

Journal of the Senate

SECOND REGULAR SESSION

FORTY-SEVENTH DAY—MONDAY, APRIL 5, 2004

The Senate met pursuant to adjournment.

Senator Shields in the Chair.

Reverend Carl Gauck offered the following prayer:

“To pray is to anchor the finite will in the will of God.” (J.H. Oldham)

Merciful God, as we begin this week here together, we do so in prayer, to anchor our hearts and minds in You so we might keep our focus on the things that will help accomplish Your will for us and make us a blessing to those who have brought us here to serve in these various ways. Help us to make this happen, O Lord. 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 for Thursday, April 1, 2004, was read and approved.

Photographers from the Associated Press were given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Bartle 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—33			

Absent with leave—Senator Bland—1

RESOLUTIONS

Senator Vogel offered Senate Resolution No. 1651, regarding the Ninetieth Birthday of Charles Lancaster “Lank” McBroom, Latham, which was adopted.

Senator Vogel offered Senate Resolution No. 1652, regarding the men and women of the Missouri National Guard and Reserves, which was adopted.

Senator Days offered Senate Resolution No. 1653, regarding the Eightieth Birthday of Raymond Anthony Bruntrager, which was adopted.

Senator Days offered Senate Resolution No. 1654, regarding Maria M. Logan, Bel-Nor, which was adopted.

Senator Yeckel offered Senate Resolution No.

1655, regarding Sheri Hogland, which was adopted.

Senator Yeckel offered Senate Resolution No. 1656, regarding Mary Kathleen Bresnahan, which was adopted.

Senator Yeckel offered Senate Resolution No. 1657, regarding Kathy Newcomer-Vester, which was adopted.

Senator Yeckel offered Senate Resolution No. 1658, regarding Mary Cullen Lynch, which was adopted.

Senator Yeckel offered Senate Resolution No. 1659, regarding Eileen Berner, which was adopted.

Senator Yeckel offered Senate Resolution No. 1660, regarding Annabel Blackiston Haskett, which was adopted.

Senator Yeckel offered Senate Resolution No. 1661, regarding Laurie Free, which was adopted.

Senator Yeckel offered Senate Resolution No. 1662, regarding Barbara Haaser, which was adopted.

Senator Yeckel offered Senate Resolution No. 1663, regarding Tim Hausman, which was adopted.

Senator Yeckel offered Senate Resolution No. 1664, regarding Eric Mitchell, which was adopted.

Senator Yeckel offered Senate Resolution No. 1665, regarding Jane Laurentius, which was adopted.

Senator Yeckel offered Senate Resolution No. 1666, regarding Jane Crowe, which was adopted.

Senator Yeckel offered Senate Resolution No. 1667, regarding Debbie Groerich, which was adopted.

Senator Yeckel offered Senate Resolution No. 1668, regarding Gertrude Conboy, which was adopted.

Senator Mathewson offered Senate Resolution No. 1669, regarding Elmer Ragus, Sedalia, which was adopted.

Senator Nodler offered Senate Resolution No. 1670, regarding Melissa Ralston, Joplin, which

was adopted.

Senator Wheeler offered Senate Resolution No. 1671, regarding the late Joseph C. Pfeifauf, Overland Park, Kansas, which was adopted.

Senator Shields offered Senate Resolution No. 1672, regarding Louise D. Campbell, Faucett, which was adopted.

Senator Champion offered Senate Resolution No. 1673, regarding Derick English, Springfield, which was adopted.

Senator Bartle offered Senate Resolution No. 1674, regarding Michael Paul Dinges, Blue Springs, which was adopted.

Senator Russell offered Senate Resolution No. 1675, regarding Jarrett T. Conkin, Wright County, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1676, regarding the One Hundred Second Birthday of Viola Kathleen Magruder, Hannibal, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1677, regarding the Class 2 Champion Boys Basketball Team from Van-Far High School, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1678, regarding the One Hundred First Birthday of Rosemary Gabbert Musil, Louisiana, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1679, regarding the One Hundred Sixth Birthday of Mary B. Leonard, Vandalia, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1680, regarding the Class 1 Champion Girls Basketball Team from Brashear High School, Brashear, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1681, regarding the Technology Program at Holliday C-2 School District, Holliday, which was adopted.

Senator Callahan offered Senate Resolution No. 1682, regarding Jessica Shafer, Independence,

which was adopted.

Senator Callahan offered Senate Resolution No. 1683, regarding John Mark Lambertson, which was adopted.

