

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 23, 2003

The Senate met pursuant to adjournment.

Senator Shields in the Chair.

Reverend Carl Gauck offered the following prayer:

“No discipline seems pleasant at the time but painful.”
(Hebrews 12:11)

Merciful Father, may we always remember that You discipline us out of love for Your people. We know Lord that through the difficulties we are faced with, and the anxieties people throughout the state are experiencing, there is a discipline to be learned here. Help us be among those open to this teaching that we might acquire a new peace and righteousness so we might live more effective lives. 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 MTS & MTN, the Associated Press, Rock Wood School District and KMIZ-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.

RESOLUTIONS

Senator Foster offered Senate Resolution No. 715, regarding Jessica Diane Bible, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 716, regarding Haylee Hunt, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 717, regarding Abbey Smith, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 718, regarding Emily Earnest, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 719, regarding Ciera Nychole Walker, Kennett, which was adopted.

Senator Foster offered Senate Resolution No.

720, regarding Erica Nicole Harmon, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 721, regarding Leslie Ann Holloway, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 722, regarding Sarah Garrett, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 723, regarding Leah Paige McCormick, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 724, regarding Annaliese Thiele, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 725, regarding Amanda Nichole Carnell, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 726, regarding Ashley Danielle Autry, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 727, regarding Lydia Wade, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 728, regarding Amy Nicole Robinson, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 729, regarding Brooke Privett, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 730, regarding Brittany Lytle, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 731, regarding Jaime Paige Wamington, Kennett, which was adopted.

Senator Foster offered Senate Resolution No. 732, regarding Patricia Pfeffer, Kennett, which was adopted.

Senator Caskey offered Senate Resolution No. 733, regarding the Fiftieth Wedding Anniversary of

Mr. and Mrs. Willard Crust, Archie, which was adopted.

Senator Loudon offered Senate Resolution No. 734, regarding University Outreach and Extension Week 2003, which was adopted.

Senator Loudon offered Senate Resolution No. 735, regarding Matthew R. Michelson, which was adopted.

Senator Vogel offered Senate Resolution No. 736, regarding Travis M. Figg, Jefferson City, which was adopted.

Senator Days offered Senate Resolution No. 737, regarding the St. Louis Cinco De Mayo Festival and Parade, which was adopted.

Senator Jacob offered Senate Resolution No. 738, regarding Linda Fowler, Moberly, which was adopted.

CONCURRENT RESOLUTIONS

Senator Foster offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, the national motto of the United States is “In God We Trust”; and

WHEREAS, the national motto was adopted in 1956 and is codified in the laws of the United States at Section 302 of Title 36, United States Code; and

WHEREAS, the national motto is a reference to the nation's “religious heritage” (*Lynch v. Donnelly*, 465 U.S. 668, 676 (1984)); and

WHEREAS, the national motto recognizes the religious beliefs and practices of the American people as an aspect of our national history and culture; and

WHEREAS, nearly every criminal law on the books can be traced to some religious principle or inspiration; and

WHEREAS, the national motto is deeply interwoven into the fabric of our civil polity; and

WHEREAS, the national motto recognizes the historical fact that our nation was believed to have been founded “under God”; and

WHEREAS, the content of the national motto is as old as the Republic itself and has always been as integral a part of the First

Amendment as the very words of that charter of religious liberty; and

WHEREAS, the display and teaching of the national motto to public school children has a valid secular purpose, such secular purpose being to foster patriotism, symbolize the historical role of religion in our society, express confidence in the future, inculcate hope, and instruct in humility; and

WHEREAS, there is a long tradition of government acknowledgment of religion in mottos, oaths, and anthems; and

WHEREAS, the national motto serves “the legitimate secular purposes of solemnizing public occasions, expressing confidence in the future, and encouraging the recognition of what is worthy of appreciation in society” (*Lynch v. Donnelly*, 465 U.S. at 693 (O’Connor, J., concurring)); and

WHEREAS, the national motto reflects the sentiment that “[w]e are a religious people whose institutions presuppose a Supreme Being” (*Zorach v. Clauson*, 343 U.S. 306, 313 (1952)); and

WHEREAS, President George Washington, in his Farewell Address, stated, “[o]f all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports,” and “[w]hatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle,” and “let us with caution indulge the supposition that morality can prevail in exclusion of religious principle”; and

WHEREAS, President John Adams wrote that “it is religion and morality alone which can establish the principles upon which freedom can securely stand”; and

WHEREAS, the role of religion in public life is an important one which deserves the public’s attention; and

WHEREAS, the signers of the Declaration of Independence appealed to the Supreme Judge of the World for the rectitude of their intentions, and avowed a firm reliance of the protection of Divine Providence; and

WHEREAS, President George Washington, in his First Inaugural Address, said that “it would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes”; and

WHEREAS, The First Congress urged President George Washington to proclaim “a day of public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many

single favors of Almighty God”; and

WHEREAS, the First Congress reenacted the Northwest Ordinance, which stated that “[r]eligion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged”; and

WHEREAS, the Declaration of Independence demonstrates this Nation was founded on transcendent values which flow from a belief in a Supreme Being; and

WHEREAS, the Founding Fathers believed devotedly that there was a God and that the unalienable rights of man were rooted in Him, is clearly evidenced in their writings, from the Mayflower Compact to the Constitution itself; and

WHEREAS, religion has been closely identified with the history and Government of the United States; and

WHEREAS, our national life reflects a religious people who earnestly pray that the Supreme Lawgiver guide them in every measure which may be worthy of His blessing; and

WHEREAS, the national motto is prominently engraved in the wall above the Speaker’s dais in the Chamber of the House of Representatives, appears over the entrance to the Chamber of the Senate, and is depicted on all United States coins and currency:

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 affirm the support of the Missouri Legislature for the United State’s national motto “In God We Trust”, and encourages the display of the national motto of the United States in public buildings throughout the state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly affirm our support for and encourage any elected or appointed official, state employee, teacher, administrator, or local school board in any public school district of this state, to read or post in any public building, school, classroom, or at a school event any excerpts or portions of any historical document, writing, or record relating to the founding of the United States of America or the state of Missouri, or both, and any historical document, writing, or record that represents a substantial influence on national or state history, including:

