

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—WEDNESDAY, APRIL 16, 2003

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore, we ought to support such people so that we may become co-workers with the truth.” (3 John 8)

Loving Lord, help us to show how to be supportive to those who work with us to care for the people of this state. During these times, anxiety is high and fears for the future touch all of us. Help us Lord, to be faithful to the needs of our fellow servants who depend on our actions and look to us for assistance in their serving our fellow Missourians. 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 KRCG-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 Caskey offered Senate Resolution No. 592, regarding Adrian R-III High School Head Football Coach George Bruto, Class 1A Coach of the Year, Adrian, which was adopted.

Senator Kinder offered Senate Resolution No. 593, regarding the Jackson High School Lady Indians Basketball Program, Jackson, which was adopted.

CONCURRENT RESOLUTIONS

Senator Bland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, hepatitis C is a disease of the liver caused by the hepatitis C virus which damages liver cells and causes the liver to become swollen and tender, however, hepatitis has many other causes, including some medications, long-term alcohol abuse, and exposure to industrial chemicals; and

WHEREAS, although there is no vaccine to prevent infection with the hepatitis C virus (HCV), research is underway to develop one, but it is difficult to create an effective vaccine because new strains of the original virus can develop that are not affected by a vaccine against the original strain; and

WHEREAS, since all donated blood is screened for hepatitis C, many people are unaware they have hepatitis C until they try to donate blood and are notified by a blood donation center; and

WHEREAS, chronic hepatitis may be treated with medications that fight viral infections, however, the standard treatment of interferon and ribavirin is not an option for every person and only 30%-40% of those who receive antivirals are cured of the infection; and

WHEREAS, the impact of the disease on certain populations, such as intravenous drug users, incarcerated individuals, alcoholics, racial minority groups, gay and lesbian individuals, and HIV/AIDS infected individuals, is still unknown in Missouri:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby, hereby establish a Hepatitis C Task Force to examine the impact of the hepatitis C virus (HCV) on intravenous drug users, incarcerated individuals, alcoholics, racial minority groups, gay and lesbian individuals, and HIV/AIDS infected individuals in Missouri; and

BE IT FURTHER RESOLVED that the Task Force shall be comprised of the following nine persons appointed by the Governor with the advice and consent of the House of Representatives:

- (1) Two persons from the Department of Mental Health;
- (2) Two persons from the Department of Health and Senior Services;
- (3) One person from the Department of Corrections;
- (4) Two persons from community organizations providing services to persons with HCV; and
- (5) Two persons living with HCV; and

BE IT FURTHER RESOLVED that two members of the Senate appointed by the President Pro Tem of the Senate and two members of the House of Representatives appointed by the Speaker of the House of Representatives and shall serve in an advisory capacity to the Task Force; and

BE IT FURTHER RESOLVED that the Task Force shall conduct research and evaluate key legislative, programmatic, and socioeconomic issues that are related to the impact of HCV on the aforementioned populations and make recommendations on ways to improve outreach, prevention, and intervention; and

BE IT FURTHER RESOLVED that the Task Force shall complete its work and submit a report to the General Assembly

within one year of its formation, with the advisory House and Senate members of the Task Force providing guidance to the Task Force in its conduct and scope of its work; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Bob Holden.

THIRD READING OF SENATE BILLS

SS No. 2 for SS for SCS for SB 2, entitled:

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

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

Was taken up by Senator Russell.

President Pro Tem Kinder assumed the Chair.

On motion of Senator Russell, **SS No. 2 for SS for SCS for SB 2** 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	Vogel	Yeckel—23	

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Stoll
Wheeler—9			

Absent—Senator Quick—1

Absent with leave—Senator DePasco—1

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Caskey	Cauthorn	Champion
Childers	Clemens	Dolan	Foster
Gibbons	Goode	Griesheimer	Gross
Kennedy	Kinder	Klindt	Loudon
Mathewson	Nodler	Russell	Scott
Shields	Steelman	Stoll	Vogel
Yeckel—25			

NAYS—Senators

Bland	Bray	Days	Dougherty
Jacob	Wheeler—6		

Absent—Senators

Coleman	Quick—2
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Absent with leave—Senator DePasco—1

Senator Shields assumed the Chair.

