

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SEVENTH DAY—TUESDAY, APRIL 22, 2003

The Senate met pursuant to adjournment.

Senator Bartle in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord Almighty is the one you are to regard as holy, he is the one you are to dread.” (Isaiah 8:13)

Almighty God, we are thankful for opportunities of new life You have given us and are grateful to be instruments of Your will, which humbles us before You. Our trust is in You, relying on Your directing to complete the work that is ahead of us. We, also, pray for Senator Dougherty’s wife asking that wisdom and guidance may be given to the doctors who treat her and Your healing touch to bring her health and make her whole, once again. In Your Holy Name, we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

Senator Gibbons moved that the Journal for Thursday, April 17, 2003, be corrected on Page 874, Column 1, Line 23, by deleting “**SCR 15**” and inserting in lieu thereof “**HCR 15**”; and on Page 881, Column 1, Line 20, by deleting “**SB 233**” and inserting in lieu thereof “**SB 232**”, which motion prevailed.

The Journals for Thursday, April 17, 2003, as corrected, and Monday, April 21, 2003, were read

and approved.

Photographers from KOMU-TV, KMIZ-TV and the Associated Press were given permission to take pictures in the Senate Chamber today.

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 Lieutenant Governor was present.

RESOLUTIONS

Senator Cauthorn offered Senate Resolution No. 630, regarding Mary Corderman, Madison, which was adopted.

Senator Yeckel offered Senate Resolution No. 631, regarding Elizabeth Bax, Wright City, which was adopted.

Senator Yeckel offered Senate Resolution No. 632, regarding Heather Schlote, Troy, which was

adopted.

Senator Yeckel offered Senate Resolution No. 633, regarding Julie Berg, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 634, regarding Laura Crinnion, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 635, regarding Margie Borges, Chesterfield, which was adopted.

Senator Yeckel offered Senate Resolution No. 636, regarding Laura Riley, Chesterfield, which was adopted.

Senator Yeckel offered Senate Resolution No. 637, regarding Alecia Behrens, Florissant, which was adopted.

Senator Yeckel offered Senate Resolution No. 638, regarding Kristina Rost, Arnold, which was adopted.

Senator Yeckel offered Senate Resolution No. 639, regarding Amanda Fenner, St. Peters, which was adopted.

Senator Yeckel offered Senate Resolution No. 640, regarding Felicia C. Wilson, Warrenton, which was adopted.

Senator Yeckel offered Senate Resolution No. 641, regarding Jessica Stillwell, Warrenton, which was adopted.

Senator Yeckel offered Senate Resolution No. 642, regarding Heather Junkin, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 643, regarding Michelle Marie Lyons, Bridgeton, which was adopted.

Senator Yeckel offered Senate Resolution No. 644, regarding Deborah S. Raithel, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 645, regarding Kelsey Menke, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 646, regarding Melanie Alise Perry, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 647, regarding Lauren Mikko, House Springs, which was adopted.

Senator Yeckel offered Senate Resolution No. 648, regarding Erin Blaha, Arnold, which was adopted.

Senator Yeckel offered Senate Resolution No. 649, regarding Joseph Reuben Nothum, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 650, regarding Andrea Gulley, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 651, regarding Casey Conklin, Chesterfield, which was adopted.

Senator Yeckel offered Senate Resolution No. 652, regarding Katie Clarkin, Hazelwood, which was adopted.

Senator Yeckel offered Senate Resolution No. 653, regarding Ashlee Corinne Butler, Warrenton, which was adopted.

Senator Yeckel offered Senate Resolution No. 654, regarding Julia Schicker, Imperial, which was adopted.

Senator Yeckel offered Senate Resolution No. 655, regarding Jennifer Hanlon, O'Fallon, which was adopted.

Senator Yeckel offered Senate Resolution No. 656, regarding Kimberly Wallis, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 657, regarding Kristine Kamper, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 658, regarding Jennifer Kuhn, Hazelwood, which was adopted.

Senator Yeckel offered Senate Resolution No.

659, regarding Julia Mager, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 660, regarding Katie Lillard, O'Fallon, which was adopted.

Senator Yeckel offered Senate Resolution No. 661, regarding Amy Marshall, St. Ann, which was adopted.

Senator Yeckel offered Senate Resolution No. 662, regarding Arie Alise July Bennett, Black Jack, which was adopted.

Senator Yeckel offered Senate Resolution No. 663, regarding Lindsey Chrismer, O'Fallon, which was adopted.

Senator Yeckel offered Senate Resolution No. 664, regarding Ashley Drackert, St. Peters, which was adopted.

Senator Yeckel offered Senate Resolution No. 665, regarding Kayla Martin, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 666, regarding Jennifer Shelley, O'Fallon, which was adopted.

Senator Yeckel offered Senate Resolution No. 667, regarding Brittany S. Fore, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 668, regarding Rebekah Bath, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 669, regarding Alison Jansen, St. Charles, which was adopted.

Senator Yeckel offered Senate Resolution No. 670, regarding Lindsey Ann Howell, St. Peters, which was adopted.

Senator Yeckel offered Senate Resolution No. 671, regarding Megan Flaherty, Wildwood, which was adopted.

Senator Yeckel offered Senate Resolution No.

672, regarding Stephanie Shrum, St. Peters, which was adopted.