- (1) The Preamble to the Missouri Constitution;
- (2) The Declaration of Independence;
- (3) The Constitution of the United States of America;
- (4) The Mayflower Compact;
- (5) The national motto;
- (6) The National Anthem;

(7) The Pledge of Allegiance;

(8) The writings, speeches, documents, and proclamations of the founding fathers and Presidents of the United States of America;

(9) The writings, speeches, and documents relating to civil rights leaders of the United States of America;

(10) The writings, speeches, and documents relating to the signers of the Declaration of Independence and the Constitution of the United States of America;

(11) The decisions of the Supreme Court of the United States of America; and

(12) Acts of the Congress of the United States of America, including the published text of the Congressional record; and

BE IT FURTHER RESOLVED that there shall be no content-based censorship of American or Missouri history or heritage as represented in its historical documents, writings, and records based upon religious references contained within these documents, writings, and records; nor shall there be a use of such documents, writings, and records to advance or inhibit a religion or particular religious belief; 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 of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

HOUSE BILLS ON THIRD READING

HS for HB 3, with SCS, entitled:

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

Was called from the Informal Calendar and taken up by Senator Russell.

SCS for HS for HB 3, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 3**

An Act to appropriate money for the expenses,

grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS for HS for HB 3** be adopted.

Senator Caskey offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 3, Page 6, Section 3.135, by deleting said section in its entirety and inserting in lieu thereof the following:

“Section 3.135. To the Department of Higher Education

For distribution to community colleges as provided in Section 163.191, RSMo, program improvements in workforce preparation, selected out-of-district courses, workforce preparation projects, and regional technical education initiatives

From General Revenue Fund	\$ 122,439,777
From Lottery Proceeds Fund	<u>5,696,592</u>
Total	\$ 128,136,369

And further amend said bill, Page 7, Section 3.145, Line 3, by deleting the figure “\$3,762,484” and inserting in lieu thereof the figure “\$3,949,072”; and

Further amend said bill, Page 7, Section 3.145, by deleting lines 5 through 8; and

Further amend said bill, Page 8, Section 3.150, Line 3, by deleting the figure “\$44,607,433” and inserting in lieu thereof the figure “\$46,819,587”; and

Further amend said bill, Page 8, Section 3.150,

by deleting Lines 5 through 9; and

Further amend said bill, Page 8, Section 3.155, Line 3, by deleting the figure “\$36,324,075” and inserting in lieu thereof the figure “\$38,125,444”; and

Further amend said bill, Page 8, Section 3.155, by deleting Lines 5 through 9; and

Further amend said bill, Page 8, Section 3.160, Line 3, by deleting the figure “\$66,157,190” and inserting in lieu thereof the figure “\$69,429,381”; and

Further amend said bill, Page 9, Section 3.160, by deleting Lines 5 through 9; and

Further amend said bill, Page 9, Section 3.165, Line 3, by deleting the figure “\$13,883,547” and inserting in lieu thereof the figure “14,572,030”; and

Further amend said bill, Page 9, Section 3.165, by deleting Lines 5 through 9; and

Further amend said bill, Page 9, Section 3.170, Line 3, by deleting the figure “\$33,785,024” and inserting in lieu thereof the figure “\$35,460,477”; and

Further amend said bill, Pages 9-10, Section 3.170, by deleting Lines 5 through 9; and

Further amend said bill, Page 10, Section 3.175, Line 3, by deleting the figure “\$24,917,193” and inserting in lieu thereof the figure “\$26,144,617”; and

Further amend said bill, Page 10, Section 3.175, by deleting Lines 5 through 9; and

Further amend said bill, Page 10, Section 3.180, Line 3, by deleting the figure “\$17,498,199” and inserting in lieu thereof the figure “\$18,355,572”; and

Further amend said bill, Page 10, Section 3.180, by deleting Lines 5 through 9; and

Further amend said bill, Page 11, Section 3.185, Line 3, by deleting the figure “\$17,180,248”

and inserting in lieu thereof the figure “\$18,025,456”; and

Further amend said bill, Page 11, Section 3.185, by deleting Lines 5 through 9; and

Further amend said bill, Page 11, Section 3.190, Line 3, by deleting the figure “\$8,130,221” and inserting in lieu thereof the figure “\$8,533,412”; and

Further amend said bill, Page 11, Section 3.190, by deleting Lines 5 through 9; and

Further amend said bill, Page 12, Section 3.195, Line 4, by deleting the figure “\$329,874,027” and inserting in lieu thereof the figure “\$346,233,005”; and

Further amend said bill, Page 12, Section 3.195, by deleting Lines 6 through 10.

Senator Caskey moved that the above amendment be adopted.

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

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

Amend Senate Committee Substitute for House Substitute for House Bill No. 3, Page 6, Section 3.135, by deleting said section and inserting in lieu thereof the following:

“Section 3.135. To the Department of Higher Education

For distribution to community colleges as provided in Section 163.191, RSMo, program improvements in workforce preparation, selected out-of-district courses, workforce preparation projects, and regional technical education initiatives

From General Revenue Fund	\$ 126,660,716
From Lottery Proceeds Fund	<u>5,696,592</u>
Total	\$ 132,357,308

And further amend said bill, Page 7, Section 3.145, Line 3, by deleting the figure “\$3,762,484”

and inserting in lieu thereof the figure “\$4,093,011”; and

Further amend said bill, Page 7, Section 3.145, by deleting lines 5 through 8. Adjust section total accordingly; and

Further amend said bill, Page 8, Section 3.150, Line 3, by deleting the figure “\$44,607,433” and inserting in lieu thereof the figure “\$48,526,105”; and

Further amend said bill, Page 8, Section 3.150, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 8, Section 3.155, Line 3, by deleting the figure “\$36,324,075” and inserting in lieu thereof the figure “\$39,515,071”; and

Further amend said bill, Page 8, Section 3.155, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 8, Section 3.160, Line 3, by deleting the figure “\$66,157,190” and inserting in lieu thereof the figure “\$71,953,643”; and

