

# Journal of the Senate

FIRST REGULAR SESSION

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FIFTY-SECOND DAY—MONDAY, APRIL 14, 2003

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The Senate met pursuant to adjournment.

Steelman      Stoll      Vogel      Wheeler  
Yeckel—33

Senator Childers in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent with leave—Senator DePasco—1

“I have told the glad news of deliverance.” (Psalm 40:9)

Gracious God, we are thankful that You have provided us time to de-stress and time to be in the comfort of those we love. We are grateful that You provide us with those things we need and guide us along right pathways. Bless us this week to continue the work that must be completed and help us to spend time efficiently. 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 for Thursday, April 10, 2003, 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

## RESOLUTIONS

Senator Cauthorn offered Senate Resolution No. 544, regarding the One Hundred Second Birthday of Mary Pinkard, Canton, which was adopted.

Senator Cauthorn offered Senate Resolution No. 545, regarding the One Hundred First Birthday of Viola Kathleen Magruder, Hannibal, which was adopted.

Senator Cauthorn offered Senate Resolution No. 546, regarding the Missouri Corn Growers Association, which was adopted.

Senator Cauthorn offered Senate Resolution No. 547, regarding Hazel Bledsoe Smith, Kahoka, which was adopted.

Senator Cauthorn offered Senate Resolution No. 548, regarding the 2002-2003 NCAA Division II Womens Swimming and Diving Champions from Truman State University, which was adopted.

Senator Scott offered Senate Resolution No. 549, regarding Janice Hogan, Humansville, which was adopted.

Senator Scott offered Senate Resolution No. 550, regarding Mark Ehrich, Humansville, which

was adopted.

Senator Scott offered Senate Resolution No. 551, regarding Margarette Payne, Humansville, which was adopted.

On behalf of Senator DePasco, Senator Quick offered Senate Resolution No. 552, regarding Wesley Nelson, Kansas City, which was adopted.

On behalf of Senator DePasco, Senator Quick offered Senate Resolution No. 553, regarding Seth Wycoff, Greenwood, which was adopted.

Senator Bray offered Senate Resolution No. 554, regarding Betsy Wack, Clayton, which was adopted.

Senator Foster offered Senate Resolution No. 555, regarding Thomas Joshua Neal, Poplar Bluff, which was adopted.

Senator Vogel offered Senate Resolution No. 556, regarding Christopher John Lloyd, Jefferson City, which was adopted.

Senator Champion offered Senate Resolution No. 557, regarding Dr. Nancy Colbaugh, Springfield, which was adopted.

Senator Days offered Senate Resolution No. 558, regarding Pearl Williams, Flordell Hills, which was adopted.

Senator Caskey offered Senate Resolution No. 559, regarding the Class IA State Football Champions from Adrian High School, Adrian, which was adopted.

Senator Scott offered Senate Resolution No. 560, regarding Rebecca Legan, Halfway, which was adopted.

Senator Klindt offered Senate Resolution No. 561, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Cash Shultz, Trenton, which was adopted.

Senator Klindt offered Senate Resolution No. 562, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. R. Wayne Griffin, Trenton, which was adopted.

Senator Klindt offered Senate Resolution No. 563, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Leo Ewigman, Marceline, which was adopted.

### SENATE BILLS FOR PERFECTION

Senator Gross moved that **SB 28**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 28** was again taken up.

Senator Steelman offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 28, Page 1, Section 33.250, Line 19, by inserting at the end of said line the following: “**the final budget submitted by the Governor to the general assembly shall not exceed ninety-eight percent of the net estimate of general revenue as determined in this subsection.**”; and

Further amend said bill, and section, Page 2, Line 3, by deleting the words “**the lesser of:**” and inserting in lieu thereof the following: “**ninety-eight percent of the net estimate of general revenue as determined in accordance with subsection one of this section.**”; and

Further amend said bill, section and page, Lines 4 to 11, by striking all of said lines.

Senator Steelman moved that the above amendment be adopted.

At the request of Senator Gross, **SB 28**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Steelman, **SB 362** was placed on the Informal Calendar.

Senator Bartle moved that **SB 184** be taken up for perfection, which motion prevailed.

On motion of Senator Bartle, **SB 184** was declared perfected and ordered printed.

Senator Klindt moved that **SB 38**, with **SCS**,

be taken up for perfection, which motion prevailed.

**SCS** for **SB 38**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 38

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to the establishment of the Missouri biomass technology commission, with an expiration date.

Was taken up.

Senator Klindt moved that **SCS** for **SB 38** be adopted, which motion prevailed.

On motion of Senator Klindt, **SCS** for **SB 38** was declared perfected and ordered printed.

Senator Yeckel moved that **SB 241**, with **SCS**, be taken up for perfection, which motion prevailed.

At the request of Senator Yeckel, **SB 241**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Jacob, **SB 476** was placed on the Informal Calendar.

**CONCURRENT RESOLUTIONS**

Senator Shields moved that **SCR 9** be taken up for adoption, which motion prevailed.