Senator Yeckel offered Senate Resolution No. 673, regarding Heather M. Aurich, Park Hills, which was adopted.

Senator Yeckel offered Senate Resolution No. 674, regarding Krystal A. Schroeder, Maryland Heights, which was adopted.

Senator Yeckel offered Senate Resolution No. 675, regarding Patricia Riehl, Florissant, which was adopted.

Senator Yeckel offered Senate Resolution No. 676, regarding Laurie Hurtt, Chesterfield, which was adopted.

Senator Yeckel offered Senate Resolution No. 677, regarding Danielle Shipley, Fenton, which was adopted.

Senator Yeckel offered Senate Resolution No. 678, regarding Amy Steen, Overland, which was adopted.

Senator Caskey offered Senate Resolution No. 679, regarding Yeoman First Class Deborah Olivia Kelley, Belton, which was adopted.

Senator Steelman offered Senate Resolution No. 680, regarding Corrections Officer I Lawrence Lewis, Sr., Owensville, which was adopted.

Senator Steelman offered Senate Resolution No. 681, regarding Jason Hobick, which was adopted.

Senator Steelman offered Senate Resolution No. 682, regarding Corrections Officer I Lawrence Lewis, Jr., Rosebud, which was adopted.

Senator Bray offered Senate Resolution No. 683, regarding Allison E. Bruns, which was adopted.

Senator Vogel offered Senate Resolution No. 684, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert F. Davis, Holts Summit, which was adopted.

HOUSE BILLS ON SECOND READING

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

HS for HCS for HBs 679 and 396—Pensions and General Laws.

HCS for HB 142—Commerce and the Environment.

HCS for HB 435—Transportation.

HS for HCS for HB 564—Financial and Governmental Organization, Veterans' Affairs and Elections.

REPORTS OF STANDING COMMITTEES

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 **SB 14**; **SB 50**; **SCS for SBs 194 and 189**; **SB 232**; **HCS for SB 234**; **SB 235**; **SCS for SB 239**; **SB 255**; and **SB 371**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

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 17, 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:

Gregory S. Ballentine, 2135 Lightburne Street, Liberty, Clay County, Missouri 64068, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2004, and until his successor is duly appointed and qualified; vice, Laura Estabrooks, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
April 17, 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:

Cynthia O. Blosser, Republican, 1711 Engelwood Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2008, and until her successor is duly appointed and qualified; vice, Jeanie Moore, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
April 17, 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:

Sandra T. Bollinger, 112 East Tywappity, Post Office Box 63, Benton, Scott County, Missouri 63736, as a member of the Drug Utilization Review Board, for a term ending October 15, 2006, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
April 17, 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:

Brian H. Collins, 5526 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Missouri Seed Capital Investment Board, for a term ending April 20, 2006, and until his successor is duly appointed and qualified; vice, Nancy

Tobin, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Dennis G. Cowan, 11609 Pennsylvania, Kansas City, Jackson County, Missouri 64114, as a member of the Missouri Head Injury Advisory Council, for a term ending May 27, 2005, and until his successor is duly appointed and qualified; vice, Doug Mitchell, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Gretchen G. Davis, Republican, 25 Chesterfield Lakes Road, Chesterfield, St. Louis County, Missouri 63005, as a member of the Missouri Community Service Commission, for a term ending December 15, 2005, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Elson S. Floyd, 1900 South Providence Road, Columbia,

Boone County, Missouri 65203, as a member of the Midwestern Higher Education Commission, for a term ending January 15, 2005, and until his successor is duly appointed and qualified; vice, Manuel Pacheco, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Jack E. Gant, Democrat, 1622 North Charlton, Independence, Jackson County, Missouri 64056, as a member of the Missouri Gaming Commission, for a term ending April 29, 2005, and until his successor is duly appointed and qualified; vice, Muriel Battle, deceased.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Linda W. Hancik, 75 West Calvin Drive, Hartsburg, Boone County, Missouri 65039, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2006, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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 C. Lucio, D.O., Republican, 714 Harvest Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2006, and until his successor is duly appointed and qualified; vice, Deborah Depew, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Randall B. Miltenberger, 1414 West Adams Avenue, Kirkwood, St. Louis County, Missouri 63122, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending October 3, 2005, and until his successor is duly appointed and qualified; vice, Stuart Scroggs, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Douglas D. Morgan, 312 Woodmill Terrace Lane, Chesterfield, St. Louis County, Missouri 63017, as a member of the Missouri State Public Employees Deferred Compensation Commission, for a term ending November 20, 2005, and until his successor is duly appointed and qualified; vice, Gerald Greiman, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Theodore A. Pruess, 1427 Missouri, St. Louis City, Missouri 63104, as a member of the Seismic Safety Commission, for a term ending August 11, 2006, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Sherri A. Robins, Democrat, 6228 Lake Paddock Drive, Florissant, St. Louis County, Missouri 63033-4723, as a member of the State Lottery Commission, for a term ending September 7, 2003, and until her successor is duly appointed and qualified; vice, Robert Mayfield, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

David K. Tan, 105 Lamplighter Way, O'Fallon, St. Charles County, Missouri 63366-7307, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January

