

# Journal of the Senate

FIRST REGULAR SESSION

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TWENTY-SIXTH DAY—MONDAY, FEBRUARY 24, 2003

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The Senate met pursuant to adjournment.

Senator Shields in the Chair.

Reverend Carl Gauck offered the following prayer:

“I like the dreams of the future better than the history of the past.” (Thomas Jefferson, 1816)

Gracious God, many are saying that what the legislative body does this year will determine the future of Missouri for years to come and we come fully mindful of this responsibility. Bless us with the wisdom we must have to determine a faithful course for our people and this state. And grant us faithfulness to follow Your lead. 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 Senate Journal for Thursday, February 20, 2003, be corrected on Page 278, Column 1, Line 24, by inserting after said line the following:

“**SB 552**—By Yeckel.

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

The Journal for Thursday, February 20, 2003, was read and approved, as corrected.

Photographers from KSPR-TV, Springfield, 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

## RESOLUTIONS

Senator Childers offered Senate Resolution No. 205, regarding Kody Robert Rein, Branson, which was adopted.

Senator Mathewson offered Senate Resolution No. 206, regarding Billy Joe Homan, Syracuse, which was adopted.

Senator Childers offered Senate Resolution No. 207, regarding the Aid-Hodgson Mill, Sycamore, which was adopted.

Senator Wheeler offered Senate Resolution

No. 208, regarding the Terminal Railway Company Roundhouse Complex, Kansas City, which was adopted.

Senator Coleman offered Senate Resolution No. 209, regarding Guy Slay, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 210, regarding the Landmarks Association, St. Louis, which was adopted.

Senator Cauthorn offered Senate Resolution No. 211, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carl Hathaway, Palmyra, which was adopted.

Senator Yeckel offered Senate Resolution No. 212, regarding Sean Patrick Harrison, St. Louis, which was adopted.

### CONCURRENT RESOLUTIONS

Senators Gross, Kennedy and Bartle offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the General Assembly is responsible for the appropriation of funds to support the operation of the forty-five judicial circuits of this state; and

WHEREAS, the General Assembly has a duty to ensure that funds appropriated to the forty-five judicial circuits are being used efficiently and effectively:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Judicial Resources in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five members of the House of

Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the fiscal activities of the state's forty-five judicial circuits, including an examination of the caseload of each circuit judge and associate circuit judge, and make any recommendations for improving the efficiency and effectiveness of the judicial circuits; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations from the Office of State Courts Administrator, any judicial circuit within the state and the Missouri Bar; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2004, and the authority of such Committee shall terminate on December 31, 2003; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, the office of the State Courts Administrator, each judicial circuit in the state, and the Missouri Bar Association.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and 1,000 copies ordered printed:

**SB 558**—By Klindt.

An Act to repeal sections 217.305 and 217.380, RSMo, and to enact in lieu thereof three new sections relating to the department of corrections.

**SB 559**—By Klindt.

An Act to repeal section 43.060, RSMo, and to enact in lieu thereof one new section relating to

the state highway patrol.

**SB 560**—By Childers.

An Act to repeal sections 640.100, 640.115, 640.131, 640.605, 640.615, and 640.620, RSMo, and to enact in lieu thereof seven new sections relating to the regulation of clean water.

**SB 561**—By Dolan.

An Act to amend chapter 407, RSMo, by adding thereto five new sections relating to home improvement contracts.

**SB 562**—By Griesheimer.

An Act to authorize the conveyance of property owned by the state at the Missouri Eastern Correctional facility in the County of St. Louis to the City of Pacific.

**SB 563**—By Shields.

An Act to repeal sections 566.025, 566.032, 566.062, 566.067, 566.083, and 566.100, RSMo, and to enact in lieu thereof six new sections relating to sexual offenses, with penalty provisions.

**REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Education, to which was referred **SB 325**, 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 Education, to which was referred **SB 371**, 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 Education, to which was referred **SB 296**, 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 Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 310**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 330**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 401**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 288**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 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.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 466**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 474**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1, and be placed on the Consent Calendar.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 242, Page 1, Section 512.099, Line 4, by striking the word “statues” and inserting in lieu thereof the following: “**statutes**”; and further amend line 6, by striking “twenty-five” and inserting in lieu thereof the following: “**fifty**”.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 203**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 214**, 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 Scott, Chairman of the Committee on Pensions and General Laws, submitted the following report:

Mr. President: Your Committee on Pensions and General Laws, to which were referred **SB 212** and **SB 220**, 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 Yeckel, Chairman of the Committee on Financial and Governmental Organization, Veterans’ Affairs and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organization, Veterans’ Affairs and Elections, to which was referred **SB 136**, 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 Financial and Governmental Organization, Veterans’ Affairs and Elections, to which was referred **SB 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 Financial and Governmental Organization, Veterans’ Affairs and Elections, to which was referred **SB 297**, 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 Financial and Governmental Organization, Veterans’ Affairs and Elections, to which was referred **SB 294**, 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 Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 57**, 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 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 **SB 142**, 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 **SB 186**, 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 **SB 218**, 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 **SB 224**, begs leave to report that it has considered the same and recommends

that the Senate Committee Substitute No. 2, 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 **SB 238**, 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 **SB 250**, 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 **SB 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 Economic Development, Tourism and Local Government, to which was referred **SB 281**, 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 Shields, Chairman of the Committee on Aging, Families, Mental and Public Health, Senator Gibbons submitted the following reports:

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

referred **SB 391**, 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 **SB 308**, 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 **SB 303**, 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 Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **SB 317**, 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 Small Business, Insurance and Industrial Relations, to which was referred **SB 385**, 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 Steelman, Chairman of the Committee on Commerce and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce and the Environment, to which was referred **SB 54**,

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

### THIRD READING OF SENATE BILLS

**SB 122**, with **SCS**, introduced by Senator Caskey, entitled:

An Act to repeal section 137.245, RSMo, and to enact in lieu thereof two new sections relating to dates of delivery of assessor's tax books, with penalty provisions.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 122**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 122

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to dates of delivery of certain assessors' tax books.

Was taken up.

Senator Caskey moved that **SCS** for **SB 122** be adopted, which motion prevailed.

On motion of Senator Caskey, **SCS** for **SB 122** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Bartle	Bland	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—32

#### NAYS—Senators—None

#### Absent—Senators—None

#### Absent with leave—Senators

Bray	DePasco—2
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The President declared the bill passed.

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

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

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

**SB 292**, introduced by Senator Yeckel, entitled:

An Act to repeal section 407.433, RSMo, and to enact in lieu thereof one new section relating to disclosure of credit card numbers on sales receipts, with penalty provisions.

Was called from the Consent Calendar and taken up.

On motion of Senator Yeckel, **SB 292** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Klindt	Loudon
Mathewson	Nodler	Quick	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—29			

NAYS—Senators—None

Absent—Senators

Kinder	Russell	Scott—3
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Absent with leave—Senators

Bray	DePasco—2
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The President declared the bill passed.

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

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

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

**SB 108**, introduced by Senator Gross, entitled:

An Act to repeal section 109.250, RSMo, and to enact in lieu thereof one new section relating to the state records commission.

Was called from the Consent Calendar and taken up.

On motion of Senator Gross, **SB 108** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	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—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Bray	DePasco—2
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The President declared the bill passed.

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

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

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

**SB 29**, with **SCS**, introduced by Senator Gross, entitled:

An Act to repeal sections 115.359 and 115.363, RSMo, and to enact in lieu thereof two new sections relating to deadlines for elections.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 29**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 29

An Act to repeal sections 115.359 and 115.363, RSMo, and to enact in lieu thereof two new sections relating to deadlines for elections.

Was taken up.

Senator Gross moved that **SCS** for **SB 29** be adopted, which motion prevailed.

On motion of Senator Gross, **SCS** for **SB 29** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	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—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Bray	DePasco—2
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The President declared the bill passed.

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

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

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

**SB 50**, introduced by Senator Coleman, entitled:

An Act to repeal section 116.130, RSMo, relating to verification of signatures on initiative or referendum petitions, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Coleman, **SB 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Griesheimer	Gross	Jacob
Kennedy	Klindt	Loudon	Nodler
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—27	

NAYS—Senator Kinder—1

Absent—Senators

Goode	Mathewson	Quick	Russell—4
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Absent with leave—Senators

Bray	DePasco—2
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The President declared the bill passed.

