

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—THURSDAY, MARCH 20, 2003

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wise warriors are mightier than strong ones, and those who have knowledge than those who have strength; for by wise guidance you can wage war, and in abundance of counselors there is victory.”
(Proverbs 24:5,6)

Almighty God, war and death are once again in our world and we pray that our leaders may be given wisdom and knowledge that can shorten this conflict, reduce the numbers that will die and that our victory is tempered with compassion to all in need. Bless our sons and daughters put in harm’s way and keep them under the shadow of Your wings. And bless our nation and its people with Your mercy and love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from the Associated Press and KRCG-TV 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.

CONCURRENT RESOLUTIONS

Senators Dolan, Kinder, Griesheimer, Bartle, Nodler, Cauthorn, Scott, Caskey, Russell, Childers and Clemens offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, for more than a decade, the United States and other nations have pursued patient and honorable efforts to disarm the Iraqi regime without war; and

WHEREAS, on November 8, 2002, the United Nations Security Council approved Security Council Resolution 1441 under Chapter VII of the United Nations Charter by a vote of 15-0, giving Iraq "a final opportunity to comply with its disarmament obligations"; and

WHEREAS, on November 21, 2002, the North Atlantic Treaty Organization's North Atlantic Council unanimously approved

a declaration stating, "We deplore Iraq's failure to comply fully with its obligations which were imposed as a necessary step to restore international peace and security and we recall that the Security Council has decided in its resolution to afford Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council."; and

WHEREAS, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

WHEREAS, Iraq is in material breach of United Nations Security Council resolutions, including United Nations Resolution 1441; and

WHEREAS, the clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies; and

WHEREAS, the United States of America has the sovereign authority to use force in assuring its own national security; and

WHEREAS, pursuant to United Nations Resolutions 678 and 687 the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction; and

WHEREAS, the President of the United States declared on March 17, 2003, that the decades of deceit and cruelty have reached an end and that Saddam Hussein and his sons must leave Iraq within 48 hours; and

WHEREAS, Saddam Hussein and his sons remain in Iraq and have rejected the President's demand; and

WHEREAS, the security of the world requires disarming Saddam Hussein without delay:

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 patriotically support the work to advance liberty and peace in the Iraqi region; and

BE IT FURTHER RESOLVED that the power and appeal of human liberty is felt in every life and every land, and the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace; and

BE IT FURTHER RESOLVED that free nations have a duty to defend their people by uniting against the violent and oppressive; and

BE IT FURTHER RESOLVED that we support our national leaders in bringing to justice Osama bin Laden and those responsible for terrorist attacks on United States soil and its citizens; and

BE IT FURTHER RESOLVED that now that the "moment of truth" is upon us, we, the members of the Missouri General Assembly, Ninety-second General Assembly, First Regular Session, express our strongest affirmation of support for the actions of the President and offer our unfettered dedication to all members of the United States' armed forces; and

BE IT FURTHER RESOLVED that we hereby call upon all state-wide elected officials to publicly stand by us in unity as brothers and sisters in freedom in support of our resolutions proclaimed herein by sending a letter of support to the President of the United States and the members of the Missouri Congressional delegation; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Janet G. Leachman, as a member of the Missouri Western State College Board of Regents;

Also,

Paul Evan Hauser, as a member of the Clean Water Commission;

Also,

Marion H. Cairns, as a member of the University of Missouri Board of Curators;

Also,

Daniel J. Abbott, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Joy S. Gronstedt, as a member of the Drug

Utilization Review Board;

Also,

Patricia A. Nichols, as a member of the Well Installation Board;

Also,

Cynthia A. Rushefsky, as a member of the Child Abuse and Neglect Review Board.

Senator Kinder requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Kinder moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Kinder assumed the Chair.

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

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 241**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Yeckel, Chairman of the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **HCS** for **HB 221**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Education, to which was referred **SB 476**, begs leave to report that it has considered the same and recommends

that the bill do pass.

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

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **SB 460**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Transportation, to which were referred **SB 381**, **SB 384**, **SB 432**, and **SB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 39**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 39, Page 2, Section 650.350, Line 21, by striking the word "appropriations".

