackets for all Americans, elimination of the estate tax to ease the planning burdens and multiple taxation on millions of small businesses, doubling the child tax credit, and reducing the marriage penalty;

(2) Retroactive to the beginning of this year, to immediately restore consumer confidence and jump-start our economy;

(3) Devoid of gimmicks such as triggers and other devices designed to delay the tax cut from occurring, which would be a burden on small businesses and all taxpayers; and

(4) Not turned into an overburdened tax vehicle to create credits and loopholes for special interests in Washington, D.C.; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate, urge the Missouri delegation of the United States House of Representatives and the United States Senate to act quickly on this proposal, and to work with the President in a bipartisan manner to attempt to get a substantial tax package signed into law before July 1, 2001; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for United States Senator Christopher S. Bond, United States Senator Jean Carnahan, United States Representative William (Lacy) Clay, Jr., United States Representative Todd Akin, United States Representative Richard Gephardt, United States Representative Ike Skelton, United States Representative Karen McCarthy, United States Representative Samuel Graves, United States Representative Roy D. Blunt, United States Representative Jo Ann Emerson and United States Representative Kenny Hulshof.

Senator Gibbons offered Senate Resolution No. 603, regarding Pachyderm's Founder's Week, which was adopted.

COMMUNICATIONS

Senator Cauthorn submitted the following:

April 19, 2001

Secretary of the Senate

Terry L. Spieler

State Capitol

Jefferson City, MO 65101

To the Secretary of the Senate,

I respectfully request under the provisions of Senate Rule 45, that HB 285 be removed from the consent calendar and returned to committee.

Respectfully Submitted,

/s/ John Cauthorn

Senator John Cauthorn

INTRODUCTIONS OF GUESTS

Senator Gibbons introduced to the Senate, forty seventh grade students from St. Gerard Majella School, Kirkwood.

Senator Yeckel introduced to the Senate, Walt and Gail Morrow and Paula and Ron Novak, St. Louis County.

Senator Schneider introduced to the Senate, students from Wedgewood Elementary School, St. Louis County; and Eric Tirone, Ellen Colvin, Hannah Hall and Crystal Cuevas were made honorary pages.

Senator Westfall introduced to the Senate, Tom Howard, Kelly Nolting and fifteen FFA members from Nevada.

Senator Caskey introduced to the Senate, Katie Dyer and forty seventh and eighth grade students from Cass Midway School, Cleveland.

Senator Stoll introduced to the Senate, twenty-five students from St. Joseph's School, Imperial; and Hannah Kennedy was made an honorary page.

Senator Goode introduced to the Senate, Don Holt, Carol Scott, Jane Kerlagon, Robert Ruble and students representing the Workforce Investment Act Youth Program of St. Louis County; and Jarrett North, Aaron Lowe, Stacy Edwards and Byron Cole were made honorary pages.

Senator Sims introduced to the Senate, Linda Morgan, Alexia Cech, Ashley Huntington, Kayla Morgan, Shamari Jackson, Heather Brown, Janay Landon, Bianca Davis, Valerie Huntington, Brittany Wilson, Rosallyn Martinez and Tierra Perkins, members of Girl Scout Troop 1010 from Holman Elementary School, St. Louis; and Alexia, Kayla, Heather, Bianca, Valerie and Rosallyn were made honorary pages.

Senator Quick introduced to the Senate, Ms. Arianne Fortune and members of the Oak Park High School Debate and Forensics Team, Kansas City; and Kevin Garner, Wade Thomas, Matt Appling, Ashley King and Brian Gould were made honorary pages.

Senator Cauthorn introduced to the Senate, Kathy Apprill and forty students from Queen of the Holy Rosary School, Overland Park, Kansas.

Senator Schneider introduced to the Senate, students from Danforth Elementary School, North St. Louis County; and Makina Palmer, Antonio Wells, India Davis and Jeremy Edwards were made honorary pages.

Senator Schneider introduced to the Senate, Emily Dunn, Ashley and Emily Marston, Olivia Thornton, Susan Schneider and students from McCurdy Elementary School, Florissant.

