

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SECOND DAY—WEDNESDAY, MARCH 3, 2004

The Senate met pursuant to adjournment.

Senator Nodler in the Chair.

Reverend Carl Gauck offered the following prayer:

“Only fear the Lord, and serve him faithfully with all your heart; for consider what great things he has done for you.” (I Samuel 12:24)

Heavenly Father, we began this day in prayer and heard Your message, reminding us of all You have done for us though we are unworthy. Yet You have made us worthy and competent to do what is required of us for which we give You thanks and praise. 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.

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 Yeckel offered the following resolution:

SENATE RESOLUTION NO. 1451

WHEREAS, the citizens of the state of Missouri have seen an untenable level of violent crime throughout the past several years; and

WHEREAS, statistics indicate that certain cities within the state of Missouri have rates of violent crime which are among the highest in the nation:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, hereby establish the “Interim Committee on Violent Crime”; and

BE IT FURTHER RESOLVED that the Committee shall be composed of five members of the Senate to be appointed by the President Pro Tem of the Senate, and no more than three members of such committee shall be from the same political party; and

BE IT FURTHER RESOLVED that the Committee shall conduct an in-depth study on the causes, issues related to, and the resulting effects of violent crime within Missouri and discover methods of reducing such crime in order to improve the safety and

quality of life for citizens within this state; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

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

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

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri Senate prior to the commencement of the First Regular Session of the Ninety-Third General Assembly.

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 **SS** for **SCS** for **SBs 740, 886 and 1178**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Caskey moved that **SB 920** be taken up for perfection, which motion prevailed.

On motion of Senator Caskey, **SB 920** was declared perfected and ordered printed.

SB 937, with **SCS**, was placed on the Informal Calendar.

SB 968, with **SCS**, was placed on the Informal Calendar.

Senator Gross moved that **SB 937**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 937**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 937

An Act to amend chapter 28, RSMo, by adding thereto two new sections relating to the Missouri catalog of assistance programs, with sunset provisions.

Was taken up.

Senator Childers assumed the Chair.

Senator Nodler assumed the Chair.

Senator Gross moved that **SCS** for **SB 937** be adopted.

Senator Bray offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 937, Page 1, Section 28.750, Line 1, by striking the words “secretary of state” and insert in lieu thereof the following: “**office of administration**”; and further amend page 2, line 21, by striking the words “secretary of state, or the secretary’s designee” and insert in lieu thereof the following: “**commissioner of the office of administration, or the commissioner’s designee**”; and further amend line 37, by striking the words “secretary of state” and inserting in lieu thereof the following: “**office of administration**”; and further amend line 43, by striking the words “secretary of state’s office” and inserting in lieu thereof the following: “**office of administration**”; and further amend page 3, line 77, by striking the words “secretary of state’s office” and inserting in lieu thereof the following: “**office of administration**”; and further amend line 84, by striking the words “secretary of state’s office” and inserting in lieu thereof the following: “**office of administration**”; and further amend page 4, line 90, by striking the words “secretary of state” and inserting in lieu thereof the following: “**office of administration**”; and further amend lines 93-94, by striking the words “secretary of state. The secretary of state, in conjunction with the office of administration” and insert in lieu thereof the following: “**office of administration. The office of administration**”; and further amend line 102,

by striking the words “secretary of state” and insert in lieu thereof the following: “**office of administration**”; and further amend lines 103-104, by striking the words “secretary of state” and insert in lieu thereof the following: “**office of administration**”.

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

Senator Gross moved that **SCS** for **SB 937**, as amended, be adopted, which motion prevailed.

On motion of Senator Gross, **SCS** for **SB 937**, as amended, was declared perfected and ordered printed.

Senator Kinder moved that **SB 1045**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 1045**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1045

An Act to amend chapter 574, RSMo, by adding thereto one new section relating to the burning of crosses, with penalty provisions.

Was taken up.

Senator Kinder moved that **SCS** for **SB 1045** be adopted, which motion prevailed.

On motion of Senator Kinder, **SCS** for **SB 1045** was declared perfected and ordered printed.

Senator Shields moved that **SB 968**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 968**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 968

An Act to repeal section 168.124, RSMo, and to enact in lieu thereof one new section relating to reduction in teacher forces.

Was taken up.

Senator Shields moved that **SCS** for **SB 968** be adopted.

Senator Gross assumed the Chair.

Senator Steelman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 968, Page 2, Section 168.124, Line 31, by inserting after all of said line the following:

“3. If a school district reduces staff due to the financial condition of the district, the school district shall solely follow the procedures provided in subsection 1 of this section.”.