THIRD READING OF SENATE BILLS

SB 207, introduced by Senator Mathewson, entitled:

An Act to repeal section 407.735, RSMo, and to enact in lieu thereof one new section relating to rental vehicle damage claims.

Was taken up.

Senator Bartle assumed the Chair.

On motion of Senator Mathewson, **SB 207** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	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—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SS for SCS for SB 264, introduced by Senator Shields, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 264

An Act to repeal section 165.016, RSMo, and to enact in lieu thereof one new section relating to salary compliance, with an emergency clause.

Was taken up.

On motion of Senator Shields, **SS for SCS for SB 264** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens

Coleman	Days	Dolan	Dougherty
Foster		Gibbons	Goode
	Griesheimer		
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bland	Bray	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—Senator Caskey—1

Absent—Senators—None

Absent with leave—Senator DePasco—1

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

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

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

SS for SCS for SB 298, introduced by Senator Griesheimer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 298

An Act to repeal sections 311.050, 311.080, 311.097, 311.195, 311.200, 311.260, 311.280, 311.290, 311.293, 311.325, 311.328, 311.360, 311.630, 312.407, and 312.410, RSMo, and to enact in lieu thereof eighteen new sections relating to liquor control, with penalty provisions.

Was taken up.

On motion of Senator Griesheimer, **SS** for **SCS** for **SB 298** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Childers	Coleman
Dolan	Dougherty	Gibbons	Goode
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Mathewson	Nodler
Shields	Stelman	Stoll	Vogel
Wheeler	Yeckel—22		

NAYS—Senators

Bland	Caskey	Cauthorn	Champion
Clemens	Days	Foster	Loudon
Russell	Scott—10		

Absent—Senator Quick—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

RESOLUTIONS

Senators Dolan, Steelman, Gibbons, Loudon, Gross and Cauthorn offered the following resolution:

SENATE RESOLUTION NO. 433

WHEREAS, for more than a decade, the United States and other nations have pursued patient and honorable efforts to disarm the Iraqi regime with minimal military actions and economic sanctions; and

WHEREAS, on November 8, 2002, the United Nations Security Council approved Security Council Resolution 1441 under Chapter VII of the United Nations Charter by a vote of 15-0, giving Iraq "a final opportunity to comply with its disarmament obligations"; and

WHEREAS, on November 21, 2002, the North Atlantic Treaty Organization's North Atlantic Council unanimously approved a declaration stating, "We deplore Iraq's failure to comply fully with its obligations which were imposed as a necessary step to restore international peace and security and we recall that the Security Council has decided in its resolution to afford Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council."; and;

WHEREAS, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

WHEREAS, the President and the allies of the United States have determined that Iraq is in material breach of United Nations Security Council resolutions, including United Nations Resolution 1441; and

WHEREAS, the clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies; and

WHEREAS, the United States of America has the sovereign authority to use force in assuring its own national security; and

WHEREAS, pursuant to United Nations Resolutions 678 and 687 the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction; and

WHEREAS, the President of the United States declared on March 17, 2003, that the decades of deceit and cruelty have reached an end and that Saddam Hussein and his sons must leave Iraq within 48 hours; and

WHEREAS, Saddam Hussein and his sons remain in Iraq and have rejected the President's demand; and

WHEREAS, the security of the world requires disarming Saddam Hussein without delay;

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, patriotically support the work to advance liberty and peace in the Iraqi region; and

BE IT FURTHER RESOLVED that the power and appeal of human liberty is felt in every life and every land, and the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace; and

BE IT FURTHER RESOLVED that free nations have a duty

to defend their people by uniting against the violent and oppressive; and

BE IT FURTHER RESOLVED that we support our national leaders in bringing to justice Osama bin Laden and those responsible for terrorist attacks on United States soil and its citizens; and

BE IT FURTHER RESOLVED that now that the "moment of truth" is upon us, we, the members of the Missouri Senate, express our strongest affirmation of support for the actions of the President and offer our unfettered dedication to all members of the United States' armed forces; and

BE IT FURTHER RESOLVED that we hereby call upon all state-wide elected officials to publicly stand by us in unity as brothers and sisters in freedom in support of our resolutions proclaimed herein by sending a letter of support to the President of the United States and the members of the Missouri Congressional delegation; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

Senator Dolan moved that under the provisions of Senate Rule 70, **SR 433** not be referred to committee, but instead be brought before the body for adoption, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator DePasco—1

SR 433 was taken up.

