

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY—WEDNESDAY, APRIL 2, 2003

The Senate met pursuant to adjournment.

Senator Childers in the Chair.

Reverend Carl Gauck offered the following prayer:

“For God didn’t give us a spirit of cowardice but rather a spirit of power and of love and of self-discipline.” (2 Timothy 1:7)

Almighty God, give us a sense of Your power so we may do what is right and make the difficult decisions we must. Help our hearts to be filled with compassion so our priorities reflect what You expect of us and do what You would have us do. 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.

The Journal of the previous day was read and approved.

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

Present—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler

Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

Absent with leave—Senator DePasco—1

The Senate observed a moment of silence in recognition of Child Abuse Awareness Month.

RESOLUTIONS

Senator Bartle offered Senate Resolution No. 461, regarding the Ninetieth Birthday of Orval E. Burris, Raytown, which was adopted.

Senator Wheeler offered Senate Resolution No. 462, regarding the death of Phillip Pistilli, Kansas City, which was adopted.

Senator Bartle offered Senate Resolution No. 463, regarding Scott D. Howell, Independence, which was adopted.

President Pro Tem Kinder assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 554**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Gibbons, 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 were referred **SCS** for **SB 544**; **SS No. 2** for **SCS** for **SB 481**; and **SCS** for **SB 422**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 7**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 7, Page 287 of the Senate Journal for Monday, February 24, 2003, Column 2, Line 32 of said column, by striking the comma “,” immediately after the word “Administrator” and inserting in lieu thereof the following: “which office shall supply a copy to”.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 13**, 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 SENATE CONCURRENT RESOLUTION NO. 13

Establishing a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research.

WHEREAS, the current budgetary situation has brought about a heightened necessity to re-examine the state's expenditures; and

WHEREAS, the state performs many functions which are similarly performed by private industry; and

WHEREAS, certain aspects of state administration and services may be more efficiently served by private involvement; and

WHEREAS, the Joint Committee on Legislative Research is established pursuant to the Constitution to carry out the duties assigned to it by law:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, that we hereby create a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research; and

BE IT FURTHER RESOLVED, the subcommittee shall identify ways to reduce cost to state government and increase quality of state services to the citizens of this state; and

BE IT FURTHER RESOLVED, the subcommittee shall perform both a competition review and privatization review and make recommendations based on its findings; and

BE IT FURTHER RESOLVED that the Subcommittee herein established shall consist of twelve members of which three shall be members of the Senate appointed by the President Pro Tem of the Senate of which at least one shall be from the minority party, three shall be members of the House of Representatives appointed by the Speaker of the House of Representatives of which at least one shall be from the minority party, and six shall be representatives of private businesses of which three shall be appointed by the President Pro Tem of the Senate and three shall be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research shall provide the necessary staff resources for the Subcommittee from its own staff, although it may choose to call upon the additional resources of the Senate and House Research offices; and

BE IT FURTHER RESOLVED that the subcommittee is authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective provided herein; and

BE IT FURTHER RESOLVED that within funds available to the committee, it may employ necessary consulting services to assist in its objectives and provide for reasonable reimbursement of non-legislative members of the committee; and

BE IT FURTHER RESOLVED that the subcommittee shall hold its initial meeting no later than the first Friday after the start of the first September Veto Session of the 92nd General Assembly and shall meet at least quarterly thereafter; and

BE IT FURTHER RESOLVED that the subcommittee must deliver its first report to the Governor, General Assembly, the state Auditor, and the Joint Committee on Legislative Research with its findings and recommendations by January 15, 2004 and a second report to the same by December 31, 2004; and

BE IT FURTHER RESOLVED that the subcommittee shall expire at the end of the 92nd General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Joint Committee on Legislative Research.

Also,

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

Senator Childers assumed the Chair.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

THIRD READING OF SENATE BILLS

SB 392, introduced by Senator Shields, entitled:

An Act to repeal sections 260.475 and 260.479, RSMo, and to enact in lieu thereof two new sections relating to hazardous waste generator fees.

