

# Journal of the Senate

SECOND REGULAR SESSION

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FIFTEENTH DAY—TUESDAY, FEBRUARY 3, 2004

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The Senate met pursuant to adjournment.

Senator Gross in the Chair.

Reverend Carl Gauck offered the following prayer:

“Thy statutes have been my songs in the house of my pilgrimage.” (Psalm 119:54)

Gracious God, what we attempt here is but a mirror of Your law that governs Your people. Help us in our discernment to bring laws that affect the lives of our people that they may be safe and seek justice in their daily living. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from the Associated Press, KMIZ-TV, The Chart, MSSU, Joplin and KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Bartle	Bland	Bray	Callahan
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—34		

Absent with leave—Senators—None

## RESOLUTIONS

Senator Foster offered Senate Resolution No. 1235, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Willard Adams, Bernie, which was adopted.

Senator Gibbons offered Senate Resolution No. 1236, regarding Andrew P. “Andy” Kent, Manchester, which was adopted.

Senator Dolan offered Senate Resolution No. 1237, regarding Daniel Zatorski, St. Peters, which was adopted.

Senator Dolan offered Senate Resolution No. 1238, regarding Trent Taylor, Lake Saint Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1239, regarding Michael Klamm, O’Fallon, which was adopted.

Senator Dolan offered Senate Resolution No. 1240, regarding Phillip Guerrettaz, Lake Saint

Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1241, regarding Matthew Paule, Lake Saint Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1242, regarding Joshua Loeb, Lake Saint Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1243, regarding Clayton Peterson, Lake Saint Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1244, regarding Alex Ratcliff, Lake Saint Louis, which was adopted.

Senator Dolan offered Senate Resolution No. 1245, regarding Jacob Barrow, O’Fallon, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Kinder moved that **SB 714** and **SB 761**, with **SCS, SS** for **SCS** and **SA 13** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 13** was again taken up.

A quorum was established by the following vote:

Present—Senators			
Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Days	Dougherty	Foster	Gibbons
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Nodler
Quick	Russell	Scott	Shields
Steelman	Vogel	Wheeler	Yeckel—28

Absent—Senators			
Bland	Coleman	Dolan	Goode
Mathewson	Stoll—6		

Absent with leave—Senators—None

Senator Jacob moved that **SA 13** be adopted and requested a roll call vote be taken. He was

joined in his request by Senators Bray, Callahan, Kennedy and Wheeler.

**SA 13** failed of adoption by the following vote:

YEAS—Senators			
Bray	Days	Jacob	Kennedy
Quick	Wheeler—6		

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

Absent—Senators		
Bland	Coleman	Goode—3

Absent with leave—Senators—None

Senator Jacob offered **SA 14**:

**SENATE AMENDMENT NO. 14**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11, by removing the open bracket “[” and the close bracket “]” on either side of the word “Southwest”; and

Further by amending page 2, section 174.450, line 20, by removed the open bracket “[” and the close bracket “]” on either side of the word “Southwest”; and

Further by amending page 3, section 174.450, line 11, by inserting the word “**Southwest**” immediately before the word “**Missouri**”; and

Further by amending page 3, section 1, line 24, by inserting the word “**Southwest**” immediately before the word “**Missouri**”; and

Further by amending page 4, section 1, line 2, by inserting the word “**Southwest**” immediately

before the word “**Missouri**”; and

Further by amending page 4, section 1, line 6, by inserting the word “**Southwest**” immediately before the word “**Missouri**”; and

Further by amending page 4, section 1, line 8, by inserting the word “**Southwest**” and immediately before the word “**Missouri**”; and

Further by amending page 4, section 1, line 14, by inserting after the end of all of said line the following:

**“Section 2. 1. It is the established policy and position of the state of Missouri that the name of each public institution of higher education in the state shall clearly convey to the public the mission, roll, and scope of that institution within the context of Missouri’s coordinated system of higher education. It is also the established policy and position of the state of Missouri that it is particularly important that the missions and names of state-supported institutions of higher education continue to be coordinated to maintain differentiation within the state’s system of higher education. It is also the established policy and position of the state of Missouri that any consideration of changing the name of any public institution of higher education in this state shall be conducted by the coordinating board of higher education and shall be conducted pursuant to the guidelines, rules, and regulations promulgated by the coordinating board of higher education.**