Further amend said bill, Page 9, Section 3.160, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 9, Section 3.165, Line 3, by deleting the figure “\$13,883,547” and inserting in lieu thereof the figure “15,103,146”; and

Further amend said bill, Page 9, Section 3.165, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 9, Section 3.170, Line 3, by deleting the figure “\$33,785,024” and inserting in lieu thereof the figure “\$36,752,970”; and

Further amend said bill, Pages 9-10, Section 3.170, by deleting Lines 5 through 9. And adjust section total accordingly; and

Further amend said bill, Page 10, Section 3.175, Line 3, by deleting the figure “\$24,917,193” and inserting in lieu thereof the figure “\$27,091,487”; and

Further amend said bill, Page 10, Section 3.175, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 10, Section 3.180, Line 3, by deleting the figure “\$17,498,199” and inserting in lieu thereof the figure “\$19,016,975”; and

Further amend said bill, Page 10, Section 3.180, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 11, Section 3.185, Line 3, by deleting the figure “\$17,180,248” and inserting in lieu thereof the figure “\$18,677,474”; and

Further amend said bill, Page 11, Section 3.185, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 11, Section 3.190, Line 3, by deleting the figure “\$8,130,221” and inserting in lieu thereof the figure “\$8,844,444”; and

Further amend said bill, Page 11, Section 3.190, by deleting Lines 5 through 9. Adjust section total accordingly; and

Further amend said bill, Page 12, Section 3.195, Line 4, by deleting the figure “\$329,874,027” and inserting in lieu thereof the figure “\$358,852,788”; and

Further amend said bill, Page 12, Section 3.195, by deleting Lines 6 through 10. Adjust section total accordingly; and

Further amend said bill, Page 14, by adjusting bill totals accordingly.

Senator Days moved that the above substitute amendment be adopted.

Senator Childers assumed the Chair.

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

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

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for House Substitute for House Bill No. 3, Line 8, by deleting the figure “\$126,660,716” and inserting in lieu thereof “\$131,203,990”; and Line 12, by deleting the figure “\$4,093,011” and inserting in lieu thereof the figure “\$4,268,947”; and Line 15, by deleting the figure “\$48,526,105” and inserting in lieu thereof the figure “\$50,611,984”; and Line 18, by deleting the figure “\$39,515,071” and inserting in lieu thereof the figure “\$41,213,614”; and Line 21, by deleting the figure “\$71,953,643” and inserting in lieu thereof the figure “73,094,217”; and Line 24, by deleting the figure “\$15,103,146” and inserting in lieu thereof the figure “\$15,746,900”; and Line 27, by deleting the figure “\$36,752,970” and inserting in lieu thereof the figure “\$38,332,785”; and Line 30, by deleting the figure “\$27,091,487” and inserting in lieu thereof the figure “\$26,391,659”; and Line 34, by deleting the figure “\$19,016,975” and inserting in lieu thereof the figure “\$17,489,031”; and Line 38, by deleting the figure “\$18,677,474” and inserting in lieu thereof the figure “\$17,948,071; and Line 42, by deleting the figure “\$8,844,444” and inserting in lieu thereof the figure “\$9,224,620”; and Line 45, by deleting the figure “\$358,852,788” and inserting in lieu thereof the figure “\$374,277,963”.

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

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

YEAS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Jacob	Kennedy

Mathewson	Quick	Stoll	Wheeler—12
-----------	-------	-------	------------

NAYS—Senators

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

Absent—Senator Goode—1

Absent with leave—Senator DePasco—1

SSA 1 for **SA 1** was again taken up.

Senator Days moved that the above substitute amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Bland, Bray, Jacob and Stoll.

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

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators

Bartle	Goode—2
--------	---------

Absent with leave—Senator DePasco—1

SA 1 was again taken up.

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

SA 1 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
-------	------	--------	---------

Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

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

Absent—Senator Goode—1

Absent with leave—Senator DePasco—1

Senator Jacob offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Bill No. 3, Page 6, Section 3.135, by deleting said section and inserting in lieu thereof the following:

“Section 3.135. To the Department of Higher Education

For distribution to community colleges as provided in Section 163.191, RSMo, program improvements in workforce preparation, selected out-of-district courses, workforce preparation projects, and regional technical education initiatives

From General Revenue Fund	\$ 116,968,187
From Lottery Proceeds Fund . .	<u>5,696,592</u>
	122,664,779

For distribution to community colleges as provided in Section 163.191, RSMo, program improvements in workforce preparation, selected out-of-district courses, workforce preparation projects, and regional technical education initiatives, contingent upon the availability of additional new revenue for Fiscal Year 2004 as authorized in legislation in 2003 by the 92nd General Assembly and approved by the Governor and/or voters.

From General Revenue Fund	<u>\$ 14,235,803</u>
Total	\$ 136,900,582

And further amend said bill, Page 7, Section 3.145, Line 8, by deleting the figure “186,588” and inserting in lieu thereof the figure “506,463”. Adjust section total accordingly; and

Further amend said bill, Page 8, Section 3.150, Line 9, by deleting the figure “\$2,212,154” and inserting in lieu thereof the figure “\$6,004,551”. Adjust section total accordingly; and

Further amend said bill, Page 8, Section 3.155, Line 9, by deleting the figure “\$1,801,369” and inserting in lieu thereof the figure “\$4,889,539”. Adjust section total accordingly; and

Further amend said bill, Page 9, Section 3.160, Line 9, by deleting the figure “\$3,272,191” and inserting in lieu thereof the figure “\$6,937,027”. Adjust section total accordingly; and

Further amend said bill, Page 9 Section 3.165, Line 9, by deleting the figure “\$688,483” and inserting in lieu thereof the figure “\$1,863,353”. Adjust section total accordingly; and

Further amend said bill, Page 10, Section 3.170, Line 9, by deleting the figure “\$1,675,453” and inserting in lieu thereof the figure “\$4,547,761”. Adjust section total accordingly; and

Further amend said bill, Page 10, Section 3.175, Line 9, by deleting the figure “\$1,227,424” and inserting in lieu thereof the figure “\$1,474,466”. Adjust section total accordingly; and

Further amend said bill, Page 10, Section 3.180, Lines 5-9, by deleting said lines in their entirety. Adjust section total accordingly; and

Further amend said bill, Page 11, Section 3.185, Line 9, by deleting the figure “\$845,208” and inserting in lieu thereof the figure “\$767,823”. Adjust section accordingly; and

Further amend said bill, Page 11, Section 3.190, Line 9, by deleting the figure “\$403,191” and inserting in lieu thereof the figure “\$1,094,399”. Adjust section total accordingly; and

Further amend said bill, Page 12, Section

3.195, Line 10, by deleting the figure “\$16,358,978” and inserting in lieu thereof the figure “\$44,403,936”. Adjust section total accordingly; and

Further amend said bill, Page 14, by adjusting bill totals accordingly.