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

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 433, Page 3,

Lines 2 and 3, by deleting “support for the actions of the President and offer”.

Senator Goode moved that the above amendment be adopted.

Senator Kinder requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Childers, Gross, Nodler and Scott.

At the request of Senator Goode, **SA 1** was withdrawn.

Senator Jacob offered **SS** for **SR 433**, which was read:

SENATE SUBSTITUTE FOR
SENATE RESOLUTION NO. 433

WHEREAS, President George W. Bush, as Commander in Chief, has called the military troops of the United States of America into active warfare in the Middle East; and

WHEREAS, military troops and support personnel of allied nations have been called into action in support of the current United States mission:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, fully support the military troops of the United States of America in their current endeavors; and

BE IT FURTHER RESOLVED that the thoughts and prayers of the members of the Missouri Senate are with the United States and allied troops and it is our fervent hope that our troops, with the support of our allies, will accomplish their mission with speed, effectiveness, and with minimal loss of the lives of military men and women and civilians alike.

Senator Jacob moved that **SS** for **SR 433** be adopted.

Senator Kinder requested a roll call vote be taken on the adoption of **SS** for **SR 433** and was joined in his request by Senators Childers, Scott, Gross and Nodler.

Senator Bartle offered **SS** for **SS** for **SR 433**, entitled:

SENATE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE RESOLUTION NO. 433

WHEREAS, for more than a decade, the United States and

other nations have pursued patient and honorable efforts to disarm the Iraqi regime in a peaceful manner; and

WHEREAS, on November 8, 2002, the United Nations Security Council approved Security Council Resolution 1441 under Chapter VII of the United Nations Charter by a vote of 15-0, giving Iraq "a final opportunity to comply with its disarmament obligations"; and

WHEREAS, on November 21, 2002, the North Atlantic Treaty Organization's North Atlantic Council unanimously approved a declaration stating, "We deplore Iraq's failure to comply fully with its obligations which were imposed as a necessary step to restore international peace and security and we recall that the Security Council has decided in its resolution to afford Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council."; and

WHEREAS, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

WHEREAS, Iraq is in material breach of United Nations Security Council resolutions, including United Nations Resolution 1441; and

WHEREAS, the clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies; and

WHEREAS, the United States of America has the sovereign authority to use force in assuring its own national security; and

WHEREAS, pursuant to United Nations Resolutions 678 and 687 the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction; and

WHEREAS, the President of the United States declared on March 17, 2003, that the decades of deceit and cruelty have reached an end and that Saddam Hussein and his sons must leave Iraq within 48 hours; and

WHEREAS, Saddam Hussein and his sons remain in Iraq and have rejected the President's demand; and

WHEREAS, the security of the world requires disarming Saddam Hussein without delay:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, patriotically support the work to advance liberty and peace in the Iraqi region; and

BE IT FURTHER RESOLVED that the power and appeal of human liberty is felt in every life and every land, and the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace; and

BE IT FURTHER RESOLVED that free nations have a duty to defend their people by uniting against the violent and oppressive; and

BE IT FURTHER RESOLVED that we support our national leaders in bringing to justice Osama bin Laden and those responsible for terrorist attacks on United States soil and its citizens; and

BE IT FURTHER RESOLVED that now that the "moment of truth" is upon us, we, the members of the Missouri Senate, express our strongest affirmation of support for the actions of the President and offer our unfettered dedication to all members of the United States' armed forces; and

BE IT FURTHER RESOLVED that we hereby call upon all state-wide elected officials to publicly stand by us in unity as brothers and sisters in freedom in support of our resolutions proclaimed herein by sending a letter of support to the President of the United States and the members of the Missouri Congressional delegation; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

Senator Bartle moved that **SS for SS for SR 433** be adopted.