Senator Callahan offered Senate Resolution No. 1684, regarding Kalee Smith, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1685, regarding Mike Kline, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1686, regarding Brett Read, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1687, regarding Judi Wollenziehn, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1688, regarding Melissa Kabrick, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1689, regarding Sarah Noble, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1690, regarding Jessica Ruckman, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1691, regarding Hank Kimbrough, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1692, regarding Christa Hamburg, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1693, regarding Alex Dunn, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 1694, regarding Casey Wooton, Independence, which was adopted.

CONCURRENT RESOLUTIONS

Senator Griesheimer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 47

WHEREAS, Missouri has a long tradition of providing funding for passenger railroad service and other multimodal transportation services; and

WHEREAS, passenger rail service and other forms of multimodal transportation services are a tool for economic development, mobility and congestion relief; and

WHEREAS, Missouri citizens directly benefit from passenger rail services and other multimodal transportation services; and

WHEREAS, Missouri ridership of Amtrak passenger rail services has decreased from approximately 208,000 passengers in fiscal year 2001 to 167,000 passengers in fiscal year 2003; and

WHEREAS, state assistance for passenger rail service provided by Amtrak was approximately \$6,200,000 in fiscal year 2003; and

WHEREAS, recent state budget woes has forced personnel cuts, elimination of promotional funds, and the implementation of a \$5 ticket surcharge to supplement insufficient state appropriations; and

WHEREAS, other multimodal transportation services, such as MetroLink and OATS, face financial shortfalls during tight budgetary times; and

WHEREAS, mass transit systems are looking into fare increases in order to balance their budgets; and

WHEREAS, total state multimodal program funding for aviation, passenger rail, waterways, and transit has decreased from approximately \$25 million in fiscal year 2000 to \$16 million in fiscal year 2004; and

WHEREAS, there is a strong desire to stabilize and improve state supported passenger rail service and other multimodal transportation services in Missouri; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on State Supported Passenger Rail Service and Multimodal Transportation"; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of five members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; five members of the House of Representatives, appointed by the Speaker of the House of Representatives, of which at least two shall be members of the minority party; one representative from the Missouri Division of Tourism; the Commissioner of the Missouri Office of Administration or the Commissioner's representative; a representative from the Kansas City Transportation Authority; a representative from Metro; a representative from a Missouri Port

Authority; a representative from the Multimodal Operations Unit of the Missouri Department of Transportation; a representative from OATS; a representative from Amtrak; a representative from Union Pacific Railroad; and the mayor or the mayor's appointee of each community along the passenger rail route between St. Louis and Kansas City directly serviced by such passenger railroad service; and

BE IT FURTHER RESOLVED that the Committee shall make a comprehensive analysis of the state sponsored passenger rail service and other multimodal transportation services and shall:

(1) Create a long-term vision for state supported passenger rail service and multimodal transportation services in Missouri;

(2) Provide recommendations of how to reduce dependence on state general revenue support by increasing efficiencies, exploring dedicated funding sources, and by establishing local community support requirements;

(3) Provide recommendations of how to establish public/private partnerships with railroads to complete infrastructure improvements that will reduce track congestion and improve on-time performance of trains;

(4) Provide recommendations of how to increase ridership through the stabilization of services, increased promotional efforts, and service improvements; and

(5) Review and explore any other issues the Committee deems relevant to the issue of improving passenger rail and multimodal transportation services; 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 staffs of House Research, Senate Research, and the Joint Committee on Legislative 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 appointed members of the joint interim committee be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 15, 2005, and that the authority of said Committee shall terminate on said date.

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 **SCS for SB 710**; and **SS for SCS for SBs 1233, 840 and 1043**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Nodler assumed the Chair.

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

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which were referred **HB 1071, HB 801, HB 1275 and HB 989**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS for HB 895**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS for HB 947**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 975**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 1047**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 1107**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Charles "Denny" Fitterling, 9904 Oakley, Kansas City, Jackson County, Missouri 64137, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2005, and until his successor is duly appointed and qualified; vice, Derek Alvarez, resigned.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Michael Foresman, Republican, 515 Pointe Essex Court, Kirkwood, St. Louis County, Missouri 63122, as a member of the Air Conservation Commission of the State of Missouri, for a term ending October 13, 2007, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Jo Ann Freeman, 8 Columbus Square Drive, St. Louis City, Missouri 63101, as a member of the Board of Police Commissioners-St. Louis City, for a term ending January 31, 2008, and until her successor is duly appointed and qualified; vice, Mary Elizabeth Nelson, resigned.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Rosemary G. Hogan, Democrat, 2609 Chapel Wood Terrace, Columbia, Boone County, Missouri 65203, as a member of the Missouri Board for Respiratory Care, for a term ending April 3, 2006, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Leon Kreisler, Republican, Route 2, Box 888J, Salem, Dent County, Missouri 65560, as a member of the State Soil and Water Districts Commission, for a term ending May 2, 2005, and until his successor is duly appointed and qualified; vice, Leland Burch, resigned.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