Was called from the Consent Calendar and taken up.

On motion of Senator Shields, **SB 392** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Shields	Steelman
Stoll	Vogel	Wheeler—27	

NAYS—Senators—None

Absent—Senators

Dolan Foster Jacob Russell

Scott Yeckel—6

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 334, introduced by Senator Goode, entitled:

An Act to repeal sections 319.125, 319.127, 319.139, RSMo, and section 319.137 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 319.137 as enacted by house bill no. 251, eighty-eighth general assembly, first regular session, and to enact in lieu thereof four new sections relating to underground storage tanks.

Was called from the Consent Calendar and taken up.

On motion of Senator Goode, **SB 334** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Gibbons
Goode	Griesheimer	Gross	Kennedy
Klindt	Loudon	Mathewson	Nodler
Quick	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—27	

NAYS—Senators—None

Absent—Senators

Dolan Foster Jacob Kinder
Russell Scott—6

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Photographers from the Associated Press were given permission to take pictures in the Senate Chamber today.

SB 651, introduced by Senator Steelman, et al, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the establishment of an official state grape.

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

On motion of Senator Steelman, **SB 651** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Scott	Shields
Stelman	Stoll	Vogel	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Dolan	Foster	Jacob	Russell—4
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 668, introduced by Senators Cauthorn and Klindt, entitled:

An Act to repeal section 348.432, RSMo, and to enact in lieu thereof one new section relating to new generation cooperatives.

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

On motion of Senator Cauthorn, **SB 668** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Gibbons
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Stelman	Stoll	Vogel	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Dolan	Foster	Goode	Quick—4
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 606, introduced by Senator Coleman, entitled:

An Act to amend chapter 253, RSMo, by adding thereto one new section relating to conveyances of land by the department of natural resources.

Was called from the Consent Calendar and taken up.

On motion of Senator Coleman, **SB 606** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Foster	Mathewson—2
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 611, introduced by Senator Clemens, et al, entitled:

An Act to repeal section 262.290, RSMo, and to enact in lieu thereof one new section relating to county agricultural and mechanical societies.

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

On motion of Senator Clemens, **SB 611** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Gibbons	Goode	Griesheimer	Gross

Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Russell
Scott	Shields	Steelman	Stoll
Vogel	Wheeler—30		

NAYS—Senators—None

Absent—Senators

Foster	Quick	Yeckel—3
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 293, introduced by Senator Vogel, entitled:

An Act to repeal section 143.481, RSMo, and to enact in lieu thereof one new section relating to procedures for filing income taxes.

Was called from the Consent Calendar and taken up.

On motion of Senator Vogel, **SB 293** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Mathewson	Nodler	Russell	Scott
Shields	Steelman	Vogel	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Bland	Foster	Quick	Stoll—4
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Mathewson moved that **SB 450**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 450**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 450

An Act to amend chapter 37, RSMo, by adding thereto six new sections relating to the reorganization of the state health care system, with an emergency clause.

Was taken up.

Senator Mathewson moved that **SCS** for **SB 450** be adopted.

Senator Mathewson offered **SS** for **SCS** for **SB 450**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 450

An Act to amend chapter 37, RSMo, by adding thereto seven new sections relating to the reorganization of the state health care system, with an emergency clause for certain sections.

Senator Mathewson moved that **SS** for **SCS** for **SB 450** be adopted.