5, 2004, and until his successor is duly appointed and qualified; vice, Michael Metzler, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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 R. Tucker, Democrat, 561 Bonhomme Forest, Olivette, St. Louis County, Missouri 63132, as a public member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2006, and until his successor is duly appointed and qualified; vice, Sheila Clarke-Ekong, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Wilson James Winn, 8601 North Eastern Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Elevator Safety Board, for a term ending June 6, 2005, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 17, 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:

Joseph M. Yasso, 3513 Northwest Primrose Lane, Lee's Summit, Jackson County, Missouri 64064, as a member of the Drug Utilization Review Board, for a term ending October 15, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 22, 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:

Jerald A. Pelker, 1513 Prospect Lakes, Wentzville, St. Charles County, Missouri 63385, as a member of the Missouri Training and Employment Council, for a term ending August 28, 2004, and until his successor is duly appointed and qualified; vice, Alise Martiny-Byrd, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 22, 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:

Julie A. Robinson, 1740 El Rio Drive, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending August 18, 2003, and until her successor is duly appointed and qualified; vice, Charlotte Hill, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 22, 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:

Jack D. Rushin, 2830 Carrie Ann Circle, Poplar Bluff, Butler County, Missouri 63901, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending January 1, 2007, and until his successor is duly appointed and qualified; vice, Charles Klinginsmith, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 22, 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 T. Wade, 2300 Oak Street, Higginsville, Lafayette County, Missouri 64037, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2007, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

HOUSE BILLS ON THIRD READING

HS for HB 1, with SCS, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater

Control Fund, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for HS for HB 1, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 1**

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

President Maxwell assumed the Chair.

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

On motion of Senator Russell, **SCS for HS for HB 1** was read the 3rd time and passed by the following vote:

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

NAYS—Senators—None

Absent—Senators

Cauthorn Wheeler—2

Absent with leave—Senators

Childers DePasco—2

The President declared the bill passed.

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

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

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

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

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

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

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

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 2** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 4, by deleting the figure “\$1,656,625,892” and inserting in lieu thereof “\$1,749,759,017”; and

Further amend said bill, Page 2, Section 2.015, Line 5, by deleting the figure “344,741,446” and inserting in lieu thereof “\$351,608,321”; and

Further amend said bill, Page 2, Section 2.015, Line 12, by deleting the figure “\$2,029,959,803” and inserting in lieu thereof “\$2,129,959,803”; and

Further amend said bill, Pages 2-3, Section 2.015, Lines 14-24, by deleting all of said lines; and

Further amend said bill, Page 16, Section 2.305, Line 5, by deleting the figure “\$1,746,593,075” and inserting in lieu thereof “\$1,846,593,075”; and

Further amend said bill, Page 16, Section 2.305, Lines 6-11, by deleting all of said lines.

Senator Jacob moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Caskey, Days, Quick and Stoll.

Senator Stoll offered **SSA 1** for **SA 1**, which was read:

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

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 4, by deleting the figure “\$1,656,625,892” and inserting in lieu thereof “\$1,849,759,017”; and

Further amend said bill, Page 2, Section 2.015, Line 5, by deleting the figure “\$344,741,446” and inserting in lieu thereof “\$351,608,321”; and

Further amend said bill, Page 2, Section 2.015, Line 12, by deleting the figure “\$2,029,959,803”

and inserting in lieu thereof “\$2,229,959,803”; and

Further amend said bill, Pages 2-3, Section 2.015, Lines 14-24, by deleting all of said lines; and

Further amend said bill, Page 3, Section 2.015, Line 35, by deleting the figure “\$2,560,694,938” and inserting in lieu thereof “\$2,660,694,938”; and

Further amend said bill, Page 16, Section 2.305, Line 5, by deleting the figure “\$1,746,593,075” and inserting in lieu thereof “\$1,946,593,075”; and

Further amend said bill, Page 16, Section 2.305, Lines 6-11, by deleting all of said lines.

Senator Stoll moved that the above substitute amendment be adopted.

Senator Caskey offered **SA 1** to **SSA 1** for **SA 1**:

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

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for House Substitute for House Bill No. 2, Section 2.015, Line 1, by deleting the figure “\$1,849,759,017” and inserting in lieu thereof “\$1,817,560,541”; and

Further amend said substitute amendment, Line 3, by deleting the figure “351,608,321” and inserting in lieu thereof “\$358,331,180”; and

Further amend said substitute amendment by inserting after line 3 the following:

“and further amend said bill, Page 2, Section 2.015, Line 5, by deleting the figure “\$137,757,556” and inserting in lieu thereof “\$162,067,713”; and

Further amend said bill, Page 2, Section 2.015, Line 6, by deleting the figure “\$9,432,386” and inserting in lieu thereof “\$11,096,928”; and

Further amend said bill, Page 2, Section 2.015, Line 8, by deleting the figure “\$21,139,588” and inserting in lieu thereof “\$24,870,104”; and

Further amend said bill, Page 2, Section 2.015, Line 8, by deleting the figure “\$32,358,698” and inserting in lieu thereof “\$38,069,056”; and

Further amend said bill, Page 2, Section 2.015, Line 9, by deleting the figure “\$52,080,428” and inserting in lieu thereof “\$52,880,428”; and

Further amend said bill, Page 2, Section 2.015, Line 10, by deleting the figure “\$26,906,036” and inserting in lieu thereof “\$30,304,651”; and

Further amend said substitute amendment, Line 5, by deleting the figure “\$2,229,959,803” and inserting in lieu thereof “2,244,098,371”; and

Further amend said substitute amendment, Line 8, by deleting the figure “\$2,660,694,938” and inserting in lieu thereof “\$2,774,833,506”; and

Further amend said substitute amendment, Line 10, by deleting the figure “\$1,946,593,075” and inserting in lieu thereof “\$1,960,731,643”.