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

SS for **SCS** for **SB 5**, introduced by Senator Caskey, entitled:

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

An Act to repeal sections 217.362, 217.541, 217.730, 217.750, 217.760, 478.610, 513.653, 556.061, 557.036, 558.011, 558.016, 558.019, 559.026, 559.115, 559.615, 568.045, 570.030, and 570.040, RSMo, and to enact in lieu thereof twenty new sections relating to various sentencing provisions, with penalty provisions.

Was taken up.

On motion of Senator Caskey, **SS** for **SCS** for **SB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Childers	Clemens	Days
Dolan	Dougherty	Foster	Gibbons
Goode	Griesheimer	Gross	Kennedy
Kinder	Klindt	Nodler	Quick
Scott	Shields	Steelman	Stoll
Vogel	Yeckel—26		

NAYS—Senators—None

Absent—Senators

Champion	Coleman	Jacob	Loudon
Mathewson	Russell	Wheeler—7	

Absent with leave—Senator DePasco—1

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 243, introduced by Senator Yeckel, entitled:

An Act to amend chapter 37, RSMo, by adding thereto two new sections relating to the creation of the property preservation fund.

Was taken up.

On motion of Senator Yeckel, **SB 243** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dolan Mathewson Russell—3

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Steelman moved that **SB 219** be taken up for perfection, which motion prevailed.

Senator Steelman offered **SS** for **SB 219**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 219

An Act to repeal sections 42.175 and 313.835, RSMo, and to enact in lieu thereof six new sections relating to medallions for service in the armed forces, with an emergency clause.

Senator Steelman moved that **SS** for **SB 219** be adopted, which motion prevailed.

On motion of Senator Steelman, **SS** for **SB 219** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HS** for **HCS** for **HBs 349, 120, 136** and **328**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bartle requested unanimous consent of the Senate to submit a corrected committee report on **HCS** for **HB 394**, which request was granted.

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

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 394**, 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 House Committee Substitute for House Bill No. 394, Page 2, Section 194.119, Line 16, by striking all of said line and inserting in lieu thereof the following: “**serve as next-of-kin shall serve in the order provided in subdivisions (3) to (8) of this subsection;**”.

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 39**; **SCS** for **SB 199**; and **SCS** for **SB 620**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

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

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 600**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Gibbons, the Senate recessed until 2:30 p.m.

RECESS

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

RESOLUTIONS

Senator Shields offered Senate Resolution No. 594, regarding the Lafayette High School Student Council, St. Joseph, which was adopted.

Senator Shields offered Senate Resolution No. 595, regarding Matthew Norman Bowers, Kansas City, which was adopted.

Senator Foster offered Senate Resolution No. 596, regarding the Northern Cherokee Tribe of Missouri and Arkansas Tribal Council, which was adopted.

Senator Shields offered Senate Resolution No. 597, regarding Missouri State Highway Patrolman Brian Kelley, St. Joseph, which was adopted.

Senator Yeckel offered Senate Resolution No. 598, regarding Naval Flight Officer Matt “Teflon” Wilder, St. Louis County, which was adopted.

Senator Griesheimer offered Senate Resolution No. 599, regarding Christopher Gladwill, Washington, which was adopted.

Senator Caskey offered Senate Resolution No. 600, regarding Frederica Craft, Amoret, which was adopted.

Senator Mathewson offered Senate Resolution No. 601, regarding Joseph L. Driskill, Jefferson City, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Stoll moved that **SJR 13** be taken up for adoption, which motion prevailed.

At the request of Senator Stoll, **SJR 13** was placed on the Informal Calendar.

Senator Kinder moved that **SB 555**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 555, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 555**

An Act to amend chapter 91, RSMo, by adding thereto one new section relating to the supply of electrical power and energy to certain large industrial customers, with an emergency clause.

Was taken up.

Senator Kinder moved that **SCS for SB 555** be adopted.

Senator Kinder offered **SS for SCS for SB 555**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 555**

An Act to repeal section 91.030, RSMo, and to enact in lieu thereof two new sections relating to the supply of electrical power and energy, with an emergency clause.