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

Senator Goode offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 968, Page 2, Section 168.124, Line 23, by inserting after all of said line the following:

“2. Should a board of education choose to utilize the mechanism for reducing teacher forces as provided in subsection 1 of this section in an attempt to manage adverse financial conditions caused at least partially by a withholding of, or a decrease or less than expected increase in, education appropriations, then the district additionally shall follow the provisions of subsection 3 of this section.”; and

Further amend said section, by renumbering the remaining subsection accordingly.

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

Senator Nodler assumed the Chair.

Senator Gross assumed the Chair.

Senator Cauthorn offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 968, Page 1, Section A, Line 2, by inserting after all of said line, the following:

“168.081. [After September 1, 1988,] No person without a valid Missouri certificate shall:

(1) Engage in the practice of teaching or the performance of education duties in grades [kindergarten] **pre-kindergarten** through twelve in any public school in the state;

(2) Act as a school administrator in any public school district, unless such person obtains a temporary administrator certificate pursuant to section 168.083.”; and

Further amend the title and enacting clause accordingly.

Senator Cauthorn moved that the above amendment be adopted.

Senator Shields raised the point of order that **SA 3** is out of order as it goes beyond the scope and purpose of the bill.

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

At the request of Senator Cauthorn, **SA 3** was withdrawn, rendering the point of order moot.

At the request of Senator Shields, **SB 968**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

On motion of Senator Gibbons, the Senate recessed until 3:00 p.m.

RECESS

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

RESOLUTIONS

Senator Loudon offered Senate Resolution No. 1452, regarding Lieutenant Richard T. Hogan, St. Charles, which was adopted.

Senator Loudon offered Senate Resolution No. 1453, regarding Barbara Jane Haney, Maryland Heights, which was adopted.

Senator Scott offered Senate Resolution No. 1454, regarding Henry Hungerbeeler, Jefferson City, which was adopted.

Senator Callahan offered Senate Resolution No. 1455, regarding Ronald E. Stobart, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1456, regarding Jon Wayne Ashley, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 1457, regarding Larry N. Blick, Independence, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 920**; **SCS** for **SB 1045**; and **SCS** for **SB 937**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

THIRD READING OF SENATE BILLS

SB 878, with **SCS**, introduced by Senator Goode, et al, entitled:

An Act to repeal section 393.310, RSMo, and to enact in lieu thereof one new section relating to gas corporations and experimental tariffs, with a termination date.

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

SCS for **SB 878**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 878

An Act to repeal section 393.310, RSMo, and to enact in lieu thereof one new section relating to gas corporations and experimental tariffs, with a termination date.

Was taken up.

Senator Goode moved that **SCS** for **SB 878** be adopted, which motion prevailed.

On motion of Senator Goode, **SCS** for **SB 878** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Kennedy	Kinder	Klindt	Loudon
Nodler	Quick	Scott	Shields
Stelman	Yeckel—26		

NAYS—Senators—None

Absent—Senators

Bland	Dolan	Jacob	Mathewson
Russell	Stoll	Vogel	Wheeler—8

Absent with leave—Senators—None

Senator Childers assumed the Chair.

The President declared the bill passed.

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

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

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

SB 1197, with **SCS**, introduced by Senator Quick, entitled:

An Act to repeal section 67.797, RSMo, and to enact in lieu thereof one new section relating to recreational district board members.

Was called from the Consent Calendar and taken up.

SCS for **SB 1197**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1197

An Act to repeal section 67.797, RSMo, and to enact in lieu thereof one new section relating to recreational district board members.

Was taken up.

Senator Quick moved that **SCS** for **SB 1197** be adopted, which motion prevailed.

On motion of Senator Quick, **SCS** for **SB 1197** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Kennedy	Kinder	Klindt	Loudon
Nodler	Quick	Russell	Scott
Shields	Stelman	Yeckel—27	

NAYS—Senators—None

Absent—Senators

Bland	Dolan	Jacob	Mathewson
Stoll	Vogel	Wheeler—7	

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 827, with **SCS**, introduced by Senator Bartle, entitled:

An Act to repeal section 512.020, RSMo, and to enact in lieu thereof one new section relating to interlocutory appeals in class actions.

Was called from the Consent Calendar and taken up.

SCS for **SB 827**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 827

An Act to repeal section 512.020, RSMo, and to enact in lieu thereof one new section relating to interlocutory appeals in class actions.

Was taken up.

Senator Bartle moved that **SCS** for **SB 827** be adopted, which motion prevailed.