Senator Caskey moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bray, Days, Jacob and Stoll.

SA 1 to **SSA 1** for **SA 1** failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Clemens
Dolan	Foster	Gibbons	Goode
Griesheimer	Gross	Kinder	Klindt
Loudon	Nodler	Russell	Scott
Shields	Steelman	Vogel	Yeckel—20

Absent—Senators—None

Absent with leave—Senators

Childers	DePasco—2
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SSA 1 for **SA 1** was again taken up.

Senator Stoll moved that the above substitute

amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bray, Caskey, Days and Coleman.

SSA 1 for SA 1 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Clemens
Dolan	Foster	Gibbons	Goode
Griesheimer	Gross	Kinder	Klindt
Loudon	Nodler	Russell	Scott
Shields	Steelman	Vogel	Yeckel—20

Absent—Senators—None

Absent with leave—Senators

Childers DePasco—2

SA 1 was again taken up.

Senator Jacob moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Clemens
Dolan	Foster	Gibbons	Goode
Griesheimer	Gross	Kinder	Klindt
Loudon	Nodler	Russell	Scott
Shields	Steelman	Vogel	Yeckel—20

Absent—Senators—None

Absent with leave—Senators

Childers DePasco—2

Senator Caskey offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Lines 2-10, by deleting all of said lines and inserting in lieu thereof the following: “For distributions to the free public schools under the Equity Formula and Line 14 At-Risk Program”.

Senator Caskey moved that the above amendment be adopted.

At the request of Senator Caskey, **SA 2** was withdrawn.

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

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 9, Section 2.130, Line 6, by deleting the figure “\$200,000” and inserting in lieu thereof “\$2,200,000”; and

Further amend said bill, Page 9, Section 2.130, Line 8, by deleting the figure “\$5,122,368” and inserting in lieu thereof “\$7,122,368”.

Senator Coleman moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Days, Kennedy, Stoll and Wheeler.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kinder
Klindt	Loudon	Nodler	Russell
Scott	Shields	Steelman	Vogel
Yeckel—21			

Absent—Senators—None

Absent with leave—Senator DePasco—1

Senator Kennedy offered SA 4, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 6, Section 2.065, Line 8, by inserting immediately before said line the following:

“From General Revenue Fund \$8,833,381”;

And further amend said bill, Page 6, Section 2.065, Line 8, by inserting immediately after said line the following:

“Total \$20,995,747”.

Senator Kennedy moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Days, Jacob, Stoll and Wheeler.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kinder
Klindt	Loudon	Nodler	Russell
Scott	Shields	Steelman	Vogel
Yeckel—21			

Absent—Senators—None

Absent with leave—Senator DePasco—1

At the request of Senator Russell, HS for HB 2, with SCS (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief

Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed HS for SCS for SBs 299 and 40, entitled:

An Act to repeal sections 33.210, 33.250, 33.270, 33.800, 33.803, 33.805, 33.807, and 33.810, RSMo, and to enact in lieu thereof twenty-four new sections relating to performance-based budgeting.

With House Amendment No. 1 to Part 2 and House Amendment No. 3 to Part 2.

HOUSE AMENDMENT NO. 1 TO PART 2

Amend Part II to House Substitute for Senate Committee Substitute for Senate Bill Nos. 299 and 40, Page 13, Section 33.250, Lines 20 to 22, by deleting all of said lines and inserting in lieu thereof the following: “the general assembly. In any fiscal year, the governor's budget submission shall not propose expenditures nor shall the general assembly appropriate, net of refunds, in excess of the revenue estimate pursuant to”; and

Further amend said bill, Page 14, Section 33.250, Lines 3 to 9, by deleting all of said lines and inserting in lieu thereof the following:

“(1) The net general revenue estimate as determined pursuant to section 33.240; or

(2) The amount actually spent for the most recently completed fiscal year exclusive of expenditures for refunds, modified as follows:

(a) Increased or decreased by the percentage change in the general price level from July to July of the two most recently completed fiscal years as measured by the consumer price index for”; and

Further amend said bill, Page 14, Section 33.250, Lines 14 to 17, by deleting all of said lines and inserting in lieu thereof the following: “population of the state from July to July of the

two most recently completed fiscal years as”; and

Further amend said bill, Page 14, Section 33.250, Line 20, by deleting “**output**” and inserting in lieu thereof the following: “**productivity**”; and

Further amend said bill, Page 14, Section 33.250, Lines 22 and 23, by deleting all of said lines and inserting in lieu thereof the following: “**agency from July to July of the two most recently completed fiscal years, the revenue estimate shall be decreased by the**”; and

Further amend said bill, Page 15, Section 33.250, Line 2, by inserting after “**voters**” the following: “**or as provided for in article X, section 18(e) of the constitution of Missouri**”; and

Further amend said bill, Page 16, Section 33.544, Line 14, by inserting after “**seven**” the following: “**and one-half**”; and