Senator Kinder moved that **SS for SCS for SB 555** be adopted, which motion prevailed.

On motion of Senator Kinder, **SS for SCS for SB 555** was declared perfected and ordered printed.

At the request of Senator Goode, **SB 695** was placed on the Informal Calendar.

At the request of Senator Klindt, **SB 693**, with **SCS**, was placed on the Informal Calendar.

Senator Kinder moved that **SB 12** be taken up for perfection, which motion prevailed.

Senator Gross assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 12, Page 2, Section 1.307, Line 10, by inserting after all of said line the following:

“1.309. A governmental authority may not restrict an inmate’s or prisoner’s free exercise

of religion unless it demonstrates that the application of the restriction to an inmate held in a state correctional facility or prisoner held in a county or municipal jail is reasonably related to legitimate penological interests and otherwise meets all criteria set forth by the United States Supreme Court.”; and

Further amend the title and enacting clause accordingly.

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

On motion of Senator Kinder, **SB 12** was declared perfected and ordered printed.

Senator Dolan moved that **SB 381, SB 384, SB 432** and **SB 9**, with **SCS, SS** for **SCS** and **SA 19** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 19 was again taken up.

At the request of Senator Bartle, the above amendment was withdrawn.

At the request of Senator Dolan, **SB 381, SB 384, SB 432** and **SB 9**, with **SCS** and **SS** for **SCS**, as amended (pending), were placed on the Informal Calendar.

Senator Shields assumed the Chair.

Senator Gross moved that **SB 248, SB 100, SB 118, SB 233, SB 247, SB 341** and **SB 420**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 248, 100, 118, 233, 247, 341** and **420**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 248, 100, 118, 233, 247,
341 and 420

An Act to repeal sections 86.690, 104.010, 104.271, 104.1003, 104.1024, 169.030, 169.050, 169.056, 169.070, 169.570, 169.577, 169.590, 169.620, 169.650, 169.655, 169.670, 287.845, RSMo, and to enact in lieu thereof twenty-five new

sections relating to the retirement systems and benefits, with penalty provisions and an emergency clause for certain sections.

Was taken up.

Senator Gross moved that **SCS** for **SBs 248, 100, 118, 233, 247, 341** and **420** be adopted.

Senator Gross offered **SS** for **SCS** for **SBs 248, 100, 118, 233, 247, 341** and **420**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 248, 100, 118, 233, 247,
341 and 420

An Act to repeal sections 86.690, 104.010, 104.040, 104.271, 104.1003, 104.1024, 169.030, 169.050, 169.056, 169.070, 169.570, 169.577, 169.590, 169.620, 169.650, 169.655, 169.670, 287.845, RSMo, and to enact in lieu thereof twenty-six new sections relating to the retirement systems and benefits, with penalty provisions and an emergency clause for certain sections.

Senator Gross moved that **SS** for **SCS** for **SBs 248, 100, 118, 233, 247, 341** and **420** be adopted.

Senator Caskey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 248, 100, 118, 233, 247, 341 and 420, Page 21, Section 104.271, Line 27, by inserting after all of said line the following:

“104.370. 1. Any member of the general assembly who has served at least three full biennial assemblies as a member of the general assembly and who meets the conditions for retirement at or after the member's normal retirement age shall be entitled to a normal annuity in a monthly amount equal to one hundred fifty dollars multiplied by the number of biennial assemblies in which such member has served. For the purpose of calculating benefits due under this subsection:

(1) Service in any portion of a biennial assembly after service in at least three biennial assemblies shall be credited as service in a full biennial assembly; and

(2) Any person who is elected as a member of the general assembly at a special election and who serves the remainder of that term to which he was elected at such special election shall receive credit for a full biennial assembly for such service.