Thomas J. Mangogna, 3829 Flora Place, St. Louis City,
Missouri 63110, as a member of the Advisory Committee on Lead
Poisoning, for a term ending April 15, 2005, and until his successor
is duly appointed and qualified; vice, Donald Thomas, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

Davis D. Minton, Democrat, 16138 Shady Lane, Dexter,
Stoddard County, Missouri 63841, as a member of the Clean Water
Commission, for a term ending April 12, 2008, and until his
successor is duly appointed and qualified; vice, reappointed to a full
term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

Joyce A. Mitchell, Ph.D., 506 Arbor Drive, Columbia, Boone
County, Missouri 65201, as a member of the Missouri Genetic
Disease Advisory Committee, for a term ending April 9, 2007, and
until her successor is duly appointed and qualified; vice, Rick
Martin, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

Dawn Spellerberg Peck, 4709 King Salmon Way, Columbia,
Boone County, Missouri 65203, as a member of the Missouri
Genetic Disease Advisory Committee, for a term ending April 9,
2005, and until her successor is duly appointed and qualified; vice,
Mark Toomey, resigned

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

David G. Potter, 608 Charleston Oaks Drive, Ballwin, St.
Louis County, Missouri 63021, as a member of the Missouri State
Board of Nursing, for a term ending August 13, 2004, and until his
successor is duly appointed and qualified; vice, Art Bante, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 1, 2004

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice
and consent the following appointment to office:

Anne B. Schmidt, Republican, 4311 Alderwood Drive,
Florissant, St. Louis County, Missouri 63033, as a member of the
Missouri Housing Development Commission, for a term ending
October 13, 2007, and until her successor is duly appointed and
qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

SENATE BILLS FOR PERFECTION

Senator Klindt moved that **SB 809**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 809** was again taken up.

Senator Klindt offered **SS** for **SCS** for **SB 809**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 809

An Act to amend chapter 375, RSMo, by adding thereto seven new sections relating to insurance compliance audits.

Senator Klindt moved that **SS** for **SCS** for **SB 809** be adopted.

Senator Bartle assumed the Chair.

Senator Shields assumed the Chair.

Senator Steelman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 809, Page 1, In the Title, Line 3, by striking the following: "compliance audits"; and

Further amend said bill, Page 8, Section 375.1069, Line 26, by inserting after all of said line the following:

"383.324. Notwithstanding any other provision of the law to the contrary, no insurer authorized to issue policies of medical malpractice insurance in this state shall increase the renewal premium on any policy of medical malpractice insurance nor impose changes in deductibles or coverage that materially alter the policy, unless the insurer mails or delivers to the named insured written notice of such increase or change in deductible or coverage at least ninety days prior to the renewal or anniversary date."; and

Further amend the title and enacting clause accordingly.

Senator Steelman moved that the above amendment be adopted.

Senator Klindt raised the point of order that **SA 1** is out of order as it goes beyond the purpose of the bill.

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

At the request of Senator Steelman, **SA 1** was withdrawn, rendering the point of order moot.

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 809, Page 1, In the Title, Line 3, by striking the following: "compliance audits"; and

Further amend said bill, Page 8, Section 375.1069, Line 26, by inserting after all of said line the following:

"383.324. Notwithstanding any other provision of the law to the contrary, no insurer authorized to issue policies of medical malpractice insurance in this state shall increase the renewal premium on any policy of medical malpractice insurance nor impose changes in deductibles or coverage that materially alter the policy, unless the insurer mails or delivers to the named insured written notice of such increase or change in deductible or coverage at least ninety days prior to the renewal or anniversary date. The department of insurance shall conduct an audit to ensure the compliance of the provisions herein."; and

Further amend the title and enacting clause accordingly.

Senator Steelman 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, Dougherty and Wheeler.

Senator Gross assumed the Chair.

Senator Klindt raised the point of order that **SA 2** 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, who ruled it not well taken.