Further amend said bill, Page 16, Section 33.544, Line 15, by inserting after “**year.**” the following: “**If the balance in the excess revenue collection fund at the close of any fiscal year exceeds seven and one-half percent of the net general revenue collections for the previous fiscal year, the commissioner of administration shall transfer that excess amount to the general revenue fund. For purposes of this section, “net general revenue collections” shall mean all revenue deposited into the general revenue fund less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund.**”; and

Further amend said bill, Page 17, Section 33.544, Line 2, by inserting after “**assembly.**” the following: “**The commissioner of administration may, after May fifteenth of any fiscal year, transfer amounts from the excess revenue collection fund to the general revenue fund or any other state fund without other legislative action if he or she determines that such amounts**

are necessary for the cash requirements of the state. Such transfers shall be deemed cash operating transfers. The commissioner of administration shall transfer from the general revenue fund or other recipient fund to the excess collection fund an amount equal to the cash operating transfer received by such fund, together with the interest that would have been earned on such amount, prior to June thirtieth of the fiscal year in which the transfer was made.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO PART 2

Amend Part II to House Substitute for Senate Committee Substitute for Senate Bills Nos. 299 and 40, Page 16, Section 33.544, Lines 22 and 23 of said page, by deleting all of said lines and inserting in lieu thereof the following: “**nonrecurring expenditures by a vote in the affirmative of a majority of the members of each chamber, whether all members are**”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 54**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 29**.

Bill ordered enrolled.

Also,

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

House has taken up and passed **SB 282**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 289**.

With House Committee Amendment No. 1.

HOUSE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 289, Page 1, Line 5, by inserting after all of said line the following:

“227.342. The portion of interstate highway 29 between mile marker 89 and mile marker 92, all located within a county of the third classification without a township form of government and with more than five thousand three hundred but less than five thousand four hundred inhabitants, shall be designated the ‘William ‘Bill’ Lark Memorial Highway’.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Kinder referred the Gubernatorial Appointments appearing on pages 897 through 901 to the Committee on Gubernatorial Appointments.

President Pro Tem Kinder referred **HS** for **HB 511**, with **SCS**; **HCS** for **HB 613**, with **SCS**; and **HB 491**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Kinder referred **SCR 19** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Gibbons, the Senate recessed until 7:00 p.m.

RECESS

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

HOUSE BILLS ON THIRD READING

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

SCS for **HS** for **HB 2** was again taken up.

Senator Bray offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 18, by deleting said line and inserting in lieu thereof the following:

“From State School Moneys Fund . . . \$160,934,649”;

and further amend said bill, Page 3, Section 2.015, Line 24, by deleting said line and inserting in lieu thereof the following:

“From State School Moneys Fund . . . \$13,589,734”;

and further amend said bill, Page 3, Section 2.015, Line 25, by inserting immediately before said line the following:

“For the categorical programs, contingent upon the availability of additional new revenue for fiscal year 2004 as authorized in legislation in 2003 by the 92nd General Assembly and approved by the Governor and/or voters

From State School Moneys Fund . . . \$39,614,185”;

and further amend said bill, Page 3, Section 2.015, Line 35, by deleting the figure “\$2,560,694,938” and inserting in lieu thereof “\$2,774,833,506”;

and further amend said bill, Page 16, Section 2.305, Line 11, by deleting the figure “\$100,000,000” and inserting in lieu thereof “\$214,138,568”.

Senator Bray moved that the above amendment be adopted and requested a roll call

vote be taken. She was joined in her request by Senators Bland, Days, Caskey and Wheeler.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Mathewson
Quick	Wheeler—10		

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Foster	Gibbons	Goode
Griesheimer	Gross	Klindt	Loudon
Nodler	Russell	Scott	Shields
Steelman	Vogel	Yeckel—19	

Absent—Senators

Dolan	Kennedy	Kinder	Stoll—4
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Absent with leave—Senator DePasco—1

President Maxwell assumed the Chair.

Senator Bland offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 10, by deleting the number “\$26,906,036” and inserting in lieu thereof the number “\$27,906,036” and further amend said bill, Page 2, Section 2.015, Line 12, by deleting the number “2,029,959,803” and inserting in lieu thereof the number “2,030,959,803”; and further amend said bill, Page 16, Section 2.305, Line 5, by deleting the number “\$1,746,593,075” and inserting in lieu thereof the number “1,747,593,075”.

Senator Bland moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Coleman, Days, Mathewson and Wheeler.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Mathewson
Quick	Wheeler—10		

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Foster	Gibbons	Goode
Griesheimer	Gross	Kinder	Klindt
Loudon	Nodler	Russell	Scott
Shields	Steelman	Vogel—19	

Absent—Senators

Dolan	Kennedy	Stoll	Yeckel—4
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Absent with leave—Senator DePasco—1

Senator Jacob offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 12, Section 2.205, by deleting all of said section and inserting in lieu thereof the following:

Section 2.205. To the Department of Elementary and Secondary Education

For Independent Living Centers

From General Revenue Fund \$2,537,042

From Federal Funds 1,592,546

From Independent

Living Center Fund 210,000

Total \$4,339,588”;

and amend bill totals accordingly.

Senator Jacob moved that the above amendment be adopted.

At the request of Senator Jacob, **SA 7** was withdrawn.