2. If a member of either retirement system established by this chapter, who has served at least three full biennial assemblies as a member of the general assembly, is elected to a state office, appointed to a state office, or employed by the state before, after, or before and after his service as a member of the general assembly, the member may, at the end of such employment, receive upon retirement, at or after the member's normal retirement age, the amount which shall be due the member for creditable service as a member of the general assembly. If he has not fully vested as a result of his employment as other than a member of the general assembly, he shall be credited with additional service as a legislator just as though all of the service combined had in fact been rendered as a member of the general assembly and receive a normal annuity. If the member retires before normal retirement age, the member shall receive the actuarial reduction approved by the board. Nothing in this section shall allow any member to simultaneously accumulate service in more than one state retirement system as a member of the general assembly and an employee or state officer; **provided that, any member who otherwise would accrue simultaneous creditable service as a member of the general assembly and as an employee or state officer, may elect prior to retirement to receive such member's service as an employee or state officer in lieu of receiving such creditable service as a member of the general assembly pursuant to subdivision (1) of subsection 1 of this section. Any member who makes such election shall receive creditable service for the member's remaining legislative**

service equal the pro rata portion of the biennial assembly actually served by such member. The provisions of this subsection providing an election with regard to simultaneous creditable service shall apply to any member of the general assembly who is employed on or after August 28, 2003, or any former member of the general assembly who is employed as an employee or state officer on or after August 28, 2003. The term "state officer" as used in this subsection includes a statewide elected official as described pursuant to section 104.371, an administrative law judge or legal advisor as defined in section 287.812, RSMo, or a judge as defined in section 476.515, RSMo.

3. A member who has fully vested as a state officer or employee and has service as a member of the general assembly of less than three full biennial assemblies, upon retirement, at or after the member's normal retirement age, shall be credited with additional service as a state officer or employee for the time he served as a member of the general assembly. If the member retires before normal retirement age, he shall receive the actuarial reduction approved by the board.

4. Any member of the general assembly who has served at least three full biennial assemblies and whose service as such terminates on or after October 1, 1984, and who served as an employee, as that term is defined in section 104.010, prior to the respective dates on which the retirement systems to which such sections apply originally became effective, but was not such an employee on such dates, shall be entitled to the creditable prior service that such employee would have been entitled to in either or both systems had such employee become a member on the date of inception of either or both systems. The maximum number of years of creditable prior service to which a member may become entitled pursuant to this section is less than ten years. The benefits attributable to such service shall be calculated as if all service was rendered as a member of the general assembly.

5. Any former member of the general assembly who is receiving benefits under the provisions of this section shall, upon written request to the board, be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement and other related matters and shall upon request of the board give opinions in writing or orally in response to such requests. As compensation for such services, the retired member shall have his retirement benefits recalculated the first of the month next following his application under this subsection to reflect that any portion of a year of creditable service shall be counted as one full biennial session.

6. Any retired member who is receiving benefits from the system and is elected to the general assembly but does not serve at least three biennial sessions shall receive creditable service for the time he served in the general assembly and upon leaving the general assembly shall have an additional benefit calculated using such service.

7. Benefits paid for service credited to legislative service shall be funded as provided in section 104.436.

8. Any former member of the general assembly not retired on August 28, 1994, who is fifty-five years of age or more and who has creditable service in the general assembly of at least three full biennial assemblies and has not used such services as creditable services in any other retirement system shall be made and employed by the board as a special consultant on the problems related to retirement and shall, when requested by the board, give opinions either written or orally on such problems. As compensation for such duties the former member of the general assembly shall be entitled to retire with a normal annuity effective the first of the month following receipt by the board of a written application.

9. Notwithstanding any other law to the contrary, any active member of the Missouri state employees' retirement system who is vested, on

August 28, 1994, under the provisions of subsection 1 of this section, and who has served as an elected county official and who, by virtue of such service was a member of a retirement system other than the Missouri state employees' retirement system but was not vested in such other retirement system, or was not a member of any retirement system, shall receive creditable prior service in the Missouri state employees' retirement system for such previous service as an elected county official.”; and

Further amend the title and enacting clause accordingly.

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

Senator Stoll offered SA 2, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 248, 100, 118, 233, 247, 341 and 420, Page 64, Section 169.590, Line 5, by striking “one” and inserting in lieu thereof “[one] two”.