On motion of Senator Kenney, the Senate adjourned until 2:00 p.m., Monday, April 23, 2001.

SENATE CALENDAR

FIFTY-NINTH DAY—MONDAY, APRIL 23, 2001

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

THIRD READING OF SENATE BILLS

SCS for SBs 69 & 458-Gross
(In Budget Control)
SCS for SBs 247 & 330-
Westfall and Staples
(In Budget Control)
SS for SCS for SBs 551, 410,
539, 528 & 296-Sims
(In Budget Control)

SCS for SBs 52 & 91-Childers
(In Budget Control)
SS for SCS for SJRs 1
& 4-Schneider
(In Budget Control)

Unofficial
SENATE BILLS FOR PERFECTION

1. SB 369-Steelman and Stoll, with SCS
2. SB 505-Loudon, with SCS
3. SB 578-Goode and Russell, with SCS
4. SBs 448 & 588-Sims, et al, with SCS
5. SB 535-Rohrbach, with SCS
6. SB 66-Gibbons, with SCS#2
7. SB 525-Cauthorn, with SCS
8. SB 242-Kenney
9. SB 225-Mathewson, with SCS
10. SB 180-Klarich
11. SB 583-Yeckel
12. SB 488-Klindt, et al, with SCS
13. SB 387-Goode, et al, with SCS
14. SB 455-Kinder, et al, with SCS
15. SBs 334 & 228-Kinder, with SCS
16. SB 469-Gross, et al
17. SB 546-Kenney, et al, with SCS
18. SB 337-House and Kinder
19. SB 593-Klindt, with SCS
20. SB 509-Cauthorn and Klindt
21. SBs 42 & 108-Kenney, with SCS
22. SB 565-Staples
23. SB 596-Loudon
24. SB 597-Singleton
25. SB 268-Schneider, with SCS
26. SBs 249 & 523-Wiggins, with SCS
27. SBs 508 & 468-Cauthorn and Klindt, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 274, with
SCA 1 (Klindt)
HCS for HB 207, with
SCA 1 (Childers)
(In Budget Control)

HB 954-Hosmer
(Westfall)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 27-Johnson and Westfall, with SCS, SS for SCS & SA 1 (pending)	SB 331-DePasco, et al, with SCS & SS for SCS (pending)
SB 65-Gibbons, with SCS	SB 373-Gibbons and Yeckel, with SCS
SBs 67 & 40-Gross, with SCS	SB 375-Steelman, with SCS, SS for SCS, SA 1 & SSA 3 for SA 1 (pending)
SB 68-Gross and House	SBs 391 & 395-Rohrbach, with SCS & SS for SCS (pending)
SB 99-Sims, with SCS	SB 438-Bentley and Stoll, with SS, SS for SS & SA 1 (pending)
SB 114-Loudon, with SCS, SS for SCS & SA 1 (pending)	SB 445-Singleton, with SCS & SS for SCS (pending)
SB 184-Johnson, et al, with SS#2 (pending)	SB 454-Kinder, with SCS
SB 222-Caskey, with SA 3 & SSA 1 for SA 3 (pending)	SBs 459, 305, 396 & 450- Westfall, with SCS & SS for SCS (pending)
SB 226-Goode, et al, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending)	SBs 476, 427 & 62-Yeckel, et al, with SCS, SS for SCS & SA 4 (pending)
SBs 238 & 250-Staples, et al, with SCS (pending)	SBs 510, 512 & 133-Kenney, with SCS (pending)
SB 239-Stoll, with SCS & SA 11 (pending)	SJR 11-Yeckel
SB 251-Kinder	
SBs 253 & 260-Gross, with SCS (pending)	

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers

Reported 2/19

SB 315-Childers, with SCS

Reported 3/5

SB 354-Johnson and Scott,
with SCS

Reported 3/12

SB 526-Dougherty, with SCS

House Bills

Reported 4/10

HB 664-Skaggs (Yeckel)
HB 491-George, with SCS
(Goode)
HB 236-Smith, with SCS
(Caskey)
HB 266-Treadway (Gross)
HB 745-Farnen (Mathewson)
HB 180-Thompson, et al (Sims)