Senator Jacob offered **SA 8**, which was read:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 7, Section 2.090, by deleting all of said section and inserting in lieu thereof the following:

“Section 2.090. To the Department of Elementary and Secondary Education

For the Missouri Scholars and Fine Arts Academies

From General Revenue Fund . . . \$631,319

From Lottery Proceeds Fund 158,156

Total \$789,475”;

and amend bill totals accordingly.

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

SA 8 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Quick	Stoll	Wheeler—11	

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Griesheimer	Gross	Kinder	Klindt
Loudon	Nodler	Russell	Scott
Shields	Steelman	Vogel	Yeckel—20

Absent—Senators

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

Senator Caskey offered **SA 9**, which was read:

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 15, Section 2.280, by deleting all of said section and inserting in lieu thereof the following:

“Section 2.280. To the Department of Elementary and Secondary Education

For a task force on blind student academic and vocational performance

From General Revenue Fund . \$ 95,000”;

and amend bill totals accordingly.

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

Senator Russell offered **SA 10**, which was read:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 18, by deleting the words “General Revenue” and inserting in lieu thereof “State School Moneys”; and further amend said section, line 24, by deleting the words “General Revenue” and inserting in lieu thereof “State School Moneys”.

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

Senator Russell moved that **SCS** for **HS** for **HB 2**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 2**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Scott	Shields	Steelman
Vogel	Yeckel—22		

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Quick	Stoll	Wheeler—11	

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

At the request of Senator Russell, **HS** for

HB 3, with **SCS**, was placed on the Informal Calendar.

HS for **HB 4**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for **HS** for **HB 4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Bartle assumed the Chair.

Senator Russell moved that **SCS** for **HS** for **HB 4** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 4, Page 15, Section 4.325, Line 7, by deleting all of said line and inserting in lieu thereof the following,

“From State Transportation Fund . . . 150,000”; and amend the section and bill totals accordingly.

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

Senator Kennedy offered **SA 2**, which was

read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Bill No. 4, Page 1, Section 4.005, Line 3, by deleting the figure “\$35,055,418” and inserting in lieu thereof the figure “\$35,846,372”; and

Further amend said bill, Page 2, Section 4.005, Line 14, by deleting the figure “1,913.95” and inserting in lieu thereof the figure “1,934.95”; and

Further amend said bill, Page 2, Section 4.005, Line 14, by deleting the figure “\$89,202,579” and inserting in lieu thereof the figure “89,993,533”.

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

Senator Russell moved that **SCS** for **HS** for **HB 4**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 4**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Scott	Shields	Steelman
Stoll	Vogel	Yeckel—23	

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy
Wheeler—9			

Absent—Senator Quick—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

Senator Russell moved that the vote by which

the bill passed be reconsidered.

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

HS for **HB 5**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive’s Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for **HS** for **HB 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive’s Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 5** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 5, Page 19, Section 5.445, Line 13-15, by deleting all of said lines 13-15 and inserting in lieu thereof the following:

“Personal Service and/or Expense and Equipment,

provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation”.

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

Senator Russell moved that **SCS** for **HS** for **HB 5**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 5**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Nodler	Russell	Scott	Shields
Steelman	Stoll	Vogel	Yeckel—24

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Mathewson	Quick
Wheeler—9			

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for **HB 6**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair,

replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for HS for HB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS for HS for HB 6** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 6, Page 8, Section 6.100, Line 6, by deleting the number “1,174,562” and replacing it with “1,297,064”; and

Further amend Page 8, Line 13, by deleting the number “\$5,635,886” and replacing it with the number “\$5,758,388” and deleting “(Not to exceed

79.00 F.T.E.)” and replace it with “(Not to exceed 82.00 F.T.E.)”.

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

Senator Russell moved that **SCS for HS for HB 6**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS for HS for HB 6**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Steelman	Stoll	Vogel	Yeckel—24

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Quick
Wheeler—9			

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for HB 7, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article

IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for HS for HB 7, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS for HS for HB 7** be adopted, which motion prevailed.

On motion of Senator Russell, **SCS for HS for HB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Griesheimer	Gross	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Yeckel—24

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy

Wheeler—9

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for HB 8, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for HS for HB 8, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS for HS for HB 8** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 8, Page 11, Section 8.165, Line 6, by deleting the number "1,715,512" and insert in lieu thereof the number

“1,926,375” and adjust the totals accordingly.

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

Senator Russell moved that **SCS** for **HS** for **HB 8**, as amended, be adopted, which motion prevailed.

President Pro Tem Kinder assumed the Chair.

On motion of Senator Russell, **SCS** for **HS** for **HB 8**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Foster	Gibbons	Goode
Griesheimer	Gross	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Scott	Shields	Steelman
Stoll	Vogel	Yeckel—23	

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Quick
Wheeler—9			

Absent—Senator Dolan—1

Absent with leave—Senator DePasco—1

The President Pro Tem declared the bill passed.

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

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

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

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 14**; **SB 50**; **SCS** for **SBs 194** and **189**; **SB 232**; **HCS** for **SB 234**; **SB 235**; **SCS** for **SB 239**; **SB 255**; and **SB 371**, having passed both branches of the

General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Gross offered Senate Resolution No. 685, regarding Christopher “Chris” Ferguson, which was adopted.