Senator Shields offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 450, Page 11, Section 37.645, Line 27 of said page, by

inserting immediately after said line the following:

“192.350. 1. There is hereby established within the department of health and senior services the “Missouri State Advisory Council on Pain and Symptom Management”. The council shall consist of nineteen members that are residents of this state. The members of the council shall include:

(1) The director of the department of health and senior services, or the director's designee, who shall serve as chair of the council;

(2) The state attorney general, or the attorney general's designee;

(3) Two members of the senate, appointed by the president pro tempore of the senate;

(4) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(5) One physician, appointed by the Missouri state board of registration for the healing arts, that is certified and accredited in pain management;

(6) One physician, appointed by the Missouri state board of registration for the healing arts, that is certified or accredited in palliative care;

(7) Two registered nurses, appointed by the Missouri board of nursing, with expertise in hospice, oncology, long-term care, or pain and symptom management and is certified by the National Board for Certification of Hospice and Palliative Nurses;

(8) One dentist, appointed by the Missouri board of dentistry, with training in pain and symptom management and is associated with the education and training of dental students;

(9) One pharmacist, appointed by the Missouri board of pharmacy, with training in pain and symptom management and is associated with the education and training of

pharmacists;

(10) One representative of the pharmaceutical research and manufacturers of America, appointed by the governor, with the advice and consent of the senate;

(11) One mental health services provider, appointed by the governor, with the advice and consent of the senate;

(12) One physician assistant, appointed by the Missouri advisory commission for physician assistants, with training in pain and symptom management;

(13) One chiropractic physician, appointed by the Missouri state board of chiropractic examiners, with training in pain and symptom management;

(14) One physical therapist, appointed by the Missouri Physical Therapy Association, that specializes in pain management;

(15) One advocate representing voluntary health organizations or advocacy groups with an interest in pain management, appointed by the governor, with the advice and consent of the senate; and

(16) One member who has been diagnosed with chronic pain, appointed by the governor, with the advice and consent of the senate.

2. Members of the council shall be appointed by February 1, 2004. Of the members first appointed to the council, seven members shall serve a term of two years, and eight members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the council shall be filled in the same manner as the original appointment.

192.352. 1. Members shall serve without compensation but shall, subject to appropriations, be reimbursed for reasonable and necessary expenses actually incurred in the

performance of the member's official duties.

2. The department of health and senior services shall provide administrative support and current staff as necessary for the effective operation of the council with existing resources.

192.355. 1. Meetings shall be held at least every ninety days or at the call of the council chair.

2. The advisory council shall:

(1) Hold public hearings pursuant to chapter 536, RSMo, to gather information from the general public on issues pertaining to pain and symptom management;

(2) Make recommendations on acute and chronic pain management treatment practices;

(3) Analyze statutes, rules, and regulations regarding pain management;

(4) Study the use of alternative therapies regarding pain and symptom management and any sanctions imposed;

(5) Review the acute and chronic pain management education provided by professional licensing boards of this state;

(6) Examine the needs of adults, children, the terminally ill, racial and ethnic minorities, and medically underserved populations that have acute and chronic pain;

(7) Make recommendations on integrating pain and symptom management into the customary practice of health care professionals;

(8) Identify the roles and responsibilities of health care professionals in pain and symptom management;

(9) Make recommendations on the duration and content of continuing education requirements for pain and symptom management;

(10) Review guidelines on pain and symptom management issued by the United States Department of Health and Human

Services;

(11) Provide an annual report on the activities of the council to the director of the department of health and senior services, the speaker of the house of representatives, the president pro tempore of the senate, and the governor by February first of every year. Such report shall include, but not be limited to the following:

(a) Issues and recommendations developed by the council;

(b) Pain management educational curricula and continuing education requirements of institutions providing health care education;

(c) Information regarding the impact and effectiveness of prior recommendations, if any, that have been implemented; and

(d) Review of current policies regarding pain and symptom management and any changes thereto occurring in pain and symptom management.

3. The department of health and senior services may accept on behalf of the council any federal funds, gifts, and donations from individuals, private organizations, and foundations, and any other funds that may become available.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Mathewson, **SB 450**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

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

HB 376—Aging, Families, Mental and Public Health.

HB 553—Pensions and General Laws.

HCS for **HB 392**—Commerce and the Environment.