At the request of Senator Klindt, **SB 809**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HB 1304**, with **SCS**, introduced by Representative Byrd, entitled:

An Act to repeal sections 355.176, 408.040, 490.715, 508.010, 508.040, 508.070, 508.120, 510.263, 537.035, 537.067, 538.205, 538.210, 538.220, and 538.225, RSMo, and to enact in lieu thereof fifteen new sections relating to claims for damages and the payment thereof.

Was taken up by Senator Scott.

SCS for **HS** for **HCS** for **HB 1304**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1304

An Act to repeal sections 355.176, 408.040, 508.010, 508.040, 508.070, 508.120, 510.263, 537.035, 537.067, 538.205, 538.210, and 538.225, RSMo, and to enact in lieu thereof twelve new sections relating to claims for damages and the payment thereof.

Was taken up.

Senator Scott moved that **SCS** for **HS** for **HCS** for **HB 1304** be adopted.

Senator Bartle offered **SS** for **SCS** for **HS** for **HCS** for **HB 1304**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1304

An Act to repeal sections 355.176, 408.040, 508.010, 508.040, 508.070, 508.120, 510.263, 537.035, 537.067, 538.205, 538.210, and 538.225, RSMo, and to enact in lieu thereof twelve new

sections relating to claims for damages and the payment thereof.

Senator Bartle moved that **SS** for **SCS** for **HS** for **HCS** for **HB 1304** be adopted.

Senator Scott offered **SS** for **SS** for **SCS** for **HS** for **HCS** for **HB 1304**, entitled:

SENATE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1304

An Act to repeal sections 355.176, 408.040, 508.010, 508.040, 508.070, 508.120, 510.263, 516.105, 537.035, 537.067, 538.205, 538.210, 538.220, 538.225, and 538.300, RSMo, and to enact in lieu thereof sixteen new sections relating to tort reform.

Senator Scott moved that **SS** for **SS** for **SCS** for **HS** for **HCS** for **HB 1304** be adopted.

At the request of Senator Scott, **HS** for **HCS** for **HB 1304**, with **SCS**, **SS** for **SCS** and **SS** for **SS** for **SCS** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Kinder referred **SS** for **SCS** for **SBs 1233, 840** and **1043** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Kinder referred the gubernatorial appointments appearing on pages 832 and 833 to the Committee on Gubernatorial Appointments.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 1377—Economic Development, Tourism and Local Government.

HCS for **HB 1321**—Economic Development, Tourism and Local Government.

HCS for **HB 1055**—Judiciary and Civil and

Criminal Jurisprudence.

HCS for **HB 1041**—Education.

HCS for **HBs 1074** and **1129**—Pensions and General Laws.

HCS for **HBs 1098** and **949**—Pensions and General Laws.

HB 1504—Transportation.

HB 869—Agriculture, Conservation, Parks and Natural Resources.

HCS for **HB 988**—Financial and Governmental Organization, Veterans' Affairs and Elections.

HCS for **HB 1277**—Commerce and the Environment.

HCS for **HBs 795, 972, 1128** and **1161**—Economic Development, Tourism and Local Government.

HS for **HB 1193**—Financial and Governmental Organization, Veterans' Affairs and Elections.

HCS for **HB 1152**—Judiciary and Civil and Criminal Jurisprudence.

HB 1167—Transportation.

HS for **HB 1487**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 941**—Education.

HB 1494—Economic Development, Tourism and Local Government.

HS for **HCS** for **HB 978**—Financial and Governmental Organization, Veterans' Affairs and Elections.

HB 1616—Financial and Governmental Organization, Veterans' Affairs and Elections.

HCS for **HB 1278**—Small Business, Insurance and Industrial Relations.

HS for **HCS** for **HJR 35**—Agriculture, Conservation, Parks and Natural Resources.

HB 884—Small Business, Insurance and Industrial Relations.

HB 1142—Transportation.

HCS for **HB 1471**—Economic Development, Tourism and Local Government.

HCS for **HB 1179**—Judiciary and Civil and Criminal Jurisprudence.

HB 1364—Judiciary and Civil and Criminal Jurisprudence.

HB 1438—Transportation.

HB 1608—Economic Development, Tourism and Local Government.

HB 1635—Economic Development, Tourism and Local Government.

HB 1612—Economic Development, Tourism and Local Government.

HB 1634—Financial and Governmental Organization, Veterans' Affairs and Elections.

HB 1604—Agriculture, Conservation, Parks and Natural Resources.

HB 1610—Transportation.

HB 1613—Economic Development, Tourism and Local Government.

HB 1048—Education.

HCS for **HB 1090**—Small Business, Insurance and Industrial Relations.