Senator Jacob raised the point of order that **SS for SS for SR 433** is out of order, as it is in the third degree.

The point of order was referred to the President Pro Tem who ruled it not well taken.

SS for SS for SR 433 was again taken up.

At the request of Senator Bartle, **SS for SS for SR 433** was withdrawn.

SS for SR 433 was again taken up.

At the request of Senator Kinder, his request for a roll call vote on the adoption of **SS for SR 433**, was withdrawn.

Senator Jacob moved that **SS for SR 433** be adopted, which motion failed.

SR 433 was again taken up.

Senator Dolan moved that **SR 433** be adopted and requested a roll call vote be taken. He was joined in his request by Senators Childers,

Clemens, Kinder and Nodler.

SR 433 was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators

Bland Dougherty—2

Absent—Senator Days—1

Absent with leave—Senator DePasco—1

CONCURRENT RESOLUTIONS

Senators Goode, Foster, Caskey, Childers, Stoll, Shields and Yeckel offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, public education is the primary responsibility of the state after paying state debts, as provided pursuant to Article III, Section 36 of the Missouri Constitution; and

WHEREAS, the adequacy and equity of funding available to public schools has again become a serious concern across the state, highlighted by the wide range of available operating funding for Missouri school districts, which ranges from \$4,500 to over \$13,700 per pupil; and

WHEREAS, the cost to fully fund state school aid continues to increase significantly each year and requires funds which create hardships for other sectors of society needing access to state funds; and

WHEREAS, public education is labor intensive with roughly three-fourths of operating cost supporting salaries and benefits of staff, and most of those salaries being paid to certificated teachers; and

WHEREAS, the fiscal situation facing the state and the resulting budget problems limits the ability to fund all services including education, it is necessary to review the state's commitment to all present and future aspects of education funding; and

WHEREAS, the fiscal situation and problems facing this state are serious and likely to continue for the foreseeable future and because any major alternation rendered to the state's education funding formula will require some amount of increased appropriation in order to meet the required legal standards of equity and adequacy, the need to explore opportunities to increase general revenue resources that can be used for the funding of education is critical:

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, that a joint interim committee on education be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study concerning all issues relating to equity and adequacy of distribution of state school aid, teachers' salaries, funding for school buildings, and overall funding levels for schools and any other education-related issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Department of Elementary and Secondary Education, the State Board of Education, the Department of Higher Education, the Coordinating Board for Higher Education, the State Tax Commission, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate 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 actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time

and referred to the Committees indicated:

HCS for HB 93—Economic Development, Tourism and Local Government.

HB 99—Financial and Governmental Organization, Veterans' Affairs and Elections.

HCS for HB 133—Financial and Governmental Organization, Veterans' Affairs and Elections.

HB 162—Transportation.

HB 199—Economic Development, Tourism and Local Government.

HB 246—Pensions and General Laws.

HB 284—Transportation.

HB 307—Economic Development, Tourism and Local Government.

HCS for HB 332—Aging, Families, Mental and Public Health.

HCS for HBs 348 and 347—Pensions and General Laws.

HB 358—Financial and Governmental Organization, Veterans' Affairs and Elections.

HB 440—Aging, Families, Mental and Public Health.

HB 141—Judiciary and Civil and Criminal Jurisprudence.

HB 249—Transportation.

HB 251—Economic Development, Tourism and Local Government.

HB 261—Transportation.

HB 327—Transportation.

HCS for HB 371—Transportation.

HCS for HB 493—Transportation.

HB 574—Economic Development, Tourism and Local Government.

HB 521—Financial and Governmental Organization, Veterans' Affairs and Elections.

HCS for HB 97—Economic Development, Tourism and Local Government.

HCS for HB 394—Judiciary and Civil and Criminal Jurisprudence.

HS for HB 1—Appropriations.

HS for HB 2—Appropriations.

HS for HB 3—Appropriations.

HS for HB 4—Appropriations.

HS for HB 5—Appropriations.

HS for HB 6—Appropriations.