On motion of Senator Shields, **SCR 9** was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Cauthorn      Scott—2

Absent with leave—Senators

Bland      DePasco—2

Senator Dougherty moved that **SCR 8**, with **SCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **SCR 8** was taken up.

Senator Dougherty moved that **SCS** for **SCR 8** be adopted, which motion prevailed.

On motion of Senator Dougherty, **SCS** for **SCR 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dolan      Scott—2

Absent with leave—Senators

Bland      DePasco—2

The President declared the concurrent resolution passed.

On motion of Senator Dougherty, title to the concurrent resolution was agreed to.

Senator Dougherty moved that the vote by which the concurrent resolution passed be reconsidered.

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

Senator Stoll moved that **SCR 6** be taken up for adoption, which motion prevailed.

On motion of Senator Stoll, **SCR 6** was adopted by the following vote:

## YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Days
Dolan	Dougherty	Foster	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Nodler	Quick	Russell	Shields
Steelman	Stoll	Vogel	Wheeler

Yeckel—29

## NAYS—Senators—None

## Absent—Senators

Bland	Coleman	Mathewson	Scott—4
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Absent with leave—Senator DePasco—1

**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 10, 2003

TO THE SENATE OF THE 92nd 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:

Nelson C. Grumney, Jr., Republican, 50 Briarcliff, St. Louis City, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2004, and until his successor is duly appointed and qualified; vice, William Ross, term expired.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

## OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 10, 2003

TO THE SENATE OF THE 92nd 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:

Deanne Lynn Hackman, 203 E. Union, P.O. Box 611, Macon, Macon County, Missouri 63552, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2005, and until her successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

## OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 10, 2003

TO THE SENATE OF THE 92nd 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:

Karl E. Hewlett, 4844 E. Kingwood, Springfield, Greene County, Missouri 65809, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2005, and until his successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

## OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 10, 2003

TO THE SENATE OF THE 92nd 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:

Darwin A. Hindman, Democrat, 1223 Frances Drive, Columbia, Boone County, Missouri 65203-2317, as a member of the Environmental Improvement and Energy Resources Authority, for a term ending January 1, 2006, and until his successor is duly appointed and qualified; vice, David Childers, term expired.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

Mark Kelley, P.O. Box 69, Essex, Stoddard County, Missouri 63846, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2006, and until his successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

Stephen F. McKaskle, 25 Washington, P.O. Box 10, Braggadocio, Pemiscot County, Missouri 63826, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2006, and until his successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

John F. Morrison, 3501 Southern Hills Drive, Fremont Hills, Christian County, Missouri 65714, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural

Products, for a term ending April 10, 2007, and until his successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

Dubart (Nip) J. Neidert, 3701 Fairway Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2007, and until his successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

Catherine L. Pasierb, 1251 Rockwood Forest Drive, Arnold, Jefferson County, Missouri 63010, as a member of the State Committee for Social Workers, for a term ending October 23, 2006, and until her successor is duly appointed and qualified; vice, Jonathon D. Finck, term expired.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
April 10, 2003

TO THE SENATE OF THE 92nd 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:

Joann K. Pipkin, 3674 S. State Highway N, Republic, Greene County, Missouri 65738, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2006, and until her successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 10, 2003

TO THE SENATE OF THE 92nd 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:

Donna M. Powell, 1136 Lancaster Drive, St. Charles, St. Charles County, Missouri 63301, as a member of the Citizens' Advisory Commission for Marketing Missouri Agricultural Products, for a term ending April 10, 2007, and until her successor is duly appointed and qualified; vice, RSMo 261.235.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 10, 2003

TO THE SENATE OF THE 92nd 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:

Jason W. Ware, 6817 Culpepper, St. Louis, St. Louis County, Missouri 63033, as a member of the Harris-Stowe State College Board of Regents, for a term ending May 30, 2005, and until his successor is duly appointed and qualified; vice, Calvin Thomas, resigned.

Respectfully submitted,  
BOB HOLDEN  
Governor

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

**HOUSE BILLS ON SECOND READING**

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

**HS** for **HB 511**—Financial and Governmental Organization, Veterans' Affairs and Elections.

**HB 444**—Financial and Governmental Organization, Veterans' Affairs and Elections.

**REFERRALS**

President Pro Tem Kinder referred **HCS** for **HB 289**, with **SCS**; and **HS** for **HCS** for **HBs 349, 120, 136** and **328** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Kinder referred **SCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 18**—Rules, Joint Rules, Resolutions and Ethics.