Senator Gross offered Senate Resolution No. 686, regarding Joe Fields, which was adopted.

Senator Gross offered Senate Resolution No. 687, regarding Captain Pat McCarrick, St. Charles, which was adopted.

Senator Gross offered Senate Resolution No. 688, regarding Kelly Garrett, which was adopted.

Senator Gross offered Senate Resolution No. 689, regarding Jana Conoyer, which was adopted.

Senator Gross offered Senate Resolution No. 690, regarding Joan Sprague, which was adopted.

Senator Gross offered Senate Resolution No. 691, regarding Geri Hartman, which was adopted.

Senator Gross offered Senate Resolution No. 692, regarding Eric McMillan, which was adopted.

Senator Gross offered Senate Resolution No. 693, regarding Dale Hackmann, which was adopted.

Senator Gross offered Senate Resolution No. 694, regarding Brian L. Kozel, which was adopted.

Senator Gross offered Senate Resolution No. 695, regarding Debbie Palozola, which was adopted.

Senator Gross offered Senate Resolution No. 696, regarding Tana Palozola, which was adopted.

Senator Gross offered Senate Resolution No. 697, regarding William G. Taylor, which was adopted.

Senator Gross offered Senate Resolution No. 698, regarding Ann Chambers, which was adopted.

Senator Gross offered Senate Resolution No.

699, regarding the St. Charles Wal-Mart Store, St. Charles, which was adopted.

Senator Gross offered Senate Resolution No. 700, regarding Mike Embrey, which was adopted.

Senator Gross offered Senate Resolution No. 701, regarding Jim MacKeen, which was adopted.

Senator Gross offered Senate Resolution No. 702, regarding John McBride, which was adopted.

Senator Gross offered Senate Resolution No. 703, regarding Jennifer L. George, which was adopted.

Senator Yeckel offered Senate Resolution No. 704, regarding Joseph R. Minner, which was adopted.

Senator Yeckel offered Senate Resolution No. 705, regarding Meghana S. Patel, which was adopted.

Senator Yeckel offered Senate Resolution No. 706, regarding Kristy Schmidt, St. Charles, which was adopted.

Senator Klindt offered Senate Resolution No. 707, regarding Jessica L. Walker, which was adopted.

Senators Griesheimer and Loudon offered Senate Resolution No. 708, regarding Debbie Albert, Eureka, which was adopted.

Senator Champion offered Senate Resolution No. 709, regarding the General Electric Motors Plant, Springfield, which was adopted.

Senator Stoll offered Senate Resolution No. 710, regarding Anthony A. Casey, Jr., Ph.D., Herculaneum, which was adopted.

Senator Stoll offered Senate Resolution No. 711, regarding Lisa D. Schroeder, which was adopted.

Senator Scott offered Senate Resolution No. 712, regarding Heidi M. Osner, which was adopted.

Senator Scott offered Senate Resolution No. 713, regarding Frank Morris, El Dorado Springs, which was adopted.

Senator Champion offered Senate Resolution No. 714, regarding Nicole R. Thomas, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Yeckel introduced to the Senate, Frank and Pat Rebholz; their daughter, Mary Salerno; and their grandchildren, Grace and Joseph Salerno; and Nicholas Rebholz, St. Louis; and Grace, Joseph, and Nicholas were made honorary pages.

Senator Kennedy introduced to the Senate, Mark and Sue Giljum, Emily and Jacob Giljum, Natalie Osmack, Josh Chrun, and Neil Boxdorfer, St. Louis; and Natalie, Emily, and Jacob were made honorary pages.

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

SENATE CALENDAR

FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 23, 2003

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SBs 361,
103, 156 & 329-Steelman
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| 1. SB 27-Gibbons, with SCS | 8. SBs 415, 88, 200, 223, 413,
523, 589 & 626-Yeckel, with
SCS |
| 2. SB 209-Steelman, et al,
with SCS | 9. SB 564-Gross |
| 3. SB 685-Gibbons, et al, with
SCS | 10. SB 236-DePasco and Loudon |
| 4. SB 455-Dougherty and Shields | 11. SB 458-Childers |
| 5. SBs 343, 89, 134, 171, 240,
261, 331, 368, 369, 419, 484
& 581-Dolan, with SCS | 12. SBs 312, 49, 111, 113, 191,
206, 263, 404, 409, 418, 538,
550 & 584-Dolan, et al, with
SCS |
| 6. SB 446-Bartle, with SCS | 13. SB 485-Shields, with SCS |
| 7. SB 242-Yeckel, with SCA 1 | |