**2. No name of any public institution of higher education in this state shall be changed unless such change is first recommended by the coordinating board of higher education and is then duly approved by the general assembly and enacted into law. The guidelines, rules and regulations established by the coordinating board of higher education for governing the process of changing the names of such institutions shall include, by not be limited to, the following:**

**(1) All proposals to change the name of any public institution of higher education in this state shall be forwarded to the coordinating board of higher education for review, study, and recommendation and shall be accompanied by a comprehensive impact statement which meets the guidelines, rules and regulations promulgated by the coordinating board of higher education;**

**(2) The consideration of changing the name of any such institution shall only occur commensurate with a comprehensive study and review by the coordinating board of higher education regarding the institution’s assigned mission and role within the coordinated system of higher education in the state;**

**(3) The coordinating board of higher education’s consideration of changing the name of any such institution shall include a consideration of the breadth of programs offered, the institution’s graduation rates, the institution’s productivity, the qualifications of faculty, and the distribution of degrees conferred as a potential measure of institutional comprehensiveness;**

**(4) Marketing shall not be the sole, or even a primary, reason or justification of a name change proposal or final recommendation;**

**(5) No change of name of any public institution of higher education in this state shall occur unless such name change is consistent with the coordinating board’s long-established policies relating to access, quality, and efficiency in the provision of publicly funded higher education in the state of Missouri; and**

**(6) No additional state funds or other resources shall be appropriated or directed to any institution as a result of a change of that institution’s name.**

**3. The coordinating board of higher education is authorized to promulgate guidelines, rules, and regulations to govern the**

process of proposing, reviewing, studying, recommending, and effecting a change of name of any public institution of higher education in the state of Missouri.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 526, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

**Section 3. The coordinating board of higher education shall conduct a comprehensive study of the post-secondary educational needs of the citizens of the state of Missouri, and of the capability of the existing public and private institutions of higher education in this state to meet those recognized needs period. The coordinating board of higher education shall also conduct a comprehensive study of the existing coordinated system of public higher education in Missouri and shall determine whether the existing coordinated system should be modified to better meet the recognized post-secondary educational needs of the citizens of this state. The coordinating board of higher education shall complete its studies and submit its final report to the governor and the general assembly not later than November 1, 2005. The final report shall contain a detailed statement of the findings and conclusions of the coordinating board of higher education, along with the board's recommendations for legislation and administrative actions as the coordinating board of higher education deems appropriate, including, but not limited to, recommendations**

as to:

(1) Whether the structure of, or institutions within, the University of Missouri system should be modified;

(2) Whether the structure of, or institutions within, the coordinated system of local and regional colleges and universities and the statewide state university should be modified;

(3) Whether the coordinated system of regional universities should be abandoned and replaced with a new system of "Missouri State" universities; and

(4) Whether the mission, name, admission standards, or Carnegie classification of any one or more of the current public institutions of higher education in this state should be modified.""; and

Further amend the title and enacting clause accordingly.

Senator Jacob moved that the above amendment be adopted.

Senator Caskey offered SSA 1 for SA 14:

SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 14

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11, by inserting after "known" on said line a ","; and

Further amend said bill, page 2, section 174.450, line 20 of said line by striking "," and inserting in lieu thereof a ","; and

Further amend said bill and section, page 3, line 11 of said page, by inserting after "board" a ","; and

Further amend said bill, page 3, section 1, line 24 of said page, by inserting a "," after "duplicate"; and

Further amend said bill and section, page 4, line 2 of said page by inserting a "," after

“consider”; and

Further amend line 6 of said page by inserting a “,” after “or”; and

Further amend lines 8 and 9 of said page by inserting a “,” after “nor” on line 8 and a “,” after “approval” on line 9.

Senator Caskey moved that the above substitute amendment be adopted.

Senator Jacob raised the point of order that **SSA 1** for **SA 14** is out of order as it is not a true substitute amendment; stating that it is not substantive and is perfecting in nature and further that it is a frivolous amendment.

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

**SSA 1** for **SA 14** was again taken up.

Senator Bray raised the point of order that Senator Bartle has a computer on his desk which is in violation of the Senate Rules.

The point of order was referred to the President Pro Tem who ruled it not well taken, indicating that the rules apply to a laptop and that the device being used by Senator Bartle was not a laptop.

Senator Jacob offered **SA 1** to **SSA 1** for **SA 14**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 14

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 14 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Lines 2-17, by striking all of said lines; and further amend said page, line 17, by inserting after all of said line, the following:

“Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Ashcroft**”;

and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Ashcroft**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft**.”