**SENATE BILLS FOR PERFECTION**

Senator Gross moved that **SB 28**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Jacob offered **SSA 1** for **SA 1**:

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

Amend Senate Substitute for Senate Bill No. 28, Page 1, Section 33.250, Line 19 of said page,

by inserting at the end of said line the following: **“The senate and the house of representatives shall each prepare an estimate of general revenue concurrently with the governor pursuant to this subsection. If the revenue estimates of the senate, the house of representatives, and the governor are the same, then such estimate shall be used to determine appropriation levels in accordance with subsection 2 of this section. If the revenue estimates of one legislative body and the governor are the same, then such estimate shall be used to determine appropriation levels in accordance with subsection 2 of this section. If the senate, the house of representatives, and the governor cannot agree on a revenue estimate, then the lowest net estimate of general revenue prepared by the senate, the house of representatives, or the governor shall be used to determine appropriation levels in accordance with subsection 2 of this section, provided that said estimate shall not be more than one percent lower than the second lowest estimate. In such case the revenue estimate to be used shall be the second lowest estimate. The final budget submitted by the governor to the general assembly shall not exceed ninety-eight percent of the net estimate of general revenue as determined in this subsection.”**; and

Further amend said bill, Page 2, Section 33.250, Lines 3-11 of said page, by striking all of said lines and inserting in lieu thereof the following: **“year shall not exceed the lesser of ninety-eight percent of the net estimate of general revenue as determined in accordance with subsection 1 of this section.”**; and further amend line 17 of said page, by striking the word **“Fifty”** and inserting in lieu thereof the following: **“One hundred”**; and further amend lines 20-23 of said page, by striking all of said lines and inserting in lieu thereof the following: **“fiscal year or any subsequent fiscal year. The state treasurer”**.

Further amend the title and enacting clause accordingly.

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

Senator Gross moved that **SS for SB 28**, as amended, be adopted, which motion prevailed.

On motion of Senator Gross, **SS for SB 28**, as amended, was declared perfected and ordered printed.

Senator Loudon moved that **SB 460** be taken up for perfection, which motion prevailed.

Senator Loudon offered **SS for SB 460**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 460

An Act to repeal section 376.995, RSMo, and to enact in lieu thereof eight new sections relating to mandated benefits for health insurance, with an emergency clause.

Senator Loudon moved that **SS for SB 460** be adopted.

Senator Shields assumed the Chair.

Senator Cauthorn offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 460, Page 1, In the Title, Lines 2 and 3, by striking the following: **“mandated benefits for health”**; and

Further amend said bill, page 11, Section 376.1595, line 23, by inserting immediately after said line the following:

**“383.600. 1. Sections 383.600 to 383.655 shall be known as the “Missouri Medical Malpractice Mutual Insurance Company Act”.**

**2. As used in sections 383.600 to 383.655 the following words mean:**

**(1) “Administrator”, the chief executive officer of the Missouri medical malpractice mutual insurance company;**

**(2) “Board”, the board of directors of the Missouri medical malpractice mutual insurance**

company;

(3) "Company", the Missouri medical malpractice mutual insurance company.

**383.610.** The "Missouri medical malpractice mutual Insurance Company" is created as an independent public corporation for the purpose of insuring Missouri physicians and their employees and their medical practice against liability for professional malpractice. The company shall be organized and operated as a domestic mutual insurance company and it shall not be a state agency. The company shall have the powers granted a general not-for-profit corporation pursuant to section 355.131, RSMo. The company shall be a member of the Missouri property and casualty guaranty association, sections 375.771 to 375.799, RSMo, and as such will be subject to assessments therefrom, and the members of such association shall bear responsibility in the event of the insolvency of the company. The company shall be established pursuant to the provisions of sections 383.600 to 383.655.

**383.615. 1.** There is hereby created a board of directors for the company. The board shall be appointed by January 1, 2004, and shall consist of seven members appointed or selected as provided in this section. The governor shall appoint the initial seven members of the board with the advice and consent of the senate. Each director shall serve a seven-year term. Terms shall be staggered so that no more than one director's term expires each year on the first day of July. The seven directors initially appointed by the governor shall determine their initial terms by lot. At the expiration of the term of any member of the board, the company's policy holders shall elect a new director in accordance with provisions determined by the board. Provided, however, three directors of the board shall be appointed by the governor.

**2.** Any person may be a director who:

(1) Does not have any interest as a stockholder, employee, attorney, agent, broker, or contractor of an insurance entity who writes medical liability insurance, or whose affiliates write medical liability insurance;

(2) Is of good moral character and who has never pleaded guilty to, or been found guilty of a felony;

(3) Is not employed by or affiliated with, the state of Missouri, any hospital, health maintenance organization, or other entity providing any type of insurance in this state.

**3.** There shall be one member of the board of directors from any city not within a county or any county with a charter form of government and with more than one million inhabitants, one member of the board of directors from any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants or any county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, and one member of the board of directors from any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, with the remaining members of the board from the other counties in this state. Further, one member shall be a doctor of osteopathic medicine duly licensed to practice in the state of Missouri, one member shall be a medical doctor licensed to practice in this state, one member shall be an attorney licensed to practice by the Missouri supreme court, and one member shall have management experience in the operation of an insurance company.

**4.** The board shall annually elect a chairman and any other officers it deems necessary for the performance of its duties. Board committees and subcommittees may also be formed.



5. The company shall pay to the board members their expenses incurred in the business of the company or the board and a stipend in a sum set by the board, but not more than one thousand dollars per meeting or the board or committee or subcommittee thereof attended by the member.

383.620. 1. By January 1, 2004, the board shall hire an administrator who shall serve at the pleasure of the board and the company shall be fully prepared to be in operation by July 1, 2004, and assume its responsibilities by that date. The administrator shall receive compensation as established by the board and must have such qualifications as the board deems necessary. The administrator shall not be a physician.