HS for HB 7—Appropriations.

HS for HB 8—Appropriations.

HS for HB 9—Appropriations.

HS for HB 10—Appropriations.

HS for HB 11—Appropriations.

HS for HB 12—Appropriations.

HCS for HB 13—Appropriations.

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 **HCS for HB 392**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to motorcycle and all-terrain vehicle franchises.

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 189**, entitled:

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to appropriations for community college district maintenance funds.

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 244**, entitled:

An Act to repeal section 64.905, RSMo, and to enact in lieu thereof one new section relating to county planning and zoning ordinances.

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 326**, entitled:

An Act to repeal section 46.144, RSMo, and to enact in lieu thereof one new section relating to the description of the Ste. Genevieve County boundaries.

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 351**, entitled:

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to boards of directors for industrial development corporations.

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 375**, entitled:

An Act to repeal section 58.451, RSMo, and to enact in lieu thereof one new section relating to coroners' reports.

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 388**, entitled:

An Act to repeal section 67.1850, RSMo, and to enact in lieu thereof one new section relating to the creation of a geographical information system in certain municipalities.

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 463**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to state emblems.

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 465**, entitled:

An Act to amend chapter 21, RSMo, by

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 472**, entitled:

An Act to repeal sections 67.1451 and 67.1461, RSMo, and to enact in lieu thereof two new sections relating to boards of directors in community improvement districts, with an emergency clause.

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 477**, entitled:

An Act to repeal section 191.659, RSMo, and to enact in lieu thereof one new section relating to disease testing of incarcerated offenders.

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 478**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to special license plates.

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 505**, entitled:

An Act to repeal section 407.735, RSMo, and to enact in lieu thereof one new section relating to merchandising practices for motor vehicle rentals and subleasing.

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 512**, entitled:

An Act to repeal sections 415.405, 415.410, 415.415, and 415.420, RSMo, and to enact in lieu thereof four new sections relating to warehouse and self-service storage facilities.

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 464**, entitled:

An Act to repeal sections 348.195 and 348.210, RSMo, and to enact in lieu thereof two new sections relating to loan guarantees.

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 60**, entitled:

An Act to repeal section 139.031, RSMo, and to enact in lieu thereof one new section relating to

refunds of tax payments mistakenly or erroneously made.

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 57**, entitled:

An Act to repeal sections 137.115, 137.155, and 137.360, RSMo, and to enact in lieu thereof three new sections relating to personal property lists.

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 222**, entitled:

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to fishing permits and licenses.

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 **HS for HCS for HB 228**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto five new sections relating to unsolicited commercial electronic mail, with penalty provisions.

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 **HS for HB 197**, entitled:

An Act to repeal sections 135.207, 135.208, 135.478, 135.481, 135.484, 135.487, and 135.530, RSMo, and to enact in lieu thereof nine new sections relating to economic development projects.

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 322**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto eight new sections relating to small business.

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 318**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to county ordinance violations.

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 427**, entitled:

An Act to amend chapters 477 and 488, RSMo, by adding thereto two new sections relating to the basic civil legal services fund.

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 430**, entitled:

An Act to repeal section 476.340, RSMo, and to enact in lieu thereof one new section relating to the executive council of the judicial conference of the state of Missouri.

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 445**, entitled:

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.

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 491**, entitled:

An Act to repeal sections 301.069 and 301.142, RSMo, and to enact in lieu thereof two new sections relating to biennial registration for

certain motor vehicles, with penalty provisions.

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 575**, entitled:

An Act to repeal section 210.001, RSMo, and to enact in lieu thereof one new section relating to child assessment centers.

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 594**, entitled:

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to dissolution of road districts in certain counties.

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 597**, entitled:

An Act to repeal section 231.280, RSMo, and to enact in lieu thereof one new section relating to preparing and filing certain annual reports by certain townships.

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 598**, entitled:

An Act to repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to special license plates.

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 356**, entitled:

An Act to amend chapter 219, RSMo, by adding thereto one new section relating to the sale of products made by youth in the custody of the division of youth services.