Senator Jacob moved that the above amendment be adopted.

Senator Shields assumed the Chair.

At the request of Senator Jacob, **SA 1** to **SSA 1** for **SA 14** was withdrawn.

Senator Jacob offered **SA 2** to **SSA 1** for **SA 14**, which was read:

SENATE AMENDMENT NO. 2 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 14

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 14 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Lines 1-16, by striking all of said lines; and further amend said page, line 16, by inserting after all of said line, the following:

“Amend Senate Substitute for Senate

Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Bond**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Bond**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Bond**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Bond**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Bond**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Bond**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Bond.**”.

Senator Jacob moved that the above amendment be adopted.

Senator Jacob raised the point of order that **SA 2** to **SSA 1** for **SA 14** is out of order as it is in the third degree.

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

**SA 2** to **SSA 1** for **SA 14** was again taken up.

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

Senator Jacob offered **SA 3** to **SSA 1** for **SA 14**, which was read:

SENATE AMENDMENT NO. 3 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 14

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 14 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Lines 2-17, by striking all of said lines; and further amend said page, line 17, by inserting after all of said line, the following:

“Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Ashcroft & Bond.**”.

Senator Jacob moved that the above amendment be adopted.

A quorum was established by the following vote:

Present—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Russell
Scott	Shields	Steelman	Vogel
Yeckel—29			

Absent—Senators

Bland	Coleman	Quick	Stoll
Wheeler—5			

Absent with leave—Senators—None

**SA 3 to SSA 1 for SA 14** was again taken up.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Bartle	Bland	Quick	Stoll—4
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Absent with leave—Senators—None

A quorum was established by the following vote:

Present—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	Coleman	Days	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler

Russell	Scott	Shields	Steelman
Vogel	Wheeler	Yeckel—31	

Absent—Senators

Dolan	Quick	Stoll—3
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Absent with leave—Senators—None

Senator Bartle assumed the Chair.

At the request of Senator Jacob, **SA 3 to SSA 1 for SA 14** was withdrawn.

Senator Jacob offered **SA 4 to SSA 1 for SA 14**, which was read:

SENATE AMENDMENT NO. 4 TO

SENATE SUBSTITUTE AMENDMENT NO. 1

FOR SENATE AMENDMENT NO. 14

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 14 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Lines 2-17, by striking all of said lines; and further amend said page, line 17, by inserting after all of said line, the following:

“Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Samuel Aaron Baker**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Samuel Aaron Baker**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the words “Missouri State” and inserting in lieu thereof the following: “**Samuel Aaron Baker**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the words “Missouri State” and inserting in lieu thereof the following: “**Samuel Aaron Baker**”; and

Further amend said bill and section, Page 4,

Line 2 of said page, by striking the words "Missouri State" and inserting in lieu thereof the following: "**Samuel Aaron Baker**"; and further amend line 6 of said page, by striking the words "Missouri State" and inserting in lieu thereof the following: "**Samuel Aaron Baker**"; and further amend lines 8-9 of said page, by striking the words "Missouri State" and inserting in lieu thereof the following: "**Samuel Aaron Baker**".

Senator Jacob moved that the above amendment be adopted.

Senator Shields assumed the Chair.

A quorum was established by the following vote:

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

Absent—Senators		
Dolan	Quick	Stoll—3

Absent with leave—Senators—None

A quorum was established by the following vote:

Present—Senators			
Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Foster	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Mathewson	Nodler	Russell	Scott
Shields	Steelman	Vogel	Wheeler
Yeckel—29			

Absent—Senators			
Bland	Dolan	Dougherty	Quick
Stoll—5			

Absent with leave—Senators—None

A quorum was established by the following vote:

Present—Senators			
Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Russell
Scott	Shields	Steelman	Vogel
Wheeler	Yeckel—30		

Absent—Senators			
Bland	Dolan	Quick	Stoll—4

Absent with leave—Senators—None

A quorum was established by the following vote:

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

Absent—Senators		
Dougherty	Goode	Quick—3

Absent with leave—Senators—None

A quorum was established by the following vote:

Present—Senators			
Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	Coleman	Days	Dolan
Dougherty	Foster	Gibbons	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

Absent—Senators	
Goode	Quick—2

Absent with leave—Senators—None

Senator Coleman was recognized to interrogate Senator Days.

Senator Caskey rose asking if Senator Coleman would yield the floor for inquiry. Senator Coleman yielded to Senator Caskey.