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

Senator Jacob offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 248, 100, 118, 233, 247, 341 and 420, Page 29, Section 104.1024, Line 19 of said page, by inserting immediately after said line the following:

“168.303. The state board of education shall adopt rules to facilitate job-sharing positions for classroom teachers, as the term “job-sharing” is defined in this section. These rules shall provide that a classroom teacher in a job-sharing position shall receive paid legal holidays, annual vacation leave, sick leave, and personal leave on a pro rata basis. “Job-sharing position” shall mean any position:

(1) Shared with one other employee;

(2) Requiring employment of at least seventeen hours per week but not more than twenty hours per week on a regular basis; and

(3) Requiring at least seventy percent of all time spent in classroom instruction as determined by the employer;

provided that, job-sharing position shall not include instructional support or school services positions including, but not limited to, guidance counselor, media coordinator, psychologist, social worker, audiologist, speech and language pathologist, and nursing positions.”; and

Further amend said bill, page 90, Section 169.673, line 12 of said page, by inserting immediately after said line the following:

“169.712. **1.** Notwithstanding any provision of law to the contrary, any person duly certificated under the law governing the certification of teachers in Missouri who, after August 28, 1997, is first employed in a position which would otherwise qualify the person for membership in the nonteacher school employee retirement system pursuant to the provisions of sections 169.600 to 169.710 shall be a member of the public school retirement system pursuant to the provisions of sections 169.010 to 169.141, and shall receive creditable service on a pro rata basis in that system for subsequent certificated services which would otherwise have been creditable in the nonteacher school employee retirement system. Any such person shall have the option of being a member of the nonteacher school employee retirement system. The option election must be filed with the board of trustees of the public school retirement system within ninety days of first such employment following August 28, 1997.

2. Notwithstanding any provision of law to the contrary, any person duly certificated under the law governing the certification of teachers in Missouri who, on or after August 28, 2003, is employed by a public school, as defined in

section 169.010, for at least seventeen but less than twenty hours per week on a regular basis shall be a member of the public school retirement system pursuant to the provisions of sections 169.010 to 169.141, and shall receive creditable service on a pro rata basis in that system. Any such person shall have the option of being a member of the nonteacher school employee retirement system. The option election must be filed with the board of trustees of the public school retirement system within ninety days of first such employment or within ninety days of August 28, 2003, whichever later occurs.

3. Any person who is a member of the public school retirement system or the nonteacher school employee retirement system pursuant to subsection 2 of this section may purchase credit in such system for service after August 28, 1991, that would have qualified such person for membership in either retirement system pursuant to subsection 2 of this section had such subsection been in effect prior to August 28, 2003; provided that such purchase of credit in the public school retirement system shall be subject to the provisions of section 169.056 and such purchase of credit in the nonteacher school employee retirement system shall be subject to the provisions of section 169.655.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Gross, **SB 248, SB 100, SB 118, SB 233, SB 247, SB 341 and SB 420**, with **SCS and SS for SCS**, as amended (pending), were placed on the Informal Calendar.

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 **SS** for **SB 219**; **SS** for **SCS** for **SB 555**; and **SB 12**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Kinder referred **SCS** for **SB 620**; **SB 12**; **SB 39**; and **HCS** for **HB 600**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Bland offered the following resolution:

SENATE RESOLUTION NUMBER 602

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the Youth Leadership Conference sponsored by the Missouri Legislative Black Caucus Foundation is an educational experience in state government for youth by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, hereby grant the Youth Leadership Conference permission to use the Senate Chamber on Friday, July 11, 2003, and Saturday, July 12, 2003, from 8 a.m. to 5 p.m.

Senator Bland requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 602** up for adoption, which request was granted.

On motion of Senator Bland, **SR 602** was adopted.

Senator Bland offered Senate Resolution No. 603, regarding Spring Convocation of the Third Episcopal District of the Christian Methodist Episcopal Church, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Childers introduced to the Senate, students from Cassville High School, Cassville; and Jared Corn was made an honorary page.

On behalf of Senators Steelman, Stoll, Griesheimer, Foster and himself, Senator Kennedy introduced to the Senate, Jerri Sites, Sullivan; and J. Tracy Wieking, Festus.