On motion of Senator Bartle, **SCS** for **SB 827** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Kennedy	Kinder	Klindt
Loudon	Nodler	Quick	Russell
Scott	Shields	Steelman	Yeckel—28

NAYS—Senators—None

Absent—Senators

Bland	Jacob	Mathewson	Stoll
Vogel	Wheeler—6		

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 1107, introduced by Senator Shields, entitled:

An Act to authorize the governor to convey a tract of land owned by the state to the St. Joseph School District.

Was called from the Consent Calendar and taken up.

On motion of Senator Shields, **SB 1107** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Mathewson	Stoll	Wheeler—3
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 1106, with **SCS**, introduced by Senator Shields, entitled:

An Act to authorize the governor to convey a tract of land owned by the state to the St. Joseph Museum, Inc., with an emergency clause.

Was called from the Consent Calendar and taken up.

SCS for **SB 1106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1106

An Act to authorize the governor to convey a tract of land owned by the state to the St. Joseph Museum, Inc., with an emergency clause.

Was taken up.

Senator Shields moved that **SCS** for **SB 1106** be adopted, which motion prevailed.

On motion of Senator Shields, **SCS** for **SB 1106** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Mathewson Stoll Wheeler—3

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Mathewson Stoll Wheeler—3

Absent with leave—Senators—None

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

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

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

SB 921, with **SCS**, introduced by Senator Caskey, entitled:

An Act to repeal section 217.375, RSMo, and to enact in lieu thereof one new section relating to administrative segregation of offenders.

Was called from the Consent Calendar and taken up.

SCS for **SB 921**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 921

An Act to repeal section 217.375, RSMo, and to enact in lieu thereof one new section relating to administrative segregation of offenders, with an

emergency clause.

Was taken up.

Senator Caskey moved that **SCS** for **SB 921** be adopted, which motion prevailed.

On motion of Senator Caskey, **SCS** for **SB 921** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senator Bland—1

Absent—Senators

Bray Mathewson Stoll Wheeler—4

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Bland Bray Kinder Mathewson
Russell Stoll Wheeler—7

Absent with leave—Senators—None

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

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

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

SRB 1108, introduced by Senator Bartle, entitled:

An Act to repeal sections 72.424, 105.268, 144.036, 277.200, 277.201, 277.202, 277.206, 277.209, 277.212, 277.215, 319.023, 400.9-629, and 620.1310, RSMo, for the purpose of repealing expired and outdated sections.

Was called from the Consent Calendar and taken up.

On motion of Senator Bartle, **SRB 1108** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Bland	Coleman	Mathewson	Stoll
Wheeler—5			

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Vogel moved that **SB 754**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 754**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 754

An Act to repeal sections 67.793 and 67.799, RSMo, and to enact in lieu thereof three new sections relating to the creation of exhibition center and recreational facility districts.

Was taken up.

Senator Vogel moved that **SCS** for **SB 754** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 754, Page 5, Section 67.2000, Line 4, by inserting immediately after the word “within” the following: **“any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants.”**

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

Senator Gross offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 754, Page 5, Section 67.799, Line 59, by inserting immediately after said line the following:

“67.1706. The metropolitan district shall have as its [primary] duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district. **Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails.** The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district **or other conservation and environmental regulatory agencies** and shall have the power to

contract with other parks and recreation systems as well as with other public and private entities. **Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.**

67.1754. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes **provided the purposes of such grants are consistent with the purpose of the district.** In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757.”; and

Further amend the title and enacting clause accordingly.

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

Senator Vogel moved that **SCS for SB 754**, as amended, be adopted, which motion prevailed.

On motion of Senator Vogel, **SCS for SB 754**, as amended, was declared perfected and ordered printed.

Senator Shields moved that **SB 1160**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 1160, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1160

An Act to amend chapter 196, RSMo, by adding thereto six new sections relating to the prescription drug repository program, with penalty provisions for a certain section.

Was taken up.

Senator Shields moved that **SCS for SB 1160** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 1160, Page 3, Section 196.979, Lines 29-30, by striking “The resale of any donated prescription drugs pursuant to sections 196.970 to 196.984 is a class D felony.” and inserting in lieu thereof the following: “**Any individual who knowingly resells any donated prescription drugs pursuant to sections 196.970 to 196.984 shall be guilty of a class D felony.**”.

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

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

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 1160, Page 4, Section 196.981, Line 23, by inserting after all of said line the following:

“3. Notwithstanding the provisions of this section, a person or entity otherwise immunized by this section is not immunized from claims for injury, death, or loss of property arising from the donation, acceptance, or dispensing of

prescription drugs deposited through this program which are defective or which do not comply with the prescription pursuant to which the drugs are dispensed.”.