HB 189—Education.

HB 244—Economic Development, Tourism and Local Government.

HB 326—Economic Development, Tourism and Local Government.

HB 351—Economic Development, Tourism and Local Government.

HB 388—Economic Development, Tourism and Local Government.

HB 463—Economic Development, Tourism and Local Government.

HB 465—Pensions and General Laws.

HCS for **HB 472**—Economic Development, Tourism and Local Government.

HB 477—Aging, Families, Mental and Public Health.

HB 478—Transportation.

HB 505—Commerce and the Environment.

HB 512—Small Business, Insurance and Industrial Relations.

HB 464—Aging, Families, Mental and Public Health.

HB 60—Ways and Means.

HB 57—Ways and Means.

HCS for **HB 318**—Economic Development, Tourism and Local Government.

HB 445—Aging, Families, Mental and Public Health.

HB 491—Transportation.

HB 594—Economic Development, Tourism and Local Government.

HB 597—Transportation.

HB 598—Transportation.

HCS for **HB 356**—Financial and Governmental Organization, Veterans’ Affairs and Elections.

HB 523—Pensions and General Laws.

HB 552—Economic Development, Tourism and Local Government.

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

RECESS

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

THIRD READING OF SENATE BILLS

Senator Bartle moved that **SB 447**, with **SCS**, be called from the Consent Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **SB 447** was again taken up.

Senator Bartle requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 447, Page 1, Section 477.650, Lines 7-8, by deleting said lines and inserting in lieu thereof the following: “the fund shall be credited to the fund. The purpose”.

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

Senator Bartle moved that **SCS** for **SB 447**, as amended, be adopted, which motion prevailed.

On motion of Senator Bartle, **SCS** for **SB 447**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle Bray Caskey Childers

Clemens Coleman Dougherty Foster
 Gibbons Goode Gross Jacob
 Kennedy Kinder Klindt Loudon
 Mathewson Nodler Quick Shields
 Steelman Stoll Vogel Wheeler
 Yeckel—25

NAYS—Senators

Cauthorn Champion Griesheimer Scott—4

Absent—Senators

Bland Days Dolan Russell—4

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 623, introduced by Senator Foster, entitled:

An Act to repeal sections 116.175 and 116.190, RSMo, and to enact in lieu thereof two new sections relating to challenges to fiscal notes and fiscal note summaries.

Was called from the Consent Calendar and taken up.

On motion of Senator Foster, **SB 623** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle Bland Bray Caskey
 Cauthorn Champion Childers Clemens
 Coleman Days Dougherty Foster
 Gibbons Goode Griesheimer Gross
 Jacob Kennedy Kinder Klindt
 Loudon Mathewson Nodler Quick
 Scott Shields Steelman Stoll
 Vogel Wheeler—30

NAYS—Senators—None

Absent—Senators

Dolan Russell Yeckel—3

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 438, introduced by Senator Clemens, et al, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to a memorial highway.

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

On motion of Senator Clemens, **SB 438** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Dolan Quick Russell—3

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Mathewson moved that **SB 450**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 450**, as amended, was again taken up.

Senator Steelman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 450, Page 1, In the Title, Line 5 of said title, inserting after the word “sections” the following: “and a contingent effective date for certain sections”; and

Further amend said bill, Page 12, Section B, Line 14 of said page, by inserting after all of said line the following:

“Section C. The enactment of sections 37.635 to 37.645 and section 1 of this act shall be contingent on the enactment of a concurrent resolution by the ninety-second general assembly, signed by the governor, approving the enactment of such sections and specifying which entities, if any, are to be excluded from the division of community health. The secretary of state shall notify the revisor of statutes upon receipt of such fully enacted and signed concurrent resolution.”; and

Further amend the title and enacting clause accordingly.

Senator Steelman moved that the above amendment be adopted.