HB 129-Van Zandt and
Campbell (Klarich)
HB 48-Relford (Mathewson)
HB 801-Liese and Wagner,
with SCS (Yeckel)
HB 218-Farnen, et al
(Kenney)
(In Budget Control)

Reported 4/11

HB 454-Monaco (Dougherty)
HB 537-Ostmann, et al
(Klarich)
HB 603-Hilgemann, et al,
with SCS (Sims)
HB 212-Ward, with SCS
(Rohrbach)
HB 644-Burton, with SCS
(Jacob)
HB 459-Liese, et al, with
SCS (Rohrbach)
HB 732-Hosmer (Staples)
HB 693-Smith and Carnahan,
with SCS (Klarich)
HB 955-Green (73), with
SCA 1 (Goode)
HB 933-Reid (Gibbons)
HB 816-Kennedy and
Gambaro (Gibbons)
HB 825-Kennedy (Klarich)

HB 321-Skaggs, et al
(Wiggins)
(In Budget Control)
HB 590-Graham (Gibbons)
HBs 808 & 951-Gratz and
Vogel, with SCS
(Rohrbach)
(In Budget Control)
HB 742-Harding, et al,
with SCS (Johnson)
(In Budget Control)
HB 922-Gaskill and
Bartelsmeyer (Childers)
HB 909-Davis (Mathewson)
HB 779-Barnett (Klindt)
HB 600-Hosmer and Marsh
(Bentley)
HB 596-Kennedy and
Gambaro (Scott)
HB 502-Ward (Staples)

HB 410-Holt, et al (House)
 HB 409-Surface (Singleton)
 HB 408-Kelley (47)
 (Kenney)

HB 84-Richardson
 (Childers)
 HB 788-O'Connor (Gross)

Reported 4/12

HB 78-Kennedy and
 Richardson (Klarich)
 HB 607-Treadway, et al,
 with SCS (Sims)
 HB 796-Hosmer, with SCS
 (Singleton)
 HB 111-Ladd Baker (Gross)
 HCS for HB 106 (Bland)
 HB 431-Barry (Singleton)
 HB 52-Ward and Crump,
 with SCAs 1 & 2 (Staples)
 HB 945-Hosmer, with SCS
 (Bentley)
 HB 420-Williams, et al
 (Westfall)
 HB 458-Lawson, et al
 (Klindt)
 HB 470-Shields and
 Hegeman (Johnson)
 HBs 648, 477 & 805-
 Ostmann, et al, with
 SCS (Westfall)
 HB 691-Barnett, et al,
 with SCS (Klindt)

HB 897-Kreider, et al
 (Klindt)
 HB 45-Farnen (Bentley)
 HB 309-McKenna, et al
 (Stoll)
 HB 865-Davis (Caskey)
 HB 725-Britt (Foster)
 HB 881-Scott, et al, with
 SCS (Rohrbach)
 HB 606-Kennedy, et al,
 with SCS (Yeckel)
 HB 202-Rizzo, with SCS
 (Kenney)
 HB 242-Smith, with SCS
 (House)
 HB 361-Shoemyer, with SCS
 (Goode)
 HB 498-Wagner and McKenna,
 with SCS (Stoll)
 HB 679-Boykins (Sims)
 HB 473-Robirds, with SCS
 (Foster)
 HB 904-Merideth, et al,
 with SCS (Foster)

RESOLUTIONS

SR 345-Quick, et al
 SR 346-Kinder, with SA 3
 & SSA 1 for SA 3
 (pending)

To be Referred

SR 602-Klindt

Reported from Committee

SCR 8-Caskey, with SA 2
(pending)

SCR 17-Steelman, et al
HCR 16-Green and Holt
(House)

SR 495-Klarich, with SCS

HCR 5-Mays

HS for HCR 6-Myers
(Kenney)

HCR 10-Holand

HCR 24-Boucher, with SCS
(Yeckel)

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS
(Senate requests House
recede or grant conference)

Unofficial

✓

Journal

Copy