On behalf of Senator Vogel and herself, Senator Coleman introduced to the Senate, Amy Rogers, Jefferson City.

Senator Bartle introduced to the Senate, members of the Blue Springs Chamber Leadership, Blue Springs.

Senator Yeckel introduced to the Senate, Sister Mary Jean Ryan, SSM, Dixie Platt, and Suzy Farron, St. Louis.

Senator Goode introduced to the Senate, Richard Kling, Christopher Almond, and students from St. Angela Merici School, St. Louis; and Jordan Barnes, Sarah Graham, Christina Reddan, and Joseph Theisman were made honorary pages.

Senator Gross introduced to the Senate, the Duchesne High School Girls Class 4A State Championship Basketball Team: Coaches: Charlie Elmendorf, Pat Steagall, Courtney Bland, and Mike Kelley; Team Manager: Jenna Friedel; Statisticians: Michelle Fortner, Angela Fortner, and Amanda Simon; and Players: Meghan Blase, Julie Stevens, Abby Goellner, Brittany Mannings, Emily Friedel, Lauren Thoele, Alison Brown, Megan Hagerty, Emily Lynch, Missy Hollander, Maggie Hoette, Sarah Sullivan, and Lindsey Zaleuke, St. Charles.

Senator Cauthorn introduced to the Senate, Stacy Johnson Caran, Audrain County; and Alvin Johnson, Franklin County.

Senator Steelman introduced to the Senate, Ken Clayton, Phelps County; and Laura Kriebs, Pulaski County.

Senator Kennedy introduced to the Senate, John D. Rupp, Potosi.

Senator Caskey introduced to the Senate, Coach George Bruto and members of the Adrian High School “Blackhawks” Class 1A State Football Champions, Adrian.

Senator Kennedy introduced to the Senate, Principal Barry Stahl, Superintendent and Coach Larry Morgan, and members of the East Carter County R-II Class 2-A State Basketball Champions, Clearwater.

Senator Russell introduced to the Senate, Fire Chief Tim Bean, West Plains.

On behalf of Senator Klindt and himself, Senator Cauthorn introduced to the Senate, Dana Farris, and twenty-two sixth grade students and adults from Green City School, Sullivan County.

Senator Champion introduced to the Senate, Charlie Dennison, Ron Mock, Jim Tygret, and Mavis Busiek, Springfield.

Senator Stoll introduced to the Senate, Rick Freedman, Pacific; and Terry Sahr, Cedar Hill.

Senator Bartle introduced to the Senate, members of the Grain Valley Chamber of Commerce, Grain Valley.

Senator Gross introduced to the Senate, Carl J. Maus and his son, C.J., Penny Bennett, Mark Torrisi, Fred and Penny Henke, and Jim Bennett, St. Charles.

Senator Shields introduced to the Senate, Bill

Freund and eighth grade students from St. Therese Middle School, St. Joseph; and Emma Drake, Stephen Hinkle, Laura Hilliard, and Lydia Maas were made honorary pages.

Senator Klindt introduced to the Senate, his daughter-in-law, Karen Klindt, his grandsons, Ashton and Landon, and seventy-five fourth grade students from South Harrison Elementary School, Bethany; and Ashton and Landon were made honorary pages.

Senator Champion introduced to the Senate, Nathan and Jeremy Garten, Springfield.

On behalf of Senator Bartle, the President introduced to the Senate, representatives of the Metropolitan Council on Developmental Disabilities, Jackson County.

Senator Wheeler introduced to the Senate, Carol Dzury and Roy Johnson, Kansas City.

Senator Scott introduced to the Senate, Wes Kemp and Lane Nutt, Bolivar; and Elton Evans, El Dorado Springs.

Senator Dolan introduced to the Senate, former State Representative Bill Luetkenhaus, St. Charles County.

Senator Caskey introduced to the Senate, Dan Dodson, Washington, D.C.