At the request of Senator Mathewson, **SB 450**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Kinder referred **SS No. 2** for **SCS** for **SB 481** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Jacob moved that **SB 305** be taken up for perfection, which motion prevailed.

Senator Jacob offered **SS** for **SB 305**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 305

An Act to repeal sections 143.011, 143.431, 143.451, 143.461, 143.471, 144.020, 149.015, and 149.160, RSMo, and to enact in lieu thereof six new sections relating to taxation, with a referendum clause.

Senator Jacob moved that **SS** for **SB 305** be adopted.

Senator Bartle raised the point of order that **SS** for **SB 305** is out of order, as it goes beyond the scope and title of the original bill and is not germane.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed the bill on the Informal Calendar.

Senator Shields moved that **SB 410**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 410**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 410

An Act to repeal sections 191.831, 302.540, 577.049, and 577.520, RSMo, and to enact in lieu thereof four new sections relating to substance abuse traffic offender program.

Was taken up.

Senator Shields moved that **SCS** for **SB 410** be adopted.

Senator Shields offered **SS** for **SCS** for **SB 410**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 410

An Act to repeal sections 191.831, 302.304, 302.540, 577.041, 577.049, and 577.520, RSMo, and to enact in lieu thereof six new sections relating to substance abuse traffic offender program.

Senator Shields moved that **SS** for **SCS** for **SB 410** be adopted, which motion prevailed.

On motion of Senator Shields, **SS** for **SCS** for **SB 410** was declared perfected and ordered printed.

At the request of Senator Caskey, **SB 5**, with **SCS**, was placed on the Informal Calendar.

Senator Russell moved that **SB 2**, with **SCS**, **SS** for **SCS** and **SS** for **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SS** for **SCS** for **SB 2** was again taken up.

At the request of Senator Loudon, the above substitute was withdrawn.

Senator Loudon offered **SS No. 2** for **SS** for **SCS** for **SB 2**, entitled:

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

An Act to repeal sections 285.300, 288.036, 288.038, 288.040, 288.050, 288.060, 288.110, 288.128, 288.270, 288.310, and 288.330, RSMo, and to enact in lieu thereof thirteen new sections relating to employees, with an emergency clause and penalty provisions.

Senator Loudon moved that **SS No. 2** for **SS** for **SCS** for **SB 2** be adopted.

At the request of Senator Russell, **SB 2**, with **SCS, SS** for **SCS** and **SS No. 2** for **SS** for **SCS** (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 697, introduced by Senator Nodler, et al, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the George Washington Carver Memorial Highway.

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

On motion of Senator Nodler, **SB 697** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Vogel—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 490, introduced by Senator Dolan, entitled:

An Act to repeal sections 302.510, 302.530, and 577.041, RSMo, and to enact in lieu thereof

three new sections relating to duties of law enforcement officers with respect to alcohol-related traffic offenses.

Was called from the Consent Calendar and taken up.

Senator Dolan moved that **SB 490** be read the 3rd time and finally passed.

At the request of Senator Dolan, the above motion was withdrawn, which placed the bill back on the Calendar.

SB 594, with **SCS**, introduced by Senator Bray, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to operation of low-speed vehicles on public highways.

Was called from the Consent Calendar and taken up.

SCS for **SB 594**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 594

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to operation of low-speed vehicles on public highways.

Was taken up.

Senator Bray moved that **SCS** for **SB 594** be adopted, which motion prevailed.

On motion of Senator Bray, **SCS** for **SB 594** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Wheeler	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Bland Foster Vogel—3

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 598, introduced by Senators Childers and Nodler, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the creation of the Corporal Bobbie J. Harper Memorial Highway.

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

On motion of Senator Childers, **SB 598** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Gibbons	Goode	Griesheimer	Gross
Kennedy	Kinder	Klindt	Loudon
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Foster Jacob Mathewson Vogel—4

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Senator Bartle assumed the Chair.