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

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

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

**SB 4**, with **SCS**, introduced by Senators Caskey and Russell, entitled:

An Act to amend chapters 41 and 301, RSMo, by adding thereto two new sections relating to antiterrorism.

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

**SCS** for **SB 4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 4

An Act to amend chapters 41 and 301, RSMo, by adding thereto two new sections relating to antiterrorism.



Was taken up.

Senator Caskey moved that **SCS** for **SB 4** be adopted, which motion prevailed.

On motion of Senator Caskey, **SCS** for **SB 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Quick—1

Absent with leave—Senators

Bray DePasco—2

The President declared the bill passed.

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

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

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

**SENATE BILLS FOR PERFECTION**

Senator Klindt moved that **SB 436**, with **SCS**, **SS** for **SCS**, **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Mathewson, the pending point of order was withdrawn.

At the request of Senator Klindt, **SB 436**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Yeckel moved that **SB 18**, with **SCS**,

as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Mathewson offered **SS** for **SCS** for **SB 18**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 18

An Act to repeal sections 166.415 and 166.435, RSMo, and to enact in lieu thereof fourteen new sections relating to higher education savings programs.

Senator Mathewson moved that **SS** for **SCS** for **SB 18** be adopted.

Senator Gross assumed the Chair.

Senator Quick offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 18, Page 6, Section 166.435, Line 26, by inserting immediately after the word “taxpayer” the following: “, **or sixteen thousand dollars if the taxpayer is a qualifying widow or widower or head of household**”.

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

Senator Shields assumed the Chair.

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 18, Page 6, Section 166.435, Line 28, by inserting after the word “RSMo.”, the following: “**until the expiration of the contract with the current financial institution operating the savings program pursuant to sections 166.400 to 166.455.**”.

Senator Goode moved that the above amendment be adopted, which motion failed on a

standing division vote.

At the request of Senator Yeckel, **SB 18**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SCS** for **HB 401** and has taken up and passed **SS No. 2** for **SCS** for **HB 401**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 288**, entitled:

An Act to repeal sections 160.534 and 164.303, RSMo, and to enact in lieu thereof three new sections relating to gambling moneys for schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 15**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2003.

In which the concurrence of the Senate is

respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 221**, entitled:

An Act to repeal sections 59.163, 59.800, 173.387, 173.390, 306.410, 361.130, 361.140, 361.160, 361.170, 362.010, 362.105, 362.106, 362.170, 362.295, 362.910, 362.923, 369.159, 400.1-103, 400.3-102, 400.4-102, 400.9-525, 400.9-626, 407.433, 408.450, 408.455, 408.460, 408.465, 408.467, 408.470, 408.557, 408.653, and 408.654, RSMo, and to enact in lieu thereof twenty-six new sections relating to banking, with an emergency clause for a certain section and penalty provisions.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 254**, entitled:

An Act to repeal sections 28.600, 28.603, 28.606, 28.609, 28.612, 28.615, 28.618, 28.621, 28.624, 28.627, 28.630, 28.633, 28.636, 28.639, 28.642, 28.645, 28.648, 28.651, 28.654, 28.657, 28.660, 28.663, 28.666, 28.669, 28.672, 28.675, 28.678, and 28.681, RSMo, and to enact in lieu thereof seventeen new sections relating to the uniform electronic transactions act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Kinder assumed the Chair.

**SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS No. 2** for **SCS** for **HB 401**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Shields assumed the Chair.

**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  
February 21, 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:

Paul Evan Hauser, 11815 Lillian Avenue, Des Peres, St. Louis County, Missouri 63131, as a member of the Clean Water Commission, for a term ending February 21, 2007, and until his successor is duly appointed and qualified; vice, RSMo 644.021.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
February 21, 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:

Ik-Whan G. Kwon, 234 New Salem Drive, St. Louis, St. Louis County, Missouri 63108, as a member of the Special Health, Psychological and Social Needs of Minority Older Individuals Commission, for a term ending August 30, 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  
February 21, 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:

Brenda Nolte, Republican, 1211 Romany, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Community Service Commission, for a term ending February 21, 2006, and until her successor is duly appointed and qualified; vice, Gwen R. Swearingin, term expired.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
February 21, 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:

Robert J. Saunders, Democrat, 1542 Merit Lane, Liberty, Clay County, Missouri 64068, as a member of the Hazardous Waste Management Commission, for a term ending April 27, 2005, and until his successor is duly appointed and qualified; vice, Maxine Lipeles, resigned.