HB 1217—Pensions and General Laws.

HCS for **HB 1233**—Small Business, Insurance and Industrial Relations.

HCS for **HB 1253**—Small Business, Insurance and Industrial Relations.

HCS for **HB 1405**—Transportation.

HB 1440—Pensions and General Laws.

HB 1445—Economic Development, Tourism and Local Government.

HB 1502—Pensions and General Laws.

HCS for **HBs 1529** and **1655**—Ways and Means.

HB 1603—Ways and Means.

HCS for HBs 1631 and 1623—Judiciary and Civil and Criminal Jurisprudence.

REFERRALS

President Pro Tem Kinder referred **SCR 46** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Callahan offered Senate Resolution No. 1695, regarding Breanna Hackett, Independence, which was adopted.

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

SENATE CALENDAR

FORTY-EIGHTH DAY—TUESDAY, APRIL 6, 2004

Unofficial
FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 855
HCS for HB 1614

HB 1444-Moore, et al
HCS for HB 1660

Journal
THIRD READING OF SENATE BILLS

SCS for SB 710-Goode and Bray

SS for SCS for SBs 1233, 840 & 1043-Dolan
(In Fiscal Oversight)

Copy
SENATE BILLS FOR PERFECTION

SB 1234-Mathewson and Childers, with SCS
SJR 40-Stoll
SB 817-Kennedy and Griesheimer, with SCS
SB 1124-Goode and Steelman, with SCS
SB 1128-Cauthorn, with SCS
SJR 24-Caskey and Bartle, with SCS
SB 1370-Nodler
SJR 41-Kinder, et al, with SCS
SB 717-Childers
SB 1183-Dolan, with SCS

SB 1254-Klindt, with SCS
SB 1171-Griesheimer, et al, with SCS
SB 1116-Stoll, with SCS
SB 1355-Days
SB 810-Klindt, with SCS
SB 728-Steelman, with SCS
SB 1198-Russell, with SCA 1
SB 1213-Steelman and Gross, with SCS
SB 1159-Foster and Dougherty
SB 807-Loudon

SB 1023-Griesheimer
 SB 1166-Caskey
 SB 1076-Caskey
 SB 787-Childers, with SCS
 SB 1277-Yeckel, with SCS

SBs 908 & 719-Cauthorn, with SCS
 SB 906-Foster, with SCS
 SB 888-Goode
 SB 1279-Steelman, et al, with SCS
 SBs 1221 & 1305-Kinder, with SCS
 SB 1227-Russell, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 738 & 790-Loudon, with SCS
 & SS for SCS (pending)
 SB 755-Shields, with SCS
 SB 809-Klindt, with SCS, SS for SCS
 & SA 2 (pending)
 SB 856-Loudon, with SCS, SS for SCS, SS for SS
 for SCS, SA 2 & SSA 1 for SA 2 (pending)
 SB 933-Yeckel, et al

SB 989-Gross, et al, with SCS (pending)
 SB 990-Loudon, with SCS
 SBs 1069, 1068, 1025, 1005 & 1089-Gross and
 Griesheimer, with SCS,
 SS for SCS, SA 2 & SA 2 to SA 2 (pending)
 SB 1138-Bartle
 SB 1180-Shields and Kinder, with SCS
 SB 1232-Clemens, et al, with SCS (pending)

HOUSE BILLS ON THIRD READING

HB 969-Cooper, et al, with SA 1 (pending)
 (Bartle)
 HCS for HB 1182, with SCS (Klindt)

HS for HCS for HB 1304-Byrd, with SCS, SS
 for SCS & SS for SS for SCS (pending) (Scott)

CONSENT CALENDAR

Senate Bills

Reported 2/9

SB 741-Klindt

Reported 3/15

SB 1189-Scott, with SCS

House Bills

Reported 4/5

HBs 1071, 801, 1275 & 989-Goodman,
 with SCS (Childers)
 HCS for HB 895 (Nodler)
 HCS for HB 947 (Cauthorn)

HB 975-Johnson (47), et al (Wheeler)
 HB 1047-Guest and Bivins (Klindt)
 HB 1107-Crawford, et al (Shields)

BILLS IN CONFERENCE AND BILLS
 CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 730-Gross, with HS for HCS,
 as amended

SB 739-Klindt, with HCS, as amended
 HCS for HB 1014, with SCS, as amended
 (Russell)

RESOLUTIONS

To be Referred

SCR 47-Griesheimer

Reported from Committee

SR 1451-Yeckel