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

Senator Shields moved that **SCS** for **SB 1160**, as amended, be adopted, which motion prevailed.

On motion of Senator Shields, **SCS** for **SB 1160**, as amended, was declared perfected and ordered printed.

Senator Griesheimer moved that **SB 1040**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 1040**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1040

An Act to repeal sections 260.370, 260.375, 260.380, 260.475, and 260.479, RSMo, and to enact in lieu thereof five new sections relating to hazardous waste management, with an emergency clause.

Was taken up.

Senator Griesheimer moved that **SCS** for **SB 1040** be adopted, which motion prevailed.

On motion of Senator Griesheimer, **SCS** for **SB 1040** was declared perfected and ordered printed.

Senator Gibbons moved that **SB 1123** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Gibbons, **SB 1123** was declared perfected and ordered printed.

RESOLUTIONS

Senator Quick offered Senate Resolution No. 1458, regarding National Nurses Week, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Bartle introduced to the Senate, Samantha Stidham, Lee's Summit.

Senator Klindt introduced to the Senate, Heather Witmer, Polo; Hanna Smith, Braymer; and Kyle French, Jefferson City.

Senator Childers introduced to the Senate, Smatha Horner, Cassville.

Senator Scott introduced to the Senate, Jennifer Elliott and Betty Cooper, Windsor.

On behalf of Senator Scott and himself, Senator Mathewson introduced to the Senate, Christina Holt, La Monte.

Senator Kennedy introduced to the Senate, Amanda Wichern, Ste. Genevieve.

Senator Caskey introduced to the Senate, Elizabeth Simmons, Holden; and Alan Breshears, Jefferson City.

Senator Cauthorn introduced to the Senate, Ashley Secoy, Shelbina.

On behalf of Senator Jacob and himself, Senator Kennedy introduced to the Senate, Robert Whitlock, Columbia.

On behalf of Senator Nodler, the President introduced to the Senate, Rudy Farber, Neosho.

On behalf of Senator Nodler, the President introduced to the Senate, Kristin Patterson, Granby; and Dustin Lattimer, Carl Junction.

Senator Yeckel introduced to the Senate, Leslie Farr, St. Louis County.

Senator Bartle introduced to the Senate, the 2004 State Champion Blue Springs High School Wildcat Swimming and Diving Team: Kyle Ayres, Kevin Bigham, Aaron Broadus, Zach Burr, Brandon Floyd, Josh Ghasemi, Kevin Gurauskas, Chris Hefner, Kevin Johnson, Jeff Patterson, Jason Stokes, Joel Joplin and David Legler and Coaches Bill Shalley, Melissa Jackson and Robert Sturman.

Senator Steelman introduced to the Senate, Anna Whatley, Bourbon.

Senator Bray introduced to the Senate, Melissa Reed, Mitzi Cook, and fourth and fifth grade students from KCA Christian School, Overland.

Senator Klindt introduced to the Senate, Haleigh Tague and Whitney Wright, Gallatin.

Senator Gibbons introduced to the Senate, David Clay, Glendale.

Senator Kinder introduced to the Senate, Mark Van Es, Zalma.

On behalf of Senator Gross, the President introduced to the Senate, Jasmine Park, Nicole Massarand, Kathleen Dozier and Julie Dozier, Harvest Ridge; and Jasmine, Nicole and Kathleen were made honorary pages.

Senator Gibbons introduced to the Senate, Wayne Ellenberger, Kirkwood.

Senator Caskey introduced to the Senate,

sixth, seventh and eighth grade students and teachers from Harmony School, Bates County; and Dwayne Goossen, Rusty Dirks and Trenton Base were made honorary pages.

Senator Griesheimer introduced to the Senate, representatives of Missouri Beer Wholesalers Association.

Senator Bartle introduced to the Senate, representatives of Teen Pact, Jackson County.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Hal Williamson, M.D., Columbia.