2. The board is vested with full power, authority and jurisdiction over the company. The board may perform all acts necessary or convenient in the administration of the company or in connection with the insurance business to be carried on by the company. In this regard, the board is empowered to function in all aspects as a governing body of a private insurance carrier.

383.625. 1. The administrator of the company shall act as the company's chief executive officer. The administrator shall be in charge of the day-to-day operations and management of the company.

2. Before entering the duties of office, the administrator shall give an official bond in an amount and with sureties approved by the board. The premium for the bond shall be paid by the company.

3. The administrator or the administrator's designee shall be the custodian of the moneys of the company and all premiums, deposits, or other moneys paid thereto shall be deposited with a financial institution as designated by the administrator.

4. No board member, officer, or employee of the company is liable in a private capacity for any act performed or obligation entered into when done in good faith, without intent to defraud, and in an official capacity in connection with the administration, management, or conduct of the company or affairs relating to it.

383.630. The board shall have full power and authority to establish rates to be charged by the company for insurance. The board shall contract for the services of or hire an independent actuary, a member in good standing with the American Academy of Actuaries, to develop and recommend actuarially sound rates. Rates shall be set at amounts sufficient, when invested, to carry all claims to maturity, meet the reasonable expenses of conducting the business of the company and maintain a reasonable surplus. The company shall conduct a program that shall be neither more nor less than self-supporting.

383.635. The board shall formulate and adopt an investment policy and supervise the investment activities of the company. The administrator may invest and reinvest the surplus or reserves of the company subject to the limitations imposed on domestic insurance companies by state law. The company may retain an independent investment counsel. The board shall periodically review and appraise the investment strategy being followed and the effectiveness of such services. Any investment counsel retained or hired shall periodically report to the board on investment results and related matters.

383.640. Any insurance producer licensed to sell professional negligence insurance in this state shall be authorized to sell insurance policies for the company in compliance with the bylaws adopted by the company and upon the approval of the board. The board shall establish

a schedule of commissions to pay for the services of the producer.

383.645. 1. The administrator shall formulate, implement, and monitor a program to decrease medical negligence by physicians and their staff for all policyholders.

2. The company shall have representatives whose sole purpose is to develop, with policyholders and the professional organizations related to the medical field, education and training seminars and other programs that provide training to physicians and their staffs.

3. The administrator or board may refuse to insure, or may terminate the insurance of any subscriber who refuses to attend such seminars or training or refuses to require their staff to attend such seminars or training as required by the board for its policyholders. The administrator or board may also refuse to insure, or may terminate the insurance of any subscriber who refuses to follow the practice patterns of the company. The cost of said training seminars or a part thereof may be paid by the company.

383.650. 1. The company shall not receive any state appropriations, directly or indirectly, except as provided in this section.

2. After October 1, 2003, the treasurer of the state of Missouri may make one or more loans to the company in an amount not to exceed an aggregate amount of ten million dollars from the fund maintained by the treasurer for start-up funding and initial capitalization of the company. The state legislature shall place such sum of funds in a special fund under the supervision of the Missouri state treasurer called the "Missouri Medical Malpractice Mutual Insurance Company Loan Fund" in the appropriations for fiscal year 2003-2004. The board of the company shall make application to the treasurer for the loans, stating the amount to be loaned to

the company. The loans shall be for a term of ten years and, at the time the application for such loans is approved by the director, shall bear interest at the annual rate based on the rate for linked deposit loans as calculated by the state treasurer pursuant to section 30.758, RSMo.

3. In order to provide funds for the creation, continued development, and operation of the company, the board is authorized to issue revenue bonds from time to time, in a principal amount outstanding not to exceed fifty million dollars at any given time, payable solely from premiums received from insurance policies and other revenues generated by the company.

4. The board may issue bonds to refund other bonds issued pursuant to this section.

5. The bonds shall have a maturity of no more than ten years from the date of issuance. The board shall determine all other terms, covenants, and conditions of the bonds, except that no bonds may be redeemed prior to maturity unless the company has established adequate reserves for the risks it has insured.

6. The bonds shall be executed with the manual or facsimile signature of the administrator or the chairman of the board and attested by another member of the board. The bonds may bear the seal, if any, of the company.

7. The proceeds of the bonds and the earnings of those proceeds shall be used by the board for the development and operation of the company, to pay expenses incurred in the preparation, issuance, and sale of the bonds and to pay any obligations relating to the bonds and the proceeds of the bonds under the United States Internal Revenue Code of 1986, as amended.

8. The bonds may be sold at a public sale or a private sale. If the bonds are sold at a public sale, the notice of sale and other procedures for the sale shall be determined by the

administrator or the company.

9. This section is full authority for the issuance and sale of the bonds and the bonds shall not be invalid for any irregularity or defect in the proceedings for their issuance and sale and shall be incontestable in the hands of bona fide purchasers or holders of the bonds for value.

10. An amount of money from the sources specified in subsection 3 of this section sufficient to pay the principal of and any interest on the bonds as they become due each year shall be set aside and is hereby pledged for the payment of the principal and interest on the bonds.