SB 552, introduced by Senator Yeckel, entitled:

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to property exempt from attachment.

Was called from the Consent Calendar and taken up.

On motion of Senator Yeckel, **SB 552** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Gibbons	Goode	Griesheimer	Gross
Kennedy	Kinder	Klindt	Loudon
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Foster Jacob Mathewson Vogel—4

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 463, introduced by Senator Gross, entitled:

An Act to repeal section 355.331 as enacted by house substitute for senate bill no. 768, eighty-eighth general assembly, second regular session, and to enact in lieu thereof one new section for the sole purpose of reenacting section 355.331 as enacted by house substitute for senate bill no. 768, eighty-eighth general assembly, second regular session which was held unconstitutional by the Missouri Supreme Court.

Was called from the Consent Calendar and taken up.

On motion of Senator Gross, **SB 463** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators			
Dougherty	Foster	Jacob	Vogel—4

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SB 511, introduced by Senator Kinder, et al, entitled:

An Act to amend chapter 21, RSMo, by

adding thereto one new section relating to the joint committee on the life sciences.

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

On motion of Senator Kinder, **SB 511** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Dougherty	Foster	Jacob—3
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

REPORTS OF STANDING COMMITTEES

Senator Gibbons, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 410**, 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.

RESOLUTIONS

Senator Cauthorn offered Senate Resolution No. 464, regarding the Ninety-ninth Birthday of Grace Calvert, Palmyra, which was adopted.

Senator Cauthorn offered Senate Resolution No. 465, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul R. "Bob" Wilsdorf, Holliday, which was adopted.

Senator Champion offered Senate Resolution No. 466, regarding the Eightieth Birthday of Dr. Paul Busiek, Springfield, which was adopted.

Senator Yeckel offered Senate Resolution No. 467, regarding Child Abuse and Neglect Prevention Month, which was adopted.

Senator Yeckel offered Senate Resolution No. 468, regarding Jason Matthew Bland, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 469, regarding Robert W. Hawkins, which was adopted.

Senator Vogel offered Senate Resolution No. 470, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Jean Warden, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No. 471, regarding Sue Ellen Hoskins, Henley, which was adopted.

Senator Vogel offered Senate Resolution No. 472, regarding Brian Allen Sandhaus, Jefferson City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Cauthorn introduced to the Senate, Harold Enslow and Ron Sterreet, Mexico; Merline Barley, Lincoln County; and Lillie Sorrell, Pike County.

Senator Cauthorn introduced to the Senate, Lori Weber and students from Covenant Life Fellowship School, Kirksville.

Senator Clemens introduced to the Senate, representatives of the Silver Haired Legislature

from around the state.

Senator Steelman introduced to the Senate, Jane Paul and Anne Soots, Springfield; Theresa Loveless, Kathy Dabrowski, and Merrily Goldsmith, St. Louis; Jan Yamnitz, Jay Seaver, Constance Bearnese and Roberta Henson, Jefferson City; Karen McGuigan, Duana Dralus and Judy Vickery, Kansas City; Denise Stewart and Laura Hinkebein, Cape Girardeau; Cindy Weber and June Chen, Sikeston; and representatives of the Missouri Girl Scout Legislative Task Group from around the state.

Senator Yeckel introduced to the Senate, Terry Davis and representatives of the Kansas City Carpenters District Council; and Terry Nelson and representatives of the St. Louis Carpenters District Council.

On behalf of Senator Dougherty and herself, Senator Coleman introduced to the Senate, Gary Evans and members of the St. Louis Christian Academy, St. Louis.

Senator Yeckel introduced to the Senate, Holly Kunze and sixty-five fourth grade students from Kennerly Elementary School, St. Louis; and Nicole Fitz, Samantha Lerbs, Daimon Jackson, and Wes Krebeck were made honorary pages.