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

Senator Shields assumed the Chair.

SA 2 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senator Goode—1

Absent with leave—Senator DePasco—1

Senator Jacob offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Bill No. 3, Page 3, Section 3.040, Lines 1-4, by deleting said section in its entirety; and

Further amend said bill, Page 3, Section 3.045, by deleting said section in its entirety; and

Further amend said bill, Page 3, Section 3.050, by deleting said section in its entirety; and

Further amend said bill, Page 3, Section 3.055, by deleting said section in its entirety; and

Further amend said bill, Page 3, Section 3.060,

Line 4, by deleting the figure “\$425,000” and inserting in lieu thereof the figure “\$29,422,386”. Adjust section total accordingly; and

Further amend said bill, Page 4, Section 3.065, Line 4, by deleting the figure “\$8,385,000 E” and inserting in lieu thereof the figure “\$37,382,386 E”. Adjust section total accordingly.

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

SA 3 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators

Champion Stoll—2

Absent with leave—Senator DePasco—1

Senator Russell offered SA 4, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Bill No. 3, Page 7, Section 3.135, Lines 20-24, by deleting all of said lines and inserting in lieu thereof the following:

“For Regional Technical Education Initiatives From General Revenue Fund 19,969,650”.

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

Senator Russell moved that **SCS** for **HS** for **HB 3**, as amended, be adopted, which motion prevailed.

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

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 380** and has taken up and passed **SCS** for **HCS** for **HB 380**.

On motion of Senator Gibbons, the Senate recessed until 2:00 p.m.

RECESS

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

BILLS DELIVERED TO THE GOVERNOR

SB 14; SB 50; SCS for **SBs 194** and **189; SB 232; HCS** for **SB 234; SB 235; SCS** for **SB 239; SB 255; and SB 371**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

A quorum was established by the following vote:

Present—Senators

Bartle	Caskey	Champion	Childers
Days	Foster	Gibbons	Goode
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Steelman	Wheeler	Yeckel—23	

Absent—Senators

Bland	Bray	Cauthorn	Clemens
Coleman	Dolan	Dougherty	Quick
Stoll	Vogel—10		

Absent with leave—Senator DePasco—1

President Pro Tem Kinder assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **HCS** for **HB 221** and **SCS** for **HCS** for **HB 380**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Senator Shields assumed the Chair.

HOUSE BILLS ON THIRD READING

PRIVILEGED MOTIONS

Senator Russell requested unanimous consent of the Senate to reconsider, in one vote, the votes by which the titling and perfecting motions, the third reading motion and the motion to adopt the Senate Committee Substitute, as amended, carried on **SCS** for **HS** for **HB 2**, as amended, which request was granted.

Having voted on the prevailing side, Senator Russell moved that the vote to lay on the table the motion to reconsider the vote by which **SCS** for **HS** for **HB 2**, as amended, passed; the vote by which the title was agreed to; the vote by which the bill was 3rd read and passed; and the vote by which the Senate Committee Substitute, as amended, was adopted, be reconsidered, which motion prevailed 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—22

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

SCS for **HS** for **HB 2**, as amended, was again taken up.

Senator Russell offered **SA 11**, which was read:

SENATE AMENDMENT NO. 11

Amend Senate Committee Substitute for House Substitute for House Bill No. 2, Page 2, Section 2.015, Line 4, by deleting the number “\$1,656,625,892” and inserting in lieu thereof the number “\$1,563,492,767”; and further amend said

section, line 5, by deleting the number “\$344,741,466” and inserting in lieu thereof the number “\$337,874,571”; and further amend said section, line 12, by deleting the number “\$2,029,959,803” and inserting in lieu thereof the number “\$1,929,959,803”; and further amend said bill, page 16, section 2.305, line 5, by deleting the number “\$1,746,593,075” and inserting in lieu thereof the number “\$1,646,593,075” and amend bill totals accordingly.

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

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

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

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for **HB 9**, with **SCS**, entitled:

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

Was taken up by Senator Russell.

SCS for **HS** for **HB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 9

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

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 9** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 9, Page 12, Section 9.425, Line 10, by deleting the number "\$20,774,183" and inserting in lieu thereof the number "22,302,979"; and further amend said section, line 16, by deleting the number "22,786,379" and inserting in lieu thereof the number "24,315,175"; and adjust bill totals accordingly.

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

Senator Russell moved that **SCS** for **HS** for **HB 9**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 9**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for **HB 10**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Missouri Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for **HS** for **HB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Missouri Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 10** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 10, Page 16, Section 10.610, Lines 16-19, by deleting said lines and inserting in lieu thereof the following: “for persons with autism and their families”; and

Further amend said section, line 13, by deleting said line and inserting in lieu thereof the following: “in-home services/choices for families, contingent upon the availability of additional new revenue for fiscal year 2004 as authorized in legislation in 2003 by the 92nd General Assembly and approved by the Governor and/or voters”; and

Further amend said bill, page 8, section 10.210, line 7, by deleting the number “190,069” and inserting in lieu thereof the number “190,669”; further amend said section, line 9, by deleting the number “2,653,202” and inserting in lieu thereof the number “2,653,802”.

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

Senator Dougherty offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Bill No. 10, Page 16, Section 10.410, Line 4, by adding at the end of said line the following “; and provided that residential services for non-Medicaid eligibles shall not be reduced below the prior year expenditure”.