11. The bonds shall be legal investment for any person or board charged with the investment of public funds and may be accepted as security for any deposit of public money, and the bonds and interest thereon are exempt from taxation by the state and any political subdivision or agency of the state.

12. The bonds shall be payable by the company, which shall keep a complete record relating to the payment of the bonds.

13. Not more than fifty percent of the bonds sold shall be sold to public entities.

14. Nothing in this section shall prevent the board of the company from borrowing funds from private financial institutions in order to create, develop, or operate the company.

383.655. 1. The board shall cause an annual audit of the books of accounts, funds, and securities of the company to be made by a competent and independent firm of certified public accountants, the cost of the audit to be charged against the company. A copy of the audit report shall be filed with the director of the department of insurance and the administrator. The audit shall be open to the public for inspection.

2. The board shall submit an annual

independently audited report in accordance with the procedures governing annual reports adopted by the National Association of Insurance Commissioners by March first of each year and the report shall be delivered to the governor and the general assembly and shall indicate the business done by the company during the previous year and contain a statement of the resources and liabilities of the company.

3. The administrator shall annually submit to the board for its approval an estimated budget of the entire expense of administering the company for the succeeding calendar year having due regard to the business interests and contract obligations of the company.

4. The incurred loss experience and expense of the company shall be ascertained each year to include, but not be limited to, estimates of outstanding liabilities for claims reported to the company but not yet paid and liabilities for claims arising from injuries which have occurred but have not yet been reported to the company. If there is an excess of assets over liabilities, necessary reserves and a reasonable surplus for the catastrophe hazard, then a cash dividend may be declared or a credit allowed to an insured policyholder, who has been insured with the company in accordance with criteria approved by the board, which may account for insured's record and claims history.

5. The department of insurance shall conduct an examination for the company in the manner and under the conditions provided by the statutes of the insurance code for the examination of insurance carriers. The board shall pay the cost of the examination as an expense of the company. The company is subject to all provisions of the statutes which relate to private insurance carriers and to the jurisdiction of the department of insurance in the same manner as private insurance carriers, except as provided by the director.

**6. For the purpose of ascertaining such information as the administrator may require in the proper administration of the company, the records of each policyholder and insured of the company shall be always open to inspection by the administrator or the administrator's duly authorized agent or representative.**

**7. Every person provided insurance coverage by the company, upon complying with the underwriting standards adopted by the company, and upon completing the application form prescribed by the company, shall be furnished with a policy showing the date on which the insurance becomes effective.”; and**

Further amend the title and enacting clause accordingly.

Senator Cauthorn moved that the above amendment be adopted.

At the request of Senator Loudon, **SB 460**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

#### **REPORTS OF STANDING COMMITTEES**

Senator Childers, Chairman of the Committee on Economic Development, Tourism and Local Government, submitted the following reports:

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 93**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 97**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 199**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 244**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 307**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 318**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 326**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 351**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent

Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 375**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 463**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 472**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 552**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 574**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to

which was referred **HB 594**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HB 512**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Klindt, Chairman of the Committee on Agriculture, Conservation, Parks and Natural Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **HB 464**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Shields, Chairman of the Committee on Aging, Families, Mental and Public Health, submitted the following reports:

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HB 477**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HB 440**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was

referred **HB 376**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HCS for HB 332**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HCS for HB 202**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HCS for HBs 59 and 269**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HB 445**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Transportation, to which was referred **HB 597**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS for HB 245**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 162**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 284**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

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

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 249**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 247**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Steelman, Chairman of the Committee on Commerce and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce

and the Environment, to which was referred **HCS** for **HB 392**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Commerce and the Environment, to which was referred **HB 505**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Vogel, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 57**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 60**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Pensions and General Laws, to which was referred **HB 465**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Cauthorn, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HS** for **HCS** for **HB 321**;

and **SS No. 2** for **SS** for **SCS** for **SB 2**, begs leave to report that it has considered the same and recommends that the bills 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 **SS** for **SCS** for **SBs 361, 103, 156 and 329**; **SB 184**; and **SCS** for **SB 38**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### REFERRALS

President Pro Tem Kinder referred **SB 184** and **SS** for **SCS** for **SBs 361, 103, 156 and 329** to the Committee on Governmental Accountability and Fiscal Oversight.

### RESOLUTIONS

Senator Caskey offered Senate Resolution No. 564, regarding Larry Curtis Pace, Lee's Summit, which was adopted.