At the request of Senator Caskey, **SSA 1** for **SA 14** was withdrawn, rendering **SA 4** to **SSA 1** for **SA 14** moot.

Senator Jacob raised the point of order that the withdrawal of **SSA 1** for **SA 14** is out of order, stating that the underlying amendment cannot be withdrawn unless the pending amendment to it is withdrawn first.

The point of order was referred to the President Pro Tem.

Senator Coleman raised the point of order that she yielded the floor to allow an inquiry by Senator Caskey and there was no inquiry.

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

President Pro Tem Kinder ruled the point of order raised by Senator Jacob not well taken.

**SA 14** was again taken up.

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

Senator Jacob offered **SA 15**, which was read:

SENATE AMENDMENT NO. 15

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and

Further amend said bill, Page 3, Section 1,

Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Donald William Thalhuber**”.

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, Days and Wheeler.

**SA 15** failed of adoption by the following vote:

YEAS—Senator Jacob—1

NAYS—Senators

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

Absent—Senators

Goode                  Russell                  Stoll—3

Absent with leave—Senators—None

Senator Jacob offered **SA 16**, which was read:

SENATE AMENDMENT NO. 16

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking

“[Southwest] Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Grover Cleveland Alexander**”.

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, Callahan, Kennedy and Mathewson.

Senator Bartle assumed the Chair.

**SA 16** failed of adoption by the following vote:

YEAS—Senator Jacob—1

NAYS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Foster
Gibbons	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—28

Absent—Senators

Bland	Dougherty	Goode	Quick
Russell—5			

Absent with leave—Senators—None

Senator Jacob offered **SA 17**, which was read:

SENATE AMENDMENT NO. 17

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and further amend line 6 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”; and further amend lines 8-9 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Paul Armstrong**”.

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

Senator Jacob offered **SA 18**, which was read:

SENATE AMENDMENT NO. 18

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Tom**”

**Bass**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Tom Bass**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Tom Bass**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Tom Bass**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Tom Bass**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Tom Bass**”; and further amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Tom Bass**”.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Goode	Quick	Russell—3
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Absent with leave—Senators—None

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 Callahan, Coleman, Days and Wheeler.

**SA 18** failed of adoption by the following vote:

YEAS—Senators

Days	Jacob—2
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NAYS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Dolan	Dougherty	Foster
Gibbons	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—28

Absent—Senators

Bland	Goode	Quick	Russell—4
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Absent with leave—Senators—None

Senator Jacob offered **SA 19**, which was read:

SENATE AMENDMENT NO. 19

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and further amend line 6 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”; and further

amend lines 8-9 of said page, by striking the word “Missouri” and inserting in lieu thereof the following: “**Annie White Baxter**”.

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, Callahan, Coleman and Days.

**SA 19** failed of adoption by the following vote:

YEAS—Senators  
 Bray Days—2

NAYS—Senators  
 Bartle Callahan Caskey Cauthorn  
 Champion Childers Clemens Coleman  
 Dolan Dougherty Foster Gibbons  
 Griesheimer Gross Kennedy Kinder  
 Klindt Loudon Mathewson Nodler  
 Scott Shields Steelman Stoll  
 Vogel Wheeler Yeckel—27

Absent—Senators  
 Bland Goode Jacob Quick  
 Russell—5

Absent with leave—Senators—None

Senator Gross assumed the Chair.

Senator Bray offered **SA 20**, which was read:

**SENATE AMENDMENT NO. 20**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and

Further amend said bill and section, page 3,

line 11 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and further amend line 6 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”; and further amend lines 8-9 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**Laura Ingalls Wilder**”.

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 Coleman, Days, Jacob and Stoll.

**SA 20** failed of adoption by the following vote:

YEAS—Senators  
 Bray Coleman Days Dougherty  
 Jacob Kennedy Stoll—7

NAYS—Senators  
 Bartle Bland Callahan Caskey  
 Cauthorn Champion Childers Clemens  
 Dolan Foster Gibbons Griesheimer  
 Gross Kinder Klindt Loudon  
 Mathewson Nodler Russell Scott  
 Shields Steelman Vogel Wheeler  
 Yeckel—25

Absent—Senators  
 Goode Quick—2

Absent with leave—Senators—None

Senator Jacob offered **SA 21**, which was read:

SENATE AMENDMENT NO. 21

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 1, Section 174.020, Line 11 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and

Further amend said bill, Page 2, Section 174.450, Line 20 of said page, by striking “[Southwest] Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and

Further amend said bill and section, page 3, line 11 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and

Further amend said bill, Page 3, Section 1, Line 24 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and

Further amend said bill and section, Page 4, Line 2 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and further amend line 6 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”; and further amend lines 8-9 of said page, by striking the word “Missouri State” and inserting in lieu thereof the following: “**James H. Birch**”.