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

The Senate observed a moment of silence in memory of workers killed on the job in Missouri during the past year.

Senator Quick offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Bill No. 10, Page 37, Section 10.800, by deleting said section in its entirety and amend bill totals accordingly.

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

Senator Childers assumed the Chair.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Days
Foster	Mathewson	Nodler	Quick
Wheeler—9			

NAYS—Senators

Bland	Cauthorn	Champion	Childers
Clemens	Coleman	Dolan	Dougherty
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Russell	Scott	Shields	Steelman
Stoll	Vogel	Yeckel—23	

Absent—Senator Loudon—1

Absent with leave—Senator DePasco—1

Senator Bray offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Bill No. 10, Page 8, Section 10.210, Line 6, by deleting the figure “\$3,765,964” and inserting in lieu thereof the figure “\$4,671,136”; and

Further amend said bill, Page 9, Section 10.210, Line 28, by deleting the figure “12.96” and inserting in lieu thereof the figure “38.46” and deleting the figure “\$147,093,344” and inserting in lieu thereof the figure “\$147,998,516”.

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

Senator Shields assumed the Chair.

SA 4 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senator Quick—1

Absent with leave—Senator DePasco—1

Senator Bray offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Substitute for House Bill No. 10, Page 32, Section 10.720, Line 5, by inserting immediately after said section the following new section:

“Section 10.725. To the Department of Health and

Senior Services

For the Division of Maternal, Child and Family Health

1. For the purpose of funding family planning services, pregnancy testing and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are preconception services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling is defined as providing patients with a list of health care and social service providers that provide pregnancy, prenatal, delivery, infant care, foster care, adoption, alternative to abortion and abortion services and nondirective, non-marketing information in regard to such providers. Such list may categorize the providers by the service or services they provide. An organization that receives these funds may not directly refer patients who seek abortion services to any organization that provides abortion services, including its own independent affiliate. Nondirective counseling relating to pregnancy may be provided. None of these funds may be paid or granted to an organization or an affiliate of an organization that provides abortion services. An organization that receives these funds may not display or distribute marketing materials about abortion services to patients. An otherwise qualified organization shall not be

disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent as determined by the conditions set forth in this section. To ensure that the state does not lend its imprimatur to abortion services, and to ensure that an organization that provides abortion services does not receive a direct or indirect economic or marketing benefit from these funds, an organization that receives these funds and its independent affiliate that provides abortion services may not share any of the following:

- (a) The same or similar name;
- (b) Medical or non-medical facilities including but not limited to business offices, treatment, consultation, examination, and waiting rooms;
- (c) Expenses;
- (d) Employee wages or salaries; or
- (e) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment and office supplies.

An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that receives these funds must maintain financial records that demonstrate strict compliance with this section and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect economic or marketing benefit from these funds. An independent audit shall be conducted at least once every three years to ensure compliance with this section. If the organization is an affiliate of an organization which provides abortion services, the independent audit shall be conducted at least annually. The audit shall be conducted by

either an independent auditing firm retained by the department of health or by an independent auditing firm approved by the department and retained by an organization receiving these funds. Any organization receiving federal funds pursuant to Title X of the federal Public Health Services Act may perform services which are required under the federal act, but otherwise prohibited pursuant to this section if:

- 1) Specifically directed by United States Secretary of Health and Human Services to perform such services by written order directed to the organization; and
- 2) Such order is final and no longer subject to appeal, and
- 3) The refusal to perform such required services will result in the withholding of federal funds to said organization.

Federal statutory or regulatory provisions or guidelines of general application shall not constitute such written order as described herein.

2. If any provision of subsection 1 of this section is held invalid, the provision shall be severed from subsection 1 of this section and the remainder of subsection 1 of this section shall be enforced. If the entirety of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3 of this section; otherwise subsections 3 and 5 of this section shall have no effect.
3. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the Department of Health or provided directly by government agencies of this state or provided directly by any political subdivision of this state or provided directly by community mental health centers organized pursuant to sections 205.975 to 205.990, RSMo, or provided directly by community action

agencies organized pursuant to sections 660.370 to 660.374, RSMo, through contractual agreement with the department, provided that none of the funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are preconception services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling is defined as providing patients with a list of health care and social service providers that provide pregnancy, prenatal, delivery, infant care, foster care, adoption, alternative to abortion and abortion services and nondirective, non-marketing information in regard to such providers. Such list may categorize the providers by the service or services they provide. An entity that receives funds pursuant to this subsection may not directly refer patients who seek abortion services to any organization that provides abortion services. Nondirective counseling relating to pregnancy may be provided. None of the funds provided pursuant to this subsection may be paid or granted to an entity that provides abortion services. Any entity receiving funds pursuant to this subsection may not display or distribute marketing materials about abortion services to patients. An independent audit shall be conducted at least once every three years to ensure compliance with this section. The audit shall be conducted by either an independent auditing firm retained by the Department of Health or by an independent

auditing firm approved by the department and retained by the entity receiving these funds. Any entity receiving federal funds pursuant to Title X of the federal Public Health Services Act may perform services which are required under the federal act, but otherwise prohibited pursuant to this section if:

- 1) Specifically directed by the United States Secretary of Health and Human Services to perform such services by written order directed to the entity; and
- 2) Such order is final and no longer subject to appeal, and
- 3) The refusal to perform such required services will result in the withholding of federal funds to said entity.

Federal statutory or regulatory provisions or guidelines of general application shall not constitute such written order as described herein.