Unofficial
HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HCS for HB 289, with SCS
(Steelman)
(In Fiscal Oversight) | 7. HB 286-Bearden, with SCS
(Shields) |
| 2. HS for HCS for HBs 349, 120,
136 & 328-Crawford (Caskey) | 8. HCS for HB 144, with SCS
(Vogel) |
| 3. HCS for HB 600, with SCS
(Shields)
(In Fiscal Oversight) | 9. HS for HB 9-Bearden, with
SCS (Russell) |
| 4. HS for HB 511-Deeken, with
SCS (Yeckel)
(In Fiscal Oversight) | 10. HS for HB 10-Bearden, with
SCS (Russell) |
| 5. HB 444-Jackson, with SCS
(Yeckel) | 11. HS for HB 11-Bearden, with
SCS (Russell) |
| 6. HB 208-Engler, et al, with SCS
(Kinder) | 12. HS for HB 12-Bearden, with
SCS (Russell) |
| | 13. HCS for HB 13, with SCS
(Russell) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 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 347-Loudon, et al, with SCS
SB 51-Shields, with SS, SS for SS & SA 1 (pending)	SB 362-Steelman and Gross
SB 112-Loudon, with SCS	SBs 381, 384, 432 & 9-Dolan, with SCS & SS for SCS (pending)
SBs 125 & 290-Goode, with SCS & SA 6 (pending)	SB 416-Yeckel, with SCS
SB 217-Champion and Clemens, with SS (pending)	SB 436-Klindt, with SCS, SS for SCS & SA 2 (pending)
SB 241-Yeckel, with SCS	SB 450-Mathewson, et al, with SCS, SS for SCS & SA 2 (pending)
SBs 248, 100, 118, 233, 247, 341 & 420-Gross, et al, with SCS & SS for SCS (pending)	SB 460-Loudon, with SS & SA 1 (pending)
SB 253-Steelman, et al, with SCS, SS for SCS & SA 1 (pending)	SB 476-Jacob
SB 300-Cauthorn, et al, with SCS	SB 693-Klindt, et al, with SCS
SB 305-Jacob and Steelman, with SS & point of order (pending)	SB 695-Goode and Russell
	SJR 13-Stoll

HOUSE BILLS ON THIRD READING

HS for HB 3-Bearden, with SCS (Russell)	HS for HCS for HB 321- Wilson (130) (Loudon)
HCS for HB 73 (Yeckel)	HCS for HB 390, with SCS (Cauthorn)
HCS for HBs 122 & 80 (Bland)	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 (Childers)
HCS for HB 97 (Stoll)
HB 199-Jolly, et al (Wheeler)
HB 244-Baker, et al (Caskey)
HB 307-Merideth and
Shoemaker (Foster)
HCS for HB 318 (Caskey)
HB 326-Wagner, et al (Stoll)
HB 351-Quinn, et al (Klindt)
HB 375-Cooper (120) (Scott)
HB 463-King, et al (Caskey)
HCS for HB 472 (Bartle)
HB 552-Kingery, with SCS
(Foster)
HB 574-Jackson and Selby
(Griesheimer)
HB 594-Emery, et al (Nodler)
HB 512-Cooper (120), et al,
with SCS (Bartle)
HB 464-King, et al (Klindt)
HB 477-Moore, et al (Shields)

HB 440-Portwood (Steelman)
HB 376-Cooper (120) (Caskey)
HCS for HB 332 (Steelman)
HCS for HB 202 (Steelman)
HCS for HBs 59 & 269, with
SCS (Shields)
HB 597-Schlottach, et al (Dolan)
HCS for HB 245 (Clemens)
HB 162-Shoemaker (Cauthorn)
HB 261-Whorton, et al (Klindt)
HB 249-Seigfreid (Mathewson)
HB 247-Ward, et al (Kennedy)
HCS for HB 392, with SCS
(Griesheimer)
HB 505-Byrd and Villa, with
SCS (Mathewson)
HB 57-Riback Wilson, with
SCS (Jacob)
HB 60-Sutherland, with SCS
(Griesheimer)
HB 465-Hanaway, et al (Kinder)

Reported 4/15

HB 388-Riback Wilson, et al (Jacob)	HB 254-Byrd (Klindt)
HCS for HB 253 (Mathewson)	HB 553-Smith (14) (Gross)
HCS for HB 394, with SCA 1 (Caskey)	HB 523-Dusenberg, et al (Vogel)
HCS for HB 427, with SCS (Bartle)	HCS for HB 575, with SCS (Foster)
HB 430-Stevenson, et al (Caskey)	HB 75-Ruestman, et al (Childers)
HB 599-Burnett, et al (Wheeler)	HB 187-Cooper (120) and Davis (122) (Dolan)
HCS for HB 613, with SCS (Bartle) (In Fiscal Oversight)	HCS for HB 371, with SCS (Dolan)
HCS for HBs 152 & 180, with SCS (Bartle)	HB 478-Moore, et al (Yeckel)
HCS for HBs 348 & 347 (Griesheimer)	HCS for HB 493 (Dolan)
HCS for HB 131 (Griesheimer)	HB 491-Rupp, et al, with SCS (Dolan) (In Fiscal Oversight)
	HCS for HB 356 (Scott)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 4-Caskey and Russell, with HCA 1	SB 266-Shields and Kennedy, with HCS
SB 68-Childers, with HCS	SB 289-Dolan, et al, with HCA 1
SCS for SB 130-Gross and Dolan, with HCS	SCS for SB 296-Griesheimer, with HS for HCS, as amended
SCS for SB 218-Goode, et al, with HCS	SCS for SBs 299 & 40-Champion, et al, with HS, as amended

RESOLUTIONS

SCR 15-Dolan, et al

To be Referred

HCR 29-Jetton, et al

Reported from Committee

SR 30-Shields, with SCS, SS for SCS & SA 1 (pending)	SCR 14-Dolan and Kinder
SCR 3-Loudon	SCR 16-Goode, et al
SCR 11-Steelman (In Fiscal Oversight)	SCR 4-Jacob
	HCR 15-Behnen (Cauthorn)