Senators Goode and Mathewson offered the following resolution, which was adopted:

#### SENATE RESOLUTION NO. 565

WHEREAS, the members of the Missouri Senate hold in high esteem those Show-Me State governmental leaders who have dedicated themselves to ensuring that the services and programs provided by state government are conducted in the efficient, effective manner expected by citizens; and

WHEREAS, the Honorable Sheila Lumpe of University City, Missouri, was appointed to the Missouri Public Service Commission on June 5, 1997, and served as its Chair, Vice Chair of the Water Policy Roundtable, and representative to the Gas Committee of the National Association of Regulatory Utility Commissioners from August 1997 to July 2001 in an admirable endeavor which she will draw to a close on April 15, 2003; and

WHEREAS, no stranger to public service, Sheila Lumpe was the State Representative from the Seventy-second District located in St. Louis County for nine terms lasting from 1980 to 1997, during which time she attained distinction for leadership roles with such committees as Worker's Compensation; Appropriations-Education and Transportation; Consumer Protection; Education-

Elementary and Secondary; Critical Decisions; Judiciary; Ways and Means; Budget; Property Equalization and Classification; Elections; Capital Improvements; Legislative Research; Governmental Organization and Review; and Science, Technology and Critical Issues; and

WHEREAS, Sheila Lumpe was born in York, Pennsylvania; graduated from Huntington High School in 1953; married her beloved Gus in 1958; earned a Baccalaureate degree from Indiana University in 1957 and a Master's degree from the University of Missouri-St. Louis in 1989; and conducted additional studies at Fourah Bay College in Sierra Leone, West Africa, and at Johns Hopkins University in Baltimore, Maryland; and

WHEREAS, the mother of Abe, Nathan, Karen, and Andy, and grandmother of three wonderful children, Sheila Lumpe will officially retire on May 2, 2003, after twenty-three years in Missouri state government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, join unanimously to applaud the diligent, dedicated labors which have so generously been contributed by Sheila Lumpe to the citizens and institutions of the state of Missouri and to convey to her this legislative body's heartiest congratulations and best wishes as she partakes of the special opportunities and pleasures traditionally associated with the golden years of retirement; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution in honor of Sheila Lumpe, public servant extraordinaire.

Senator Goode offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 566

WHEREAS, it is with tremendous pleasure that the Missouri Senate pauses to note a milestone event in the history of a venerable health facility, Christian Hospital of St. Louis County; and

WHEREAS, founded in 1903 by Fannie Ayers and the Christian Women's Benevolent Association, Christian Hospital opened its doors as a twelve-bed facility located on Lawton Avenue in St. Louis; and

WHEREAS, down through the years Christian Hospital moved into larger facilities on North Grand Avenue; constructed a new, 100-bed facility on Newstead; and opened a facility on Graham Road in Florissant; and

WHEREAS, today's Christian Hospital is affiliated with BJC HealthCare as a two-division facility in north St. Louis County that offers a full range of health-care services, an array of medical and surgical specialties, and senior daycare; and

WHEREAS, Christian Hospital is universally acclaimed for

its expertise and experience in cardiac disease, cancer, and respiratory disorders, and as the first community hospital to offer open-heart surgery in the St. Louis area; and

WHEREAS, in addition to three outstanding cardiothoracic surgeons and more than twenty-five cardiologists, Christian Hospital enjoys a staff composed of more than 600 area physicians and more than 3,000 health-care professionals committed to improving the lives of people in the region; and

WHEREAS, Christian Hospital daily works to improve its facilities and services, and is currently redeveloping the Christian Hospital Northwest campus through an emergency department, a breathing center and sleep lab, and such outpatient diagnostic and imaging services as MRI, CT, general radiology, and ultrasound:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, join unanimously to applaud the exceptional history and services of Christian Hospital and to convey to its administrators, physicians, staff, and volunteers this legislative body's heartiest congratulations and best wishes as they celebrate during April 2003 the arrival of the One Hundredth Anniversary of their highly esteemed medical institution's founding; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution in honor of Christian Hospital of St. Louis County.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 11**.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, current studies indicate that children left at home alone and unsupervised have lower academic test scores, have higher absentee rates at school, exhibit higher levels of fear, stress, nightmares, loneliness, and boredom, are 1.7 times more likely to use alcohol, and are 1.6 times more likely to smoke cigarettes; and

WHEREAS, recent data shows that violent juvenile crime rates soar and children are most likely to be victims of a violent crime committed by a nonfamily member between the hours of 3 p.m. and 8 p.m., the hours immediately after school; and

WHEREAS, according to the National Center for Juvenile Justice, children are at greater risk of being involved in crime, substance abuse, and teenage pregnancy in the hours after school, especially between the hours of 3 p.m. and 4 p.m.; and



WHEREAS, the most common activity for children after school is watching television, resulting in an average 23 hours of television watching per week; and

WHEREAS, the parents of more than 800,000 Missouri school-age children work outside the home; and

WHEREAS, according to the estimates of the Urban Institute of the United States Census Bureau, at least 7 million and as many as 15 million "latchkey children" return to an empty house on any given afternoon; and

WHEREAS, in the United States, families worry about their children being unsafe and having too much idle, unsupervised time; and

WHEREAS, the United States Departments of Education and Justice report that children in quality out-of-school programs have better academic performance, school attendance, behavior, and greater expectations for the future; and

WHEREAS, children who attend high quality out-of-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in out-of-school programs; and

WHEREAS, children who attend out-of-school programs spend more time in learning opportunities, academic activities, and enrichment activities, and spend less time watching television than their peers; and

WHEREAS, children who attend out-of-school programs miss fewer days of school, have better homework completion, better school behavior, and higher test scores; and