4. If the entirety of subsection 1 of this section is held invalid and any provision of subsection 3 of this section is held invalid, then this appropriation shall be in accordance with subsection 5; otherwise subsection 5 shall have no effect.
5. For the purpose of funding family planning services, pregnancy testing, and follow-up services that are provided directly by the Department of Health or provided by government agencies of this state or provided directly by any political subdivision of this state through contractual agreement with the department, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Abortion services include performing, assisting with, or directly referring for abortions, or encouraging or counseling patients to have abortions. Family planning services are preconception services that limit

or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. Follow-up services are services that supplement initial consultations for family planning services and pregnancy testing but do not include pregnancy or childbirth care. Nondirective counseling is defined as providing patients with a list of health care and social service providers that provide pregnancy, prenatal, delivery, infant care, foster care, adoption, alternative to abortion and abortion services and nondirective, non-marketing information in regard to such providers. Such list may categorize the providers by the services they provide. The department and any other government entity receiving funds pursuant to this subsection may not directly refer patients who seek abortion services to any organization that provides abortion services. Nondirective counseling relating to pregnancy may be provided. None of the funds provided pursuant to this subsection may be paid or granted to a government entity that provides abortion services. The department and any other government entity receiving funds pursuant to this subsection may not display or distribute marketing materials about abortion services to patients. An independent audit shall be conducted at least once every three years to ensure compliance with this section. The audit shall be conducted by either an independent auditing firm retained by the Department of Health or by an independent auditing firm approved by the department and retained by the government entity receiving these funds. Any government entity receiving federal funds pursuant to Title X of the federal Public Health Services Act may perform services which are required under the federal act, but otherwise prohibited pursuant to this section if:

- 1) Specifically directed by the United States Secretary of Health and Human Services to perform such services by written order directed to the government entity; and
- 2) Such order is final and no longer subject to appeal, and
- 3) The refusal to perform such required services will result in the withholding of federal funds to said government entity.

Federal statutory or regulatory provisions or guidelines of general application shall not constitute such written order as described herein.

From General Revenue Fund \$3,618,639
 From Federal Funds 1,464,819
 Total (0 F.T.E.) \$5,083,458”.

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

Senator Russell moved that **SCS** for **HS** for **HB 10**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 10**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Yeckel—21

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for **HB 11**, with **SCS**, entitled:

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

Was taken up by Senator Russell.

SCS for **HS** for **HB 11**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 11

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

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 11** be adopted.

Senator Dougherty offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 17, Section 11.265, Line 5, by inserting immediately after said line the following new lines:

“For the purpose of funding independent living placements and transitional living payment services, contingent upon the availability of additional new revenue for fiscal year 2004 as authorized in legislation in 2003 by the

92nd General Assembly and approved by the Governor and/or voters

From General Revenue Fund \$1,777,894”
and adjust bill totals accordingly.

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

Senator Dougherty offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 17, Section 11.255, Line 23, by inserting after said line the following lines:

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

From General Revenue Fund \$648,792”
and adjust bill totals accordingly.

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

Senator Childers offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 8, Section 11.105, Line 9, by deleting the number “\$27,948,342” and inserting the number “\$28,482,440”; and further amend said section, line 10 by deleting the number “60,734,831” and inserting the number “60,983,407”; and further amend said section, line 11 by deleting the number “4,398,163” and inserting the number “4,418,682”; and further amend said section, line 13 by deleting the number “663,295” and inserting the number “675,041”; and further amend said section, line 14 by deleting the number “28,252” and inserting the number “28,749”; and

Further amend said bill, page 15, section 11.240, line 9 by deleting the number

“\$25,022,787” and inserting the number “\$25,579,261”; and further amend said section, line 10 by deleting the number “38,515,828” and inserting the number “38,775,468”; and further amend said section, line 11 by deleting the number “4,461,573” and inserting the number “4,482,081”; and further amend said section, line 13 by deleting the number “49,718” and inserting the number “61,994”; and further amend said section, line 14 by deleting the number “28,209” and inserting the number “28,749”; and

Further amend said bill, page 1, section 11.005, by deleting the number “603,097” and inserting the number “403,097”; and

Further amend said bill, page 4, section 11.035, line 7 by deleting the number “1,989,785” and inserting the number “1,789,785”; and further amend said bill, section 11.055, page 5, line 6 by deleting the number “6,120,456” and inserting the number “5,429,884”; and adjust bill totals accordingly.

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

Senator Days offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 18, Section 11.275, Line 4, by deleting the number “\$1,749,583” and inserting the number “\$2,058,333”; and adjust bill totals accordingly.

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

SA 4 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators

Dolan	Mathewson—2
-------	-------------

Absent with leave—Senator DePasco—1

Senator Russell offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 31, Section 11.475, Line 47, by deleting the words “for hospital-employed, Medicaid enrolled physicians in the emergency department”; and inserting in lieu thereof “costs incurred by hospitals for the staffing of the emergency department with Medicaid enrolled physicians.”

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

President Maxwell assumed the Chair.

Senator Quick offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 19, Section 11.305, Line 5, by deleting the number “\$52,112,362” and inserting the number “\$59,312,362”; and further amend said section, page 20, by deleting lines 21 through 26; and adjust bill totals accordingly.

Senator Quick moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bray, Coleman, Kennedy and Mathewson.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Caskey	Coleman
-------	------	--------	---------

Days	Dougherty	Jacob	Kennedy
Mathewson	Quick	Stoll	Wheeler—12

NAYS—Senators

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

Absent—Senator Dolan—1

Absent with leave—Senator DePasco—1

Senator Coleman offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 10, Section 11.140, Line 5, by deleting the number “\$17,287,706” and inserting the number “\$25,495,706”; and adjust bill totals accordingly.

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

SA 7 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senator Dolan—1

Absent with leave—Senator DePasco—1

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

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 18, Section 11.290, Line 5, by deleting the number “\$3,655,000” and inserting the number “\$4,300,000”; and further amend said section by deleting lines 7 through 12; and adjust bill totals accordingly.

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

SA 8 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators

Dolan	Quick—2
-------	---------

Absent with leave—Senator DePasco—1

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

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 22, Section 11.405, Line 4, by deleting after the word programs the following “, contingent upon the availability of additional new revenue for fiscal year 2004 as authorized in legislation in 2003 by the 92nd General Assembly and approved by the Governor and/or voters”.

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

Senator Dougherty offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for House Substitute for House Bill No. 11, Page 22, Section 11.405, Line 12, by inserting immediately thereafter the following new section:

“Section 11.406. To the Department of Social Services

For the Division of Medical Services

For the purpose of funding federally qualified health centers to provide dental services contingent upon the availability of additional new revenue for fiscal year 2004 as authorized in legislation in 2003 by the 92nd General Assembly and approved by the Governor and/or voters.