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

SENATE CALENDAR

FIFTY-FIFTH DAY—THURSDAY, APRIL 17, 2003

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HB 267-Smith (118)

HS for HB 470-Mayer

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. SS for SCS for SBs 361,
103, 156 & 329-Steelman
(In Fiscal Oversight) 2. SB 184-Bartle and Scott
(In Fiscal Oversight) 3. SCS for SB 38-Klindt, et al 4. SS for SB 28-Gross 5. SB 39-Cauthorn, et al
(In Fiscal Oversight) | <ol style="list-style-type: none"> 6. SCS for SB 199-Childers 7. SCS for SB 620-Loudon, et al
(In Fiscal Oversight) 8. SS for SB 219-Steelman 9. SS for SCS for SB 555-Kinder 10. SB 12-Kinder and Scott
(In Fiscal Oversight) |
|---|---|

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. SB 27-Gibbons, with SCS 2. SB 209-Steelman, et al,
with SCS 3. SB 685-Gibbons, et al, with SCS 4. SB 455-Dougherty and Shields 5. SBs 343, 89, 134, 171, 240,
261, 331, 368, 369, 419, 484
& 581-Dolan, with SCS 6. SB 446-Bartle, with SCS 7. SB 242-Yeckel, with SCA 1 | <ol style="list-style-type: none"> 8. SBs 415, 88, 200, 223, 413,
523, 589 & 626-Yeckel,
with SCS 9. SB 564-Gross 10. SB 236-DePasco and Loudon 11. SB 458-Childers 12. SBs 312, 49, 111, 113, 191,
206, 263, 404, 409, 418, 538,
550 & 584-Dolan, et al, with
SCS |
|---|---|

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| <p>HCS for HB 73 (Yeckel)
HS for HCS for HB 321-
Wilson (130) (Loudon)
HCS for HBs 122 & 80
(Bland)
HCS for HB 390, with SCS
(Cauthorn)
HCS for HB 380, with SCS
(Bartle)</p> | <p>HCS for HB 289, with SCS
(Steelman)
(In Fiscal Oversight)
HS for HCS for HBs 349, 120,
136 & 328-Crawford
HCS for HB 600, with SCS
(Shields)
(In Fiscal Oversight)</p> |
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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 18-Yeckel and Cauthorn, with SCS & SS for SCS (pending)	SB 300-Cauthorn, et al, with SCS
SB 24-Steelman, with SCS & SS for SCS (pending)	SB 305-Jacob and Steelman, with SS & point of order (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 693-Klindt, et al, with SCS
	SB 695-Goode and Russell
	SJR 13-Stoll

HOUSE BILLS ON THIRD READING

HB 412-Goodman, et al (Childers)

CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 62-Caskey

Reported 3/13

SB 159-Bland, with SCS
SB 694-Klindt

SB 490-Dolan

House Bills

Reported 4/7

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

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

Reported 4/8

HB 141-Mayer (Bartle)

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
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 445-Portwood, et al, with
SCS (Loudon)
HB 597-Schlottach, et al (Dolan)
HCS for HB 245 (Clemens)
HB 162-Shoemaker (Cauthorn)

HB 284-Crawford, with SCS
(Dolan)

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)

HCS for HB 253 (Mathewson)

HCS for HB 394, with SCA 1
(Caskey)

HCS for HB 427, with SCS
(Bartle)

HB 430-Stevenson, et al (Caskey)

HB 599-Burnett, et al (Wheeler)

HCS for HB 613, with SCS
(Bartle)

HCS for HBs 152 & 180,
with SCS (Bartle)

HCS for HBs 348 & 347
(Griesheimer)

HCS for HB 131 (Griesheimer)

HB 254-Byrd (Klindt)

HB 553-Smith (14) (Gross)

HB 523-Dusenberg, et al
(Vogel)

HCS for HB 575, with SCS
(Foster)

HB 75-Ruestman, et al (Childers)

HB 187-Cooper (120) and
Davis (122) (Dolan)

HCS for HB 371, with SCS
(Dolan)

HB 478-Moore, et al (Yeckel)

HCS for HB 493 (Dolan)

HB 491-Rupp, et al, with SCS
(Dolan)

HCS for HB 356 (Scott)

RESOLUTIONS

SCR 15-Dolan, et al

HCR 29-Jetton, et al

SCR 19-Bland

Reported from Committee

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

SCR 3-Loudon