Respectfully submitted,  
BOB HOLDEN  
Governor

Also,

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
February 21, 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:

Cecil Gordon Wood, 2 Dumbarton Drive, St. Louis, St. Louis County, Missouri 63132, as a member of the Missouri State Board of Accountancy, for a term ending August 15, 2007, and until his successor is duly appointed and qualified; vice, Janice Ellis, term expired.

Respectfully submitted,  
BOB HOLDEN  
Governor

**INTRODUCTION OF BILLS**

The following Bills were read the 1st time and 1,000 copies ordered printed:

**SB 564**—By Gross.

An Act to repeal sections 92.045, 305.510, and 305.515, RSMo, and to enact in lieu thereof three new sections relating to the Missouri-St. Louis metropolitan airport authority, with an effective date.

**SB 565**—By Goode.

An Act to amend chapter 620, RSMo, by adding thereto nine new sections relating to job creation and fiscal accountability.

**SB 566**—By Cauthorn, Steelman, Clemens and Klindt.

An Act to repeal sections 144.010 and 277.020, RSMo, and to enact in lieu thereof two new sections relating to livestock.

**SB 567**—By Steelman.

An Act to amend chapter 204, RSMo, by adding thereto thirty-three new sections relating to reorganized common sewer districts, with penalty provisions.

**SB 568**—By Yeckel.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to children on motorcycles, with penalty provisions.

**SB 569**—By Yeckel.

An Act to repeal sections 115.027, 115.074, 115.076, 115.085, 115.098, 115.105, 115.107, 115.125, 115.133, 115.135, 115.155, 115.157, 115.158, 115.159, 115.163, 115.165, 115.275, 115.277, 115.279, 115.284, 115.287, 115.292, 115.417, 115.430, 115.761, and 115.801, RSMo, and to enact in lieu thereof twenty-nine new sections relating to elections.

**SB 570**—By Loudon and Dolan.

An Act to repeal section 301.132, RSMo, and to enact in lieu thereof one new section relating to vehicle registration.

**SB 571**—By Loudon.

An Act to repeal sections 210.115 and 352.400, RSMo, and to enact in lieu thereof two new sections relating to Christian Science practitioners.

**SB 572**—By Dougherty.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to postsecondary education for foster children.

**REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Transportation, to which was referred **SB 423**, 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 **SB 356**, 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 **SB 355**, 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 **SB 227**, 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 Bartle requested unanimous consent of the Senate to have **SB 242**, with **SCA 1**,

returned to the Committee on the Judiciary and Civil and Criminal Jurisprudence, as it was mistakenly turned in as a Consent Bill, when in fact it is not, which request was granted.

### RESOLUTIONS

Senator Caskey offered Senate Resolution No. 213, regarding Betty Lewis Horine, Warrensburg, which was adopted.

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

### SENATE CALENDAR

Unofficial  
 TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 25, 2003

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 413-Steelman, et al	SB 511-Kinder, et al
SB 440-Steelman	SB 512-Russell
SB 441-Dougherty	SB 513-Kennedy and Coleman
SB 444-Shields and Steelman	SB 515-Bland
SB 463-Gross	SB 516-Kennedy and Coleman
SB 473-Stoll	SB 517-Jacob
SB 493-Kennedy	SB 518-Steelman
SB 497-Yeckel, et al	SB 519-Foster
SB 501-Gross	SB 520-Klindt
SB 502-Vogel	SB 521-Gross
SB 503-Jacob	SB 522-Gross
SB 504-Clemens and Champion	SB 523-Kennedy and Griesheimer
SB 505-Clemens	SB 524-Jacob
SB 506-Clemens	SB 525-Dolan
SB 507-Bray	SB 526-Gross
SB 508-Bray	SB 527-Gross
SB 509-Bray	SB 528-Gross
SB 510-Kinder	SB 529-Childers