From General Revenue Fund \$1,000,000”.

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

Senator Russell moved that **SCS** for **HS** for **HB 11**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 11**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HS for **HB 12**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up by Senator Russell.

SCS for **HS** for **HB 12**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant

Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

Was taken up.

Senator Russell moved that **SCS** for **HS** for **HB 12** be adopted.

Senator Russell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 12, Page 8, Section 12.300, Line 6, by deleting the number "\$3,763,491" and inserting in lieu thereof the number "\$4,050,444" and further amend said section, line 9 by deleting the number "\$3,888,491" and inserting in lieu thereof the number "\$4,175,444" and further amend said bill by adding the following new section:

"Section 12.303. To the Supreme Court

For the purpose of funding all grants and contributions of funds from the federal government or from any other source which may be deposited in the state treasury

for the use of the Supreme Court

Personal Service \$430,000

From Federal and other Funds (Not to exceed 8.00 FTE) \$430,000"

and further amend said bill by adding the following new section:

"Section 12.305. To the Supreme Court

For participation by the State of Missouri in the National Center for State Courts

From General Revenue Fund \$136,137"

and further amend said bill, page 10, section 12.340, line 6, by deleting the number "2,919,828" and inserting in lieu thereof the number \$3,371,833" and further amend said bill, page 10, section 12.345, line 6, by deleting the number "\$3,818,570" and inserting in lieu thereof the number "\$4,270,921" and further amend said bill, page 11, section 12.350, line 6, by deleting the number "1,985,045" and inserting in lieu thereof the number "\$2,223,732" and adjust bill totals accordingly.

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

Senator Russell moved that **SCS** for **HS** for **HB 12**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HB 12**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Jacob	Kennedy	Quick

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

HCS for HB 13, with SCS, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2005.

Was taken up by Senator Russell.

SCS for HCS for HB 13, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2005.

Was taken up.

Senator Russell moved that **SCS** for **HCS** for **HB 13** be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HCS** for **HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Bland	Bray	Caskey	Days
Jacob	Quick	Wheeler—7	

Absent—Senator Coleman—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

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 **SB 292**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and passed **SB 314**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 466**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 478**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 358**, entitled:

An Act to repeal section 115.073, RSMo, and to enact in lieu thereof one new section relating to general expenses of elections paid by certain political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 373**, 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.

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 SB 407**, entitled:

An Act to repeal section 376.429, RSMo, and to enact in lieu thereof two new sections relating to health insurance coverage for cancer.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 394**, entitled:

An Act to repeal sections 347.700, 347.720, 351.268, 351.315, 351.320, 351.385, 351.455, 358.150, 358.520 and 359.165, RSMo, and to enact in lieu thereof twenty-one new sections relating to general and business corporations.

With House Perfecting Amendment No. 1.

HOUSE PERFECTING AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 394, Page 10, Section 358.520, Line 27 by deleting after the word "**merger**" the word "**of**" and inserting in lieu thereof the word "**or**"; and

Further amend said bill, Page 15, Section 409.986, Line 1 by deleting the number "**409.602**" and inserting in lieu thereof the number "**409.6-602**"; and

Further amend said bill, Page 15, Section 409.987, Line 8 by deleting the number "**409.603**" and inserting in lieu thereof the number "**409.6-603**"; and

Further amend said bill, Page 15, Section 409.988, Line 7 by deleting the number "**409.604**" and inserting in lieu thereof the number "**409.6-604**"; and

Further amend said bill, Page 16, Section 409.989, Line 1 by deleting the number "**409.605**" and inserting in lieu thereof the number "**409.6-605**".

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 447**.

With House Committee Amendment No. 1.

HOUSE COMMITTEE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 447, page 2, section 477.650, line 44, by inserting the following after all of said line:

“5. The Missouri supreme court, or a person or organization designated by the court, shall, by January 31st of each year, report to the general assembly on the moneys collected and disbursed pursuant to this act by judicial circuit.”; and

Further amend said substitute, page 2, section 488.031, line 3, by inserting after the word **“appeal”** the following:

“, except that no fee shall be imposed pursuant to this section on any case that is filed charging traffic violations except alcohol-related offenses”; and

Further amend said section, page 3, line 16, by inserting the following after all of said line:

“Section B. The provisions of sections 477.650 and 488.031, RSMo, shall expire on December 31, 2007.”; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 16**, entitled:

An Act to repeal section 137.721, RSMo, and to enact in lieu thereof one new section relating to the percentage of ad valorem property tax collections to be deposited in county assessment funds.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 186**, entitled:

An Act to repeal sections 59.041, 59.042, and 483.015, RSMo, and to enact in lieu thereof three new sections relating to recorders of deeds.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 379**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to community improvement districts.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 552**, entitled:

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 228**, entitled:

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof two new sections relating to the purpose of tourism.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS No. 2** for **SB 52**, entitled:

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to the taxation of nonresident professional athletes and entertainers.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 294**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 175**, entitled:

An Act to repeal sections 196.365, 196.367, 196.370, 196.375, 196.380, 196.385, 196.390, 196.395, 196.400, 196.405, 196.415, 196.420, 196.425, 196.430, 196.435, 196.436, 196.440, and 196.445, RSMo, and to enact in lieu thereof one new section relating to food recovery inspection and safety by the department of health and senior services.

In which the concurrence of the Senate is

respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 388**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 426**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 357**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 463**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 697**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 511**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 383**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 577**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 578**.

Bill ordered enrolled.

RE-REFERRALS

President Pro Tem Kinder re-referred **HS** for **HCS** for **HBs 679** and **396** to the Committee on Aging, Families, Mental and Public Health.

RESOLUTIONS

Senator Bartle offered Senate Resolution No. 739, regarding Kevin A. Selzer, which was adopted.

Senator Clemens offered Senate Resolution No. 740, regarding John A. Kelly, which was adopted.