WHEREAS, the United States Congress has recognized the beneficial impact of out-of-school programs to our youth, and has increased the funding of out-of-school programs administered by the Missouri Department of Elementary and Secondary Education; and

WHEREAS, 92% of all Americans believe there should be organized activities for all youth during out-of-school hours; and

WHEREAS, it is estimated that less than 25% of all school-age children attend any out-of-school program, leaving 75% of our youth without a safe, supportive, and enriching environment during the unsupervised hours after the formal school day ends; and

WHEREAS, the Joint Interim committee on After-School Programs has studied several of the above-mentioned issues during the tenure of the Ninety-first General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-second General Assembly;

NOW, THEREFORE, BE IT RESOLVED by the members of

the House of Representatives of the Ninety-second General Assembly, First Regular Session, the Senate concurring therein, that the "Joint Legislative Committee on Out-of-School Programs" be created to be comprised of five members of the Senate, appointed by the President Pro Tem of the Senate and the Senate Minority Floor Leader and five members of the House of Representatives, appointed by the Speaker of the House of Representatives and the House Minority Floor Leader; and

BE IT FURTHER RESOLVED that the committee continue and expand the in-depth studies conducted by the prior Joint Interim Committee on After-school Programs and to make a comprehensive analysis of the quantity and quality of Missouri out-of-school programs, including the solicitation of information from appropriate state agencies, public schools, youth development organizations, law enforcement agencies and juvenile officers, youth development and education experts, and the public (including youth) regarding the status of out-of-school programs; and

BE IT FURTHER RESOLVED that the committee, in consultation with the Departments of Elementary and Secondary Education, Social Services, and all other relevant agencies, make recommendations for an efficient and effective development plan to provide the opportunity for every Missouri school-age child to access quality out-of-school programs and design a system to train, mentor, and support out-of-school programs, and thereby guarantee their sustainability; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staffs of Senate Research, House Research, and the Committee on Legislative Research provide such legal, research, clerical, technical, and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the General Assembly endorses all of state government to enthusiastically encourage our citizens to engage in innovative out-of-school programs and activities that ensure that all Missouri school-age children are not only safe, but also productive when the school day ends; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the General Assembly by January 1, 2005, and the authority of such committee shall terminate on December 31, 2004, unless reauthorized.

In which the concurrence of the Senate is respectfully requested.

## COMMUNICATIONS

President Pro Tem Kinder submitted the following:

April 11, 2003

Mrs. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Appointments to the Missouri Commission on Intergovernmental Cooperation**

Dear Terry:

Pursuant to Executive Order 01-16, I am appointing the following Senators to the Missouri Commission on Intergovernmental Cooperation:

Senator Carl Vogel  
Senator Stephen Stoll

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,  
/s/ Peter D. Kinder  
PETER D. KINDER  
President Pro-Tem

The following was submitted:

April 11, 2003  
Mrs. Terry Spieler  
Secretary of the Senate  
State Capitol  
Jefferson City, MO 65101

Dear Terry:

Senate Bill 236, which creates a one-dollar check-off on income tax returns to fund the workers memorial, is presently on the senate

calendar. In my absence, Senator Ed Quick will present this bill on the floor.

Sincerely,  
/s/ Ronnie DePasco  
Ronnie DePasco  
STATE SENATOR  
District 11

**INTRODUCTIONS OF GUESTS**

Senator Scott introduced to the Senate, Jennifer Howerton, Chilhowee.

On behalf of Senator Childers, the President introduced to the Senate, Dr. Mark Rapinchuck and thirty members of the Student Senate and the Student Supreme Court, College of the Ozarks, Point Lookout.

Senator Caskey introduced to the Senate, Bob Bennett and students from Zion Lutheran School, Rockville; and Ashleigh Rapp, Brandon Fischer, and Nick Rapp were made honorary pages.

Senator Gibbons introduced to the Senate, Nancy Gray, Fenton; and Kim Larson, Webster Groves.

Senator Yeckel introduced to the Senate, Barb Hehmeyer, Lemay; and Joan Edelston, Affton.

Senator Kinder introduced to the Senate, Rod Richardet, Renee Schamburg, and Jackie Wengert, Perryville; and Dena Kreidler, Ste. Genevieve.

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

SENATE CALENDAR

FIFTY-THIRD DAY—TUESDAY, APRIL 15, 2003

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HB 267-Smith (118)

HS for HB 470-Mayer

THIRD READING OF SENATE BILLS

SS#2 for SS for SCS for  
SB 2-Russell

SS for SCS for SB 5-Caskey  
(In Fiscal Oversight)

SB 243-Yeckel  
(In Fiscal Oversight)

SS for SCS for SBs 361, 103,  
156 & 329-Steelman

(In Fiscal Oversight)

SB 184-Bartle and Scott  
(In Fiscal Oversight)