Senator Jacob moved that the above amendment be adopted.

Senator Shields assumed the Chair.

At the request of Senator Jacob, **SA 21** was withdrawn.

Senator Bartle assumed the Chair.

Senator Champion offered **SA 22**:

SENATE AMENDMENT NO. 22

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 714 and 761, Page 3, Section 1, Line 27, by inserting

after the word “and” the word “**cooperative**”; and

Further amend said section, page 4, line 6, by inserting a comma after the word “University” and by striking the words “or with” and inserting in lieu thereof the words “subject to”.

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

Senator Kinder moved that **SS** for **SCS** for **SBs 714** and **761**, as amended, be adopted, which motion prevailed.

Senator Kinder moved that **SS** for **SCS** for **SBs 714** and **761**, as amended, be declared perfected and ordered printed.

Senator Jacob requested a roll call vote be taken on the perfection motion made by Senator Kinder and was joined in his request by Senators Callahan, Coleman, Days and Kennedy.

**SS** for **SCS** for **SBs 714** and **761**, as amended, was declared perfected and ordered printed by the following vote:

YEAS—Senators

Bartle	Bland	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Dolan	Dougherty	Foster
Gibbons	Griesheimer	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Scott	Shields	Steelman
Stoll	Vogel	Yeckel—27	

NAYS—Senators

Bray	Days	Gross	Jacob—4
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Absent—Senators

Goode	Quick	Wheeler—3
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Absent with leave—Senators—None

**REPORTS OF STANDING COMMITTEES**

Senator Gibbons, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules,

Joint Rules, Resolutions and Ethics, to which was referred **HCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

### COMMUNICATIONS

Senator Gibbons submitted the following:

To Be Included in the Senate Journal for  
Tuesday, February 3, 2004

Senator Kinder proposed the following terms for disposition of certain issues during this session of the General Assembly:

1. SS/SCS/SBs 714 & 761 as amended (the "Name Change Bill") to be put to a vote tonight and, if passed by the Senate, perfected tonight.

2. The Name Change Bill, to be referred to the Senate Committee on Rules, Joint Rules, Resolutions and Ethics.

3. A new bill to be filed on February 4, 2004, to include provision for the life sciences bonding issue for the four campuses of the University of Missouri and to include provision for the University of Missouri hotel/convention center land lease (the "Bonding Bill").

4. The Name Change Bill to stay in the Senate Rules Committee until such time as the Bonding Bill is Truly Agreed and Finally Passed by both the Senate and the House, without regard to whether the hotel/convention center provisions remain on the Bonding Bill. Senator Kinder and Senator Gibbons agree not to take action against the hotel/convention center provisions.

5. At such time as the Name Change Bill comes to the Senate Floor for Third Reading, Senator Jacob agrees that he will neither conduct nor participate in any dilatory action on the bill.

Senator Gibbons, Senator Kinder and Senator Jacob agreed to abide by the above terms.

At the request of Senator Gibbons, the above terms of the Agreement shall be placed in the Journal of the Senate.

/s/ Peter Kinder

/s/ Michael R. Gibbons

/s/ Ken Jacob

### INTRODUCTIONS OF GUESTS

Senator Mathewson introduced to the Senate, Jane Britton and thirty-five fourth and eighth grade students from Pettis County R-12 School, Sedalia.

Senator Russell introduced to the Senate, sixty high school students and adults representing the Oregon County Youth Summit.

Senator Griesheimer introduced to the Senate, Kathy Valeu and her children, Sullivan; and Kathy Henkle and her children, St. Clair.

Senator Scott introduced to the Senate, Jesse Wedemeyer, Kendra Lake, Jordan Liesemeyer, Katie Allcorn, Ben Young, and students from Applewood Christian School, Sedalia.

Senator Scott introduced to the Senate, Randy Wilson, Colorado Springs, Colorado.

Senator Champion introduced to the Senate, Dennis Coons, Springfield.

Senator Clemens introduced to the Senate, Sarah Horton, and her mother, Jeannie, Mountain Grove.