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 523**, entitled:

An Act to repeal sections 313.057 and 313.810, RSMo, and to enact in lieu thereof two new sections relating to licensing requirements, with penalty provisions.

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 552**, entitled:

An Act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to

law library funds.

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 599**, entitled:

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to municipal court costs.

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 613**, entitled:

An Act to repeal sections 43.530, 57.290, 67.133, 210.145, 452.311, 455.027, 455.030, 455.504, 455.516, 476.055, 476.058, 476.340, 476.385, 477.600, 488.426, 488.2300, 488.4014, 488.5320, 494.410, 506.060, 510.120, 511.350, 511.510, 512.180, 517.141, 517.151, 536.077, 540.011, and 540.021, RSMo, and to enact in lieu thereof twenty-five new sections relating to court procedures, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Scott offered Senate Resolution No. 434, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Junior Bland, Stockton, which was adopted.

Senator Kinder offered Senate Resolution No. 435, regarding S. Edwin Noffel, D.D.S., M.S.,

Cape Girardeau, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Erik Lindblum, M.D., Columbia.

Senator Scott introduced to the Senate, Scott Thomas, new grandfather of Brett Thomas Barker.

Senator Champion introduced to the Senate, students from Greenwood Laboratory School, Springfield.

Senator Griesheimer introduced to the Senate, Arvil Koppelman, Washington.

Senator Nodler introduced to the Senate, Phillip McClendon, Joplin.

Senator Vogel introduced to the Senate, Michael Herschel and Josh Haner, Jefferson City.

Senator Dolan introduced to the Senate, students from Boone Trail Elementary School, Wentzville.

Senator Gross introduced to the Senate, Lynne Baker, and her children, Richard and Caitlin; Carolyn Johnson, and her children, Benjamin and Kathleen; and Hannah Artman, St. Charles; and Richard, Caitlin, Benjamin, Kathleen, and Hannah were made honorary pages.

Senator Russell introduced to the Senate, Sheriff Bill Moulder, Camdenton.

Senator Kinder introduced to the Senate, twenty-five fourth grade students from Cape Christian School, Cape Girardeau.

Senator Wheeler introduced to the Senate, Amy and Jennifer Johnson, Kansas City; and Amy was made an honorary page.

Senator Kennedy introduced to the Senate, Lisa Langeneckert, St. Louis.

On motion of Senator Gibbons, the Senate adjourned until 2:00 p.m., Monday, March 24, 2003.

Journal

SENATE CALENDAR

FORTY-THIRD DAY—MONDAY, MARCH 24, 2003

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 288
HB 91-Mayer
HCS for HB 273
HS for HCS for HB 156-
Phillips
HCS for HB 600
HCS for HB 431
HB 376-Cooper (120)

HB 553-Smith (14)
HCS for HB 392
HB 189-Parker, et al
HB 244-Baker, et al
HB 326-Wagner, et al
HB 351-Quinn, et al
HB 375-Cooper (120)
HB 388-Riback Wilson, et al

HB 463-King, et al
 HB 465-Hanaway, et al
 HCS for HB 472
 HB 477-Moore, et al
 HB 478-Moore, et al
 HB 505-Byrd and Villa
 HB 512-Cooper (120), et al
 HB 464-King, et al
 HB 60-Sutherland
 HB 57-Riback Wilson
 HCS for HB 222
 HS for HCS for HB 228-Pearce
 HS for HB 197-Johnson (47)
 HCS for HB 322

HCS for HB 318
 HCS for HB 427
 HB 430-Stevenson, et al
 HB 445-Portwood, et al
 HB 491-Rupp, et al
 HCS for HB 575
 HB 594-Emery, et al
 HB 597-Schlottach, et al
 HB 598-Schlottach, et al
 HCS for HB 356
 HB 523-Dusenberg, et al
 HB 552-Kingery
 HB 599-Burnett, et al
 HCS for HB 613