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

SENATE CALENDAR

Unofficial
THIRTY-THIRD DAY—THURSDAY, MARCH 4, 2004

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1288-Vogel

SB 1289-Kennedy and Gibbons

SB 1313-Bray

SB 1328-Yeckel

SB 1331-Gibbons

SB 1332-Caskey and Mathewson

SB 1333-Caskey and Shields

SB 1334-Dougherty

SB 1335-Dougherty, et al

SB 1336-Kennedy and Dougherty

SB 1337-Kennedy

SB 1338-Callahan

SB 1339-Callahan

SB 1340-Callahan

SB 1341-Cauthorn, et al

SB 1342-Cauthorn

SB 1343-Champion

SB 1344-Champion

SB 1345-Coleman

SB 1346-Coleman

SB 1347-Coleman

SB 1348-Coleman

SB 1349-Coleman

SB 1350-Stoll

SB 1351-Stoll

SB 1352-Stoll

SB 1353-Bray

SB 1354-Steelman

SB 1355-Days

SB 1356-Jacob and Bray

SB 1357-Jacob and Bray

SB 1358-Jacob and Bray

SB 1359-Jacob and Bray

SB 1360-Jacob

SB 1361-Griesheimer and Loudon	SB 1383-Scott
SB 1362-Griesheimer	SB 1384-Scott
SB 1363-Griesheimer	SB 1385-Scott
SB 1364-Gross	SB 1386-Scott
SB 1365-Yeckel, et al	SB 1387-Dolan
SB 1366-Yeckel	SB 1388-Dolan
SB 1367-Yeckel	SB 1389-Dolan
SB 1368-Nodler	SB 1390-Foster
SB 1369-Nodler	SB 1391-Foster
SB 1370-Nodler	SB 1392-Goode and Dougherty
SB 1371-Kinder, et al	SB 1393-Vogel
SB 1372-Klindt, et al	SB 1394-Vogel
SB 1373-Bartle	SB 1395-Shields
SB 1374-Gibbons	SB 1396-Shields
SB 1375-Gibbons	SB 1397-Gibbons, et al
SB 1376-Gibbons	SB 1398-Jacob and Kinder
SB 1377-Bray and Bland	SB 1399-Kennedy
SB 1378-Stoll and Cauthorn	SB 1400-Loudon, et al
SB 1379-Cauthorn	SJR 48-Jacob and Bray
SB 1380-Cauthorn	SJR 49-Klindt
SB 1381-Loudon	SJR 50-Stoll
SB 1382-Quick and Gibbons	SJR 51-Goode

THIRD READING OF SENATE BILLS

SB 870-Bartle	SB 920-Caskey
SCS for SB 700-Russell	SCS for SB 1045-Kinder, et al
SS for SCS for SBs 740, 886 & 1178-Klindt	SCS for SB 937-Gross

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 715-Childers and Caskey, with SCS, SS for SCS & SA 24 (pending)	SB 989-Gross, et al, with SCS (pending)
SB 718-Yeckel, et al	SB 990-Loudon, with SCS
SB 755-Shields, with SCS	SBs 1020, 889 & 869-Steelman, et al, with SCS, SA 2 & SSA 1 for SA 2 (pending)
SB 856-Loudon, with SCS	SB 1122-Shields, with SCS & SS for SCS (pending)
SB 933-Yeckel, et al	SB 1138-Bartle
SB 968-Shields, with SCS (pending)	

CONSENT CALENDAR

Senate Bills

Reported 2/9

SB 741-Klindt
SB 1093-Gibbons and Yeckel, with SCS

SB 799-Steelman, with SCS

Reported 2/23

SB 1229-Caskey
SB 1218-Quick, with SCS
SB 1162-Jacob
SB 1048-Nodler, et al
SB 1044-Shields, with SCS
SB 1172-Gibbons, et al, with SCS
SB 1007-Goode, et al
SB 962-Clemens, with SCS
SB 992-Cauthorn, with SCS
SB 1177-Klindt, with SCS
SB 900-Goode, with SCA 1
SB 945-Gibbons, with SCS
SB 1087-Days, et al

SB 1086-Cauthorn
SB 1078-Loudon, with SCS
SB 883-Klindt
SB 966-Shields
SB 757-Shields, with SCS
SB 771-Bray, with SCS
SB 772-Bray and Griesheimer
SB 788-Childers, with SCS
SB 845-Yeckel, with SCS
SB 894-Goode
SB 899-Goode
SB 956-Scott, with SCS
SB 1225-Dougherty, et al, with SCS
SB 1114-Loudon

Reported 3/1

SB 762-Champion, with SCS#2
SB 1212-Wheeler and Russell, with SCS
SB 1243-Wheeler
SB 1253-Mathewson, et al, with SCS
SB 817-Kennedy and Griesheimer, with SCS
SBs 1085 & 800-Foster, et al, with SCS
SB 884-Klindt
SB 1188-Loudon, with SCS
SB 1105-Shields, with SCS

SB 768-Nodler
SJR 24-Caskey and Bartle, with SCS
SB 1166-Caskey
SB 1111-Klindt
SB 1064-Scott and Clemens
SB 974-Dougherty, with SCS
SB 1130-Scott
SB 1055-Bartle and Wheeler

RESOLUTIONS

To be Referred

SR 1451-Yeckel

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