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

### SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 4, 2004

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 716-Childers

SB 787-Childers

SB 844-Yeckel  
SB 877-Goode and Days  
SB 1101-Steelman, et al  
SB 1102-Steelman and Jacob  
SB 1103-Steelman  
SB 1104-Steelman  
SB 1105-Shields  
SB 1106-Shields  
SB 1107-Shields  
SRB 1108-Bartle  
SB 1109-Coleman  
SB 1111-Klindt  
SB 1112-Clemens  
SB 1113-Loudon  
SB 1114-Loudon  
SB 1115-Loudon  
SB 1116-Stoll  
SB 1117-Stoll  
SB 1118-Cauthorn  
SB 1119-Cauthorn  
SB 1120-Cauthorn  
SB 1121-Cauthorn  
SB 1124-Goode and Steelman  
SB 1125-Goode  
SB 1126-Russell  
SB 1127-Cauthorn  
SB 1130-Scott  
SB 1131-Steelman  
SB 1132-Steelman, et al  
SB 1133-Foster, et al  
SB 1134-Foster, et al  
SB 1135-Foster, et al  
SB 1136-Vogel  
SB 1137-Vogel  
SB 1138-Bartle  
SB 1139-Mathewson  
SB 1140-Mathewson  
SB 1141-Loudon  
SB 1142-Dolan  
SB 1143-Dolan  
SB 1145-Kennedy  
SB 1146-Dougherty and Griesheimer  
SB 1147-Dougherty and Bartle  
SB 1148-Dougherty, et al  
SB 1149-Dougherty  
SB 1150-Goode  
SB 1152-Steelman  
SB 1153-Cauthorn  
SB 1154-Cauthorn and Wheeler  
SB 1155-Cauthorn  
SB 1156-Caskey  
SB 1157-Scott  
SB 1158-Bray, et al  
SB 1159-Foster and Dougherty  
SB 1160-Shields, et al  
SB 1161-Jacob  
SB 1162-Jacob  
SB 1163-Jacob  
SB 1164-Jacob, et al  
SB 1165-Russell  
SB 1166-Caskey  
SB 1167-Caskey  
SB 1168-Jacob  
SB 1169-Jacob  
SB 1170-Shields  
SB 1172-Gibbons, et al  
SB 1173-Days, et al  
SB 1174-Caskey  
SB 1175-Yeckel  
SB 1176-Shields  
SB 1177-Klindt  
SB 1178-Klindt  
SB 1179-Steelman  
SB 1180-Shields and Kinder  
SB 1181-Yeckel  
SB 1182-Dolan  
SB 1183-Dolan  
SB 1184-Griesheimer, et al  
SB 1185-Gross  
SB 1186-Bland and Days

SB 1187-Wheeler  
 SB 1188-Loudon  
 SB 1189-Scott  
 SB 1190-Caskey  
 SB 1191-Steelman  
 SB 1192-Steelman  
 SB 1193-Steelman  
 SB 1194-Vogel  
 SB 1195-Klindt

SB 1196-Klindt  
 SB 1197-Quick  
 SB 1198-Russell  
 SB 1199-Kennedy  
 SB 1200-Griesheimer  
 SB 1201-Cauthorn  
 SB 1202-Gibbons, et al  
 SJR 43-Klindt  
 SJR 45-Bartle and Gross

### HOUSE BILLS ON SECOND READING

HB 969-Cooper, et al

Unofficial  
 THIRD READING OF SENATE BILLS

SB 739-Klindt

### SENATE BILLS FOR PERFECTION

SB 1000-Bartle  
 SB 715-Childers and Caskey, with SCS  
 SB 990-Loudon, with SCS

SB 730-Gross and Champion, with SCS  
 SBs 1144, 919 & 874-Dolan, et al, with  
 SCS

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SB 732-Gross

### CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 758-Griesheimer, with SCS

SB 769-Nodler

SB 782-Caskey, with SCS  
SB 789-Childers, with SCS  
SBs 942, 850 & 841-Nodler, with SCS  
SB 762-Champion, with SCS  
SB 955-Scott, with SCS  
SB 770-Nodler

SB 1006-Goode, et al, with SCS  
SB 767-Clemens, with SCS  
SB 932-Loudon  
SB 980-Bartle, with SCS  
SB 1028-Cauthorn

RESOLUTIONS

Reported from Committee

SR 1118-Steelman and Nodler  
SCR 23-Gross  
SCR 24-Cauthorn, et al

SCR 25-Stoll, et al  
SCR 26-Childers and Russell  
HCR 5-Byrd, et al

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