SB 530-Childers	SB 553-Bartle
SB 531-Childers	SB 554-Klindt
SB 532-Mathewson and Childers	SB 555-Kinder and Foster
SB 533-Cauthorn	SB 556-Kinder, et al
SB 534-Cauthorn	SB 557-Shields
SB 535-Yeckel	SB 558-Klindt
SB 536-Jacob	SB 559-Klindt
SB 537-Jacob	SB 560-Childers
SB 538-Dolan	SB 561-Dolan
SB 539-Bray & Days	SB 562-Griesheimer
SB 540-Gross	SB 563-Shields
SB 541-Scott	SB 564-Gross
SB 542-Caskey	SB 565-Goode
SB 543-Dougherty and Foster	SB 566-Cauthorn, et al
SB 545-Mathewson	SB 567-Steelman
SB 546-Caskey	SB 568-Yeckel
SB 547-Caskey	SB 569-Yeckel
SB 548-Champion	SB 570-Loudon and Dolan
SB 549-Days, et al	SB 571-Loudon
SB 550-Scott	SB 572-Dougherty
SB 551-Yeckel	SJR 19-Clemens
SB 552-Yeckel	SJR 20-Bray
	SJR 21-Cauthorn

## HOUSE BILLS ON SECOND READING

HCS for HB 185	HCS for HB 288
HB 198-Stevenson, et al	HCS for HB 15
HCS for HBs 122 & 80	HCS for HB 221
HB 74-St. Onge	HB 254-Byrd

## SENATE BILLS FOR PERFECTION

SB 234-Quick	SB 34-Loudon
SB 84-Cauthorn and Klindt, with SCS	SB 347-Loudon, et al, with SCS
SB 69-Yeckel, with SCS	SB 481-Dolan, et al, with SCS
	SB 24-Steelman, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 11-Kinder and Scott,  
with SCS

SB 13-Kinder

SB 18-Yeckel and Cauthorn,  
with SCS & SS for SCS  
(pending)

SB 33-Loudon and Scott,  
with SS (pending)

SB 36-Klindt and Cauthorn,  
with SCS

SB 51-Shields

SB 112-Loudon, with SCS

SB 217-Champion and Clemens

SB 265-Shields and Scott, with SCS

SB 436-Klindt, with SCS, SS  
for SCS & SA 2 (pending)

Unofficial  
CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 62-Caskey

SB 275-Russell

Journal

Reported 2/17

SB 117-Shields, with SCS

SB 216-Foster

SB 289-Dolan, et al

SB 314-Dolan

SB 7-Mathewson, with SCS

SB 239-Mathewson and  
Scott, with SCS

SB 301-Bray

SB 357-Shields

SB 370-Foster

SB 379-Champion, with SCS

SB 383-Dolan

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Reported 2/24

SB 325-Steelman

SB 371-Foster

SB 296-Griesheimer, with SCS

SB 310-Caskey

SB 330-Caskey

SB 401-Dolan, et al

SB 288-Dolan, with SCS	SB 224-Vogel, with SCS#2
SB 465-Bartle	SB 238-Caskey, with SCS
SB 466-Bartle, with SCS	SB 250-Stoll
SB 474-Bartle	SB 269-Quick, with SCS
SB 203-Bartle	SB 281-Shields, with SCS
SB 214-Bartle	SB 391-Shields, et al, with SCS
SBs 212 & 220-Bartle, with SCS	SB 308-Steelman, with SCS
SB 136-Goode	SB 303-Gibbons, with SCS
SB 376-Caskey	SB 317-Stoll and Bray
SB 297-Griesheimer	SB 385-Scott, with SCS
SB 294-Vogel, with SCS	SB 54-Griesheimer
SB 57-Nodler	SB 423-Childers
SB 142-Goode and Days	SB 356-Stoll
SB 186-Cauthorn	SB 355-Stoll
SB 218-Goode, et al, with SCS	SB 227-Cauthorn, with SCS

Unofficial

## RESOLUTIONS

To be Referred

SCR 7-Gross, et al

Journal

Reported from Committee

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

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