Senator Kennedy offered Senate Resolution No. 741, regarding the Ste. Genevieve Chamber of Commerce, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Vogel introduced to the Senate, Pastor David and Lois Carlson, Russellville.

On behalf of Senator Loudon and himself, Senator Griesheimer introduced to the Senate, Dr. Linda Smith, Debbie Albert, Linda Michelson, and ten fifth grade students from Rockwood School District, Rockwood.

Senator Nodler introduced to the Senate, Pam Sauer and thirty students from College Heights Christian School, Joplin.

Senator Gibbons introduced to the Senate, Beth and Michael Viviano, and their son, Zachary,

St. Louis; and Kenneth and Dorothy Parker, St. Louis; and Zachary was made an honorary page.

On behalf of Senator Shields, the President introduced to the Senate, his son, Bryce Shields, St. Joseph.

Senator Dougherty introduced to the Senate, former State Representative Laurie Donovan, Florissant.

Senator Bray introduced to the Senate, Joann and Tom Ruoff, Richmond Heights; and their granddaughters, Elise, Erin, and Ellen Dye, Fenton.

Senator Goode introduced to the Senate, members of the Paddock Forest Garden Club, Florissant.

Senator Kinder introduced to the Senate, former State Senator David Doctorian, Macon.

Senator Gibbons introduced to the Senate, John and Alice Longmire, Kirkwood.

Senator Champion introduced to the Senate, fourth grade students from Sequiota Elementary School, Springfield.

Senator Kennedy introduced to the Senate, Ron, Joan, and Matthew Leggett, St. Louis.

Senator Stoll introduced to the Senate, one hundred fourth grade students from Antonia Elementary School, Jefferson County; and Kyle Mathias, Stephanie Kirchoff, and David Anderson were made honorary pages.

Senator Childers introduced to the Senate, Karen Best, and one hundred four fourth grade students, parents, and teachers from Hollister School, Hollister.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Richard Burns, M.D., Columbia.

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

SENATE CALENDAR

 FIFTY-NINTH DAY—THURSDAY, APRIL 24, 2003

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

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

SENATE BILLS FOR PERFECTION

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

HOUSE BILLS ON THIRD READING

- | | |
|---------------------------------------------------------------------|--------------------------------------------|
| HCS for HB 289, with SCS
(Steelman)
(In Fiscal Oversight) | HB 444-Jackson, with SCS
(Yeckel) |
| HS for HCS for HBs 349,
120, 136 & 328-Crawford (Caskey) | HB 208-Engler, et al, with SCS
(Kinder) |
| HCS for HB 600, with SCS (Shields)
(In Fiscal Oversight) | HB 286-Bearden, with SCS
(Shields) |
| HS for HB 511-Deeken,
with SCS (Yeckel)
(In Fiscal Oversight) | HCS for HB 144, with SCS
(Vogel) |

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

HCS for HB 73 (Yeckel)	HCS for HB 390, with SCS
HCS for HBs 122 & 80 (Bland)	(Cauthorn)
HS for HCS for HB 321- Wilson (130) (Loudon)	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 (Foster)
HCS for HB 318 (Caskey)
HB 326-Wagner, et al (Stoll)
HB 351-Quinn, et al (Klindt)
HB 375-Cooper (120) (Scott)
HB 463-King, et al (Caskey)
HCS for HB 472 (Bartle)
HB 552-Kingery, with SCS (Foster)
HB 574-Jackson and Selby
(Griesheimer)

HB 594-Emery, et al (Nodler)
HB 512-Cooper (120), et al,
with SCS (Bartle)
HB 464-King, et al (Klindt)
HB 477-Moore, et al (Shields)
HB 440-Portwood (Steelman)
HB 376-Cooper (120) (Caskey)
HCS for HB 332 (Steelman)
HCS for HB 202 (Steelman)
HCS for HBs 59 & 269,
with SCS (Shields)
HB 597-Schlottach, et al
(Dolan)
HCS for HB 245 (Clemens)
HB 162-Shoemaker (Cauthorn)

HB 261-Whorton, et al (Klindt)
 HB 249-Seigfreid (Mathewson)
 HB 247-Ward, et al (Kennedy)
 HCS for HB 392, with SCS
 (Griesheimer)
 HB 505-Byrd and Villa,
 with SCS (Mathewson)

HB 57-Riback Wilson, with
 SCS (Jacob)
 HB 60-Sutherland, with SCS
 (Griesheimer)
 HB 465-Hanaway, et al (Kinder)

Reported 4/15

HB 388-Riback Wilson, et al
 (Jacob)
 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)
 (In Fiscal Oversight)
 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)
 (In Fiscal Oversight)
 HCS for HB 356 (Scott)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 4-Caskey and
 Russell, with HCA 1
 SCS for SB 16-Childers,
 with HCS
 SCS#2 for SB 52-Shields,
 with HCS
 SB 68-Childers, with HCS

SCS for SB 130-Gross and
 Dolan, with HCS
 SB 175-Loudon, with HCS
 SB 186-Cauthorn, with HCS
 SCS for SB 218-Goode,
 et al, with HCS
 SB 228-Griesheimer, with HCS

SB 266-Shields and Kennedy,
with HCS
SB 289-Dolan, et al, with HCA 1
SCS for SB 296-Griesheimer,
with HS for HCS, as amended
SCS for SBs 299 & 40-Champion,
et al, with HS, as amended
SCS for SB 358-Shields, with HCS

SCS for SB 373-Bartle, with HCS
SCS for SB 379-Champion, with
HCS
SB 394-Bartle, with HCS, as
amended
SB 407-Klindt, with HCS
SCS for SB 447-Bartle, with HCA 1
SB 552-Yeckel, with HCS

RESOLUTIONS

SCR 15-Dolan, et al

Unofficial
To be Referred

HCR 29-Jetton, et al

SCR 20-Foster

Reported from Committee

SR 30-Shields, with SCS, SS
for SCS & SA 1 (pending)
SCR 3-Loudon
SCR 11-Steelman
(In Fiscal Oversight)

SCR 14-Dolan and Kinder
SCR 16-Goode, et al
SCR 4-Jacob
HCR 15-Behnen (Cauthorn)

Journal
Copy