Senator Bland introduced to the Senate, Nomin Ganbaatar, Mongolia; Kazumi Irabu, Japan; Marija Kuricina, Latvia; Tanya Kangur, Holland; Jyrki Puski, Finland; Stine Wittrup Thomasen, Denmark; Timo Graen, Saskia Blank, Christian Aleff, Martin Scheerbaum, and Jan Phillip Sticht, Germany; Victor Rathsmann, Sweden; and Bob Eskew, Shirley Storey, Lynnette Fitzgerald, and Cheryl Eskew, representing the United States Study Exchange.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Randall Mueller, M.D., Columbia.

Senator Russell introduced to the Senate, Dr. Victor C. Buehler, West Plains.

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

SENATE CALENDAR

 FORTY-SEVENTH DAY—THURSDAY, APRIL 3, 2003

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 288

HB 91-Mayer

HCS for HB 273

HS for HCS for HB 156-Phillips

HCS for HB 600

HCS for HB 431

HB 375-Cooper (120)

HCS for HB 222

HS for HCS for HB 228-Pearce

HS for HB 197-Johnson (47)

HCS for HB 322

HCS for HB 427

HB 430-Stevenson, et al

HCS for HB 575

HB 599-Burnett, et al

HCS for HB 613

THIRD READING OF SENATE BILLS

SCS for SB 544-Gross, et al

SS#2 for SCS for SB 481-Dolan

(In Fiscal Oversight)

SCS for SB 422-Childers

SS for SCS for SB 410-Shields

SENATE BILLS FOR PERFECTION

1. SBs 556 & 311-Kinder,
et al, with SCS

2. SB 243-Yeckel

3. SBs 361, 103, 156 &
329-Steelman, with SCS

4. SB 28-Gross

5. SB 362-Steelman and Gross

6. SB 184-Bartle and Scott

7. SB 38-Klindt, et al, with SCS

8. SB 241-Yeckel, with SCS

9. SB 476-Jacob

10. SB 460-Loudon

11. SBs 381, 384, 432 & 9-
Dolan, with SCS12. SB 39-Cauthorn, et al, with
SCA 1

HOUSE BILLS ON THIRD READING

HB 412-Goodman, et al (Childers)
HCS for HB 221, with SCS
(Yeckel)

HCS for HB 554 (Foster)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 2-Russell, with SCS,
SS for SCS & SS#2 for
SS for SCS (pending)
SB 5-Caskey, with SCS
SB 18-Yeckel and Cauthorn,
with SCS & SS for SCS
(pending)
SB 24-Steelman, with SCS
& SS for SCS (pending)
SB 33-Loudon and Scott,
with SS (pending)
SB 51-Shields, with SS,
SS for SS & SA 1 (pending)
SB 69-Yeckel and Nodler,
with SCS (pending)
SB 112-Loudon, with SCS

SBs 125 & 290-Goode, with
SCS (pending)
SB 217-Champion and
Clemens, with SS (pending)
SB 253-Steelman, et al,
with SCS, SS for SCS &
SA 1 (pending)
SB 300-Cauthorn, et al, with SCS
SB 305-Jacob and Steelman, with
SS & point of order (pending)
SB 347-Loudon, et al, with SCS
SB 436-Klindt, with SCS, SS for
SCS & SA 2 (pending)
SB 450-Mathewson, et al, with
SCS, SS for SCS & SA 2
(pending)

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CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 62-Caskey

SB 275-Russell

Reported 2/24

SB 385-Scott, with SCS

Reported 3/4

SB 468-Bartle

Reported 3/13

SB 159-Bland, with SCS
(In Fiscal Oversight)

SB 694-Klindt
SB 490-Dolan

Unofficial
RESOLUTIONS

SCR 15-Dolan, et al

Reported from Committee

SR 30-Shields, with SCS,
SS for SCS & SA 1 (pending)
SCR 7-Gross, et al, with SCA 1

SCR 13-Nodler and Gibbons,
with SCS
SCR 2-Bland

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