SCS for SB 38-Klindt, et al

SENATE BILLS FOR PERFECTION

1. SBs 381, 384, 432 & 9-Dolan,  
with SCS

2. SB 39-Cauthorn, et al, with SCA 1

3. SB 199-Childers, with SCS

4. SB 620-Loudon, et al, with SCS

5. SB 416-Yeckel, with SCS

6. SB 219-Steelman and Yeckel

7. SJR 13-Stoll

8. SB 555-Kinder and Foster,  
with SCS

9. SB 695-Goode and Russell

10. SB 693-Klindt, et al, with SCS

11. SB 12-Kinder and Scott

12. SBs 248, 100, 118, 233, 247,  
341 & 420-Gross, et al, with SCS

13. SB 27-Gibbons, with SCS

14. SB 209-Steelman, et al, with SCS

15. SB 685-Gibbons, et al, with SCS

16. SB 455-Dougherty and Shields

17. SBs 343, 89, 134, 171, 240,  
261, 331, 368, 369, 419, 484  
& 581-Dolan, with SCS

18. SB 446-Bartle, with SCS

19. SB 242-Yeckel, with SCA 1

20. SBs 415, 88, 200, 223, 413, 523,  
589 & 626-Yeckel, with SCS

21. SB 564-Gross

22. SB 236-DePasco and Loudon

23. SB 458-Childers

24. SBs 312, 49, 111, 113, 191, 206,  
263, 404, 409, 418, 538, 550 &  
584-Dolan, et al, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 73 (Yeckel)

HS for HCS for HB 321-  
Wilson (130) (Loudon)

HCS for HBs 122 & 80 (Bland)

HCS for HB 390, with SCS  
(Cauthorn)

HCS for HB 380, with SCS

HCS for HB 289, with SCS  
(Steelman)

(In Fiscal Oversight)

HS for HCS for HBs 349, 120,  
136 & 328-Crawford

(In Fiscal Oversight)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 18-Yeckel and Cauthorn, with SCS & SS for SCS (pending)	SB 253-Steelman, et al, with SCS, SS for SCS & SA 1 (pending)
SB 24-Steelman, with SCS & SS for SCS (pending)	SB 300-Cauthorn, et al, with SCS
SB 33-Loudon and Scott, with SS (pending)	SB 305-Jacob and Steelman, with SS & point of order (pending)
SB 51-Shields, with SS, SS for SS & SA 1 (pending)	SB 347-Loudon, et al, with SCS
SB 112-Loudon, with SCS	SB 362-Steelman and Gross
SBs 125 & 290-Goode, with SCS & SA 6 (pending)	SB 436-Klindt, with SCS, SS for SCS & SA 2 (pending)
SB 217-Champion and Clemens, with SS (pending)	SB 450-Mathewson, et al, with SCS, SS for SCS & SA 2 (pending)
SB 241-Yeckel, with SCS	SB 460-Loudon, with SS & SA 1 (pending)
	SB 476-Jacob

## HOUSE BILLS ON THIRD READING

HB 412-Goodman, et al (Childers)

## CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 62-Caskey

Reported 3/13

SB 159-Bland, with SCS  
SB 694-Klindt

SB 490-Dolan

House Bills

Reported 4/7

HCS for HB 166 (Caskey)  
HCS for HB 181 (Mathewson)  
HCS for HB 277 (Champion)  
HB 278-Davis (19) and  
Parker (Dolan)  
HB 292-Wagner (Stoll)

HB 358-Boykins (Coleman)  
HCS for HB 133 (Quick)  
HB 99-Seigfreid (Mathewson)  
HB 521-Dethrow, et al,  
with SCS (Childers)  
HB 314-Engler (Gross)

Reported 4/8

HB 141-Mayer (Bartle)

Unofficial

Reported 4/14

HCS for HB 93  
HCS for HB 97  
HB 199-Jolly, et al  
HB 244-Baker, et al  
HB 307-Merideth and Shoemaker  
HCS for HB 318  
HB 326-Wagner, et al  
HB 351-Quinn, et al  
HB 375-Cooper (120)  
HB 463-King, et al  
HCS for HB 472  
HB 552-Kingery, with SCS  
HB 574-Jackson and Selby  
HB 594-Emery, et al  
HB 512-Cooper (120), et al,  
with SCS  
HB 464-King, et al  
HB 477-Moore, et al

HB 440-Portwood  
HB 376-Cooper (120)  
HCS for HB 332  
HCS for HB 202  
HCS for HBs 59 & 269, with SCS  
HB 445-Portwood, et al, with SCS  
HB 597-Schlottach, et al  
HCS for HB 245  
HB 162-Shoemaker  
HB 284-Crawford, with SCS  
HB 261-Whorton, et al  
HB 249-Seigfreid  
HB 247-Ward, et al  
HCS for HB 392, with SCS  
HB 505-Byrd and Villa, with SCS  
HB 57-Riback Wilson, with SCS  
HB 60-Sutherland, with SCS  
HB 465-Hanaway, et al

Journal

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RESOLUTIONS

SCR 15-Dolan, et al

To be Referred

HCR 29-Jetton, et al

HCR 11-Moore and Walton

Reported from Committee

SR 30-Shields, with SCS,  
SS for SCS & SA 1 (pending)

SCR 3-Loudon

Unofficial  
†

Journal

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