Unofficial

SENATE BILLS FOR PERFECTION

1. SB 2-Russell, with SCS
2. SB 544-Gross, et al, with SCS
3. SB 450-Mathewson, et al, with SCS
4. SB 305-Jacob and Steelman
5. SB 410-Shields and Goode, with SCS
6. SB 5-Caskey, with SCS
7. SBs 556 & 311-Kinder, et al, with SCS
8. SB 243-Yeckel
9. SBs 361, 103, 156 & 329-Steelman, with SCS
10. SB 28-Gross
11. SB 362-Steelman and Gross
12. SB 184-Bartle and Scott
13. SB 38-Klindt, et al, with SCS
14. SB 241-Yeckel, with SCS
15. SB 476-Jacob
16. SB 460-Loudon
17. SBs 381, 384, 432 & 9-Dolan, with SCS
18. SB 39-Cauthorn, et al, with SCA 1

HOUSE BILLS ON THIRD READING

HB 412-Goodman, et al
 (Childers)

HCS for HB 221, with SCS
 (Yeckel)

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 51-Shields, with SS,
SS for SS & SA 1 (pending)
SB 69-Yeckel and Nodler,
with SCS (pending)
SB 112-Loudon, with SCS
SBs 125 & 290-Goode, with
SCS (pending)
SB 217-Champion and
Clemens, with SS (pending)

SB 253-Steelman, et al,
with SCS, SS for SCS &
SA 1 (pending)
SB 300-Cauthorn, et al, with
SCS
SB 347-Loudon, et al, with
SCS
SB 422-Childers, with SCS
(pending)
SB 436-Klindt, with SCS,
SS for SCS & SA 2 (pending)
SB 481-Dolan, et al, with
SCS, SS for SCS & SS
for SS for SCS (pending)

CONSENT CALENDAR

Journal
Senate Bills

Reported 2/10

SB 62-Caskey

SB 275-Russell

Reported 2/24

SB 385-Scott, with SCS

Reported 3/4

SB 468-Bartle

Reported 3/10

SB 295-Shields, with SCS
SB 529-Childers

SB 547-Caskey, with SCS
SB 392-Shields (In Fiscal Oversight)

SB 519-Foster, with SCA 1
 SB 204-Yeckel, et al
 SB 431-Gibbons
 SB 506-Clemens
 SB 425-Scott
 SB 73-Bland, with SCS

SB 358-Shields, with SCS
 SB 93-Shields
 SB 447-Bartle, with SCS
 SB 407-Klindt
 SB 373-Bartle, with SCS

Reported 3/11

SB 165-Bland
 SB 480-Dolan
 SB 492-Scott
 SB 548-Champion

SB 607-Loudon
 SB 616-Nodler
 SB 399-Caskey

Unofficial

Reported 3/13

SB 159-Bland, with SCS
 (In Fiscal Oversight)
 SB 571-Loudon
 SB 618-Kennedy and Shields
 SB 534-Cauthorn
 SB 351-Dougherty, with SCS
 SB 16-Childers, with SCS
 SB 120-Caskey
 SB 504-Clemens and Champion, with SCS
 SB 513-Kennedy and Coleman, with SCS
 SB 562-Griesheimer, with SCS
 SB 577-Shields
 SB 578-Shields
 SB 590-Shields
 SB 592-Foster, with SCS
 SB 621-Loudon, with SCS
 SB 635-Mathewson, with SCS
 SB 694-Klindt
 SB 180-Bland
 SBs 632 & 644-Days, with SCS

SB 642-Foster, with SCS
 SB 676-Kennedy, with SCS
 SB 666-Bland, with SCS
 SB 686-Russell, with SCS
 SB 334-Goode
 SB 651-Steelman, et al
 SB 668-Cauthorn and Klindt
 SB 606-Coleman
 SB 611-Clemens, et al
 SB 623-Foster
 SB 293-Vogel
 SB 438-Clemens, et al
 SB 490-Dolan
 SB 594-Bray, with SCS
 SB 598-Childers and Nodler
 SB 697-Nodler, et al
 SB 552-Yeckel
 SB 463-Gross
 SB 511-Kinder, et al

Journal
 Copy

RESOLUTIONS

SCR 15-Dolan, et al

To be Referred

SCR 16-Goode, et al

Reported from Committee

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

Unofficial^T

Journal

Copy