

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIRST DAY—TUESDAY, APRIL 13, 2004

The Senate met pursuant to adjournment.

Senator Nodler in the Chair.

Reverend Carl Gauck offered the following prayer:

“May integrity and uprightness preserve me for I wait for you.” (Psalm 25:21)

Creator God, we return rested and ready for what will test our hearts and minds; and so we pray that we will be mindful that You call each of us to be men and women of integrity as we serve all Your people and address the many needs that confront us. Bless us with wisdom and discernment so we may prove to be faithful. 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 8, 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 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 Callahan offered Senate Resolution No. 1721, regarding the One Hundredth Anniversary of the Louis A. Craig Post 18 of the Veterans of Foreign Wars, Kansas City, which was adopted.

Senator Yeckel offered Senate Resolution No. 1722, regarding Zachary Alexander Chinaea, St. Louis County, which was adopted.

Senator Coleman offered Senate Resolution No. 1723, regarding Barbara Ann “Barb” Schenewerk, California, which was adopted.

Senator Yeckel offered Senate Resolution No. 1724, regarding John Michael Whitehead, St. Louis County, which was adopted.

Senator Vogel offered Senate Resolution No. 1725, regarding the Fiftieth Wedding Anniversary

of Mr. and Mrs. Richard Van Sciver, Jefferson City, which was adopted.

Senator Loudon offered Senate Resolution No. 1726, regarding Norm Rhea, Maryland Heights, which was adopted.

Senator Gross offered Senate Resolution No. 1727, regarding Francis Howell North High School North Star newspaper, St. Charles, which was adopted.

Senator Childers offered Senate Resolution No. 1728, regarding Jonathan Barry Norris, Walnut Shade, which was adopted.

Senator Childers offered Senate Resolution No. 1729, regarding Judy Reed, Galena, which was adopted.

Senator Childers offered Senate Resolution No. 1730, regarding Wayne Wheeler, Kimberling City, which was adopted.

Senator Childers offered Senate Resolution No. 1731, regarding Mary Ann Broomfield, Cape Fair, which was adopted.

Senator Childers offered Senate Resolution No. 1732, regarding Marcia J. Dial, Reeds Spring, which was adopted.

Senator Childers offered Senate Resolution No. 1733, regarding Donita K. Wilson, Branson, which was adopted.

Senator Childers offered Senate Resolution No. 1734, regarding Kathy L. Hunter, Reeds Spring, which was adopted.

Senator Scott offered Senate Resolution No. 1735, regarding Hermitage High School, Hermitage, which was adopted.

Senator Jacob offered Senate Resolution No. 1736, regarding Anthony Johnson, Columbia, which was adopted.

REPORTS OF STANDING COMMITTEES

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 was referred **HB 822**, 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 **HB 1187**, 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 1321**, 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 **HB 1362**, 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 1377**, 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 1398**, 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 1407**, 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 were referred **HCS** for **HB 1456** and **HB 824**, 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 **HB 1494**, 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 were referred **HB 1613; HB 1445; HB 1454; HB 1462; HCS** for **HB 1471; HB 1608; HB 1612; and HB 1635**, 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.

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 717; SB 888; SCS** for **SB 1116; SB 1166; SS** for **SCS** for **SB 1279; SS** for **SB 1370; and SB 1076**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Kinder referred **SS** for **SCS** for **SB 1279; SB 717; SB 888; and HS** for **HCS** for **HB 1566**, with **SCS**, to the Committee on

Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

SB 1227, with **SCS**, was placed on the Informal Calendar.

SB 774 and **SB 915**, with **SCS**, were placed on the Informal Calendar.

SJR 25 was placed on the Informal Calendar.

SJR 26 was placed on the Informal Calendar.

SB 1037, with **SCS**, was placed on the Informal Calendar.

SB 1132, with **SCS**, was placed on the Informal Calendar.

Senator Vogel moved that **SB 1394** be taken up for perfection, which motion prevailed.

On motion of Senator Vogel, **SB 1394** was declared perfected and ordered printed.

Senator Shields moved that **SB 1395** be taken up for perfection, which motion prevailed.

On motion of Senator Shields, **SB 1395** was declared perfected and ordered printed.

At the request of Senator Caskey, **SB 1332** and **SB 1341**, with **SCS**, were placed on the Informal Calendar.

Senator Griesheimer moved that **SB 1171**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 1171**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1171

An Act to repeal section 21.800, RSMo, and to enact in lieu thereof eleven new sections relating to homeland security, with an emergency clause.

Was taken up.

Senator Griesheimer moved that **SCS** for **SB 1171** be adopted.

Senator Childers offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 1171, Page 2, Section 21.800, Line

48, by inserting after all of said line the following:

“21.825. 1. There is hereby established a joint committee of the general assembly to be known as the “Joint Committee on Communications Interoperability and Efficiency” to be composed of five members of the senate and five members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and the minority floor leader of the senate, and the house members of the joint committee shall be appointed by the speaker and the minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office or until a successor has been appointed to fill the member's place when his or her term of office as a member of the general assembly has expired. No party shall be represented by more than three members from the house of representatives or more than three members from the senate. A majority of the joint committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the joint committee's duties.

2. The joint committee shall be charged with making recommendations to the full general assembly in the following areas:

(1) Determining the need and feasibility of a state commission on communications operability and efficiency, and the duties and membership thereof;

(2) How any such commission may serve as an oversight body with the power of allocating state and federal communication funds to state entities; and

(3) The feasibility of a single state telecommunications network plan for all public governmental bodies within the state.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and vice chairperson, one of whom shall be a member of the senate

and the other a member of the house of representatives. The chairpersonship shall alternate between members of the house and senate every two years after the joint committee's organization.

4. The joint committee shall establish one or more study groups comprised of interested parties representing public and private bodies in order to fully develop recommendations related to state communication operability and efficiency.

5. The joint committee shall meet at least quarterly and may meet at locations other than Jefferson City when the joint committee deems it necessary.

6. The joint committee shall be staffed by legislative personnel as is deemed necessary to assist the joint committee in the performance of its duties.

7. The members of the joint committee shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

8. The joint committee shall compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the first of February in 2005 and the fifteenth of January of each year thereafter in which the general assembly convenes in regular session and shall include any recommendations which the joint committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state departments and agencies included in the report.

9. All state departments, agencies, boards, and commissions shall cooperate with and assist the joint committee in the performance of its

duties and shall make available all information requested.”; and

Further amend the title and enacting clause accordingly.

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

Senator Yeckel offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 1171, Page 7, Section 655.023, Line 32, by inserting after all of said line the following:

“655.024. 1. The Missouri homeland security advisory board shall have the sole authority to promulgate rules requiring peace officers as defined in subdivision 3 of section 590.010, RSMo, to reside within limits of any city with more than three hundred forty-eight thousand one hundred but less than three hundred forty-eight thousand two hundred inhabitants as a condition of employment. The board shall promulgate the least restrictive residency requirements in order to minimize the likelihood that police officers are subjected to the same disaster that may affect the entire population that they protect, when such officers are not on duty.

2. 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 of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, 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.”; and

Further amend the title and enacting clause

accordingly.

Senator Yeckel moved that the above amendment be adopted.

Senator Dougherty raised the point of order that **SA 2** is out of order, as it goes beyond the intent, scope and purpose of the legislation.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Griesheimer moved that **SCS for SB 1171**, as amended, be adopted, which motion prevailed.

On motion of Senator Griesheimer, **SCS for SB 1171**, as amended, was declared perfected and ordered printed.

Senator Loudon moved that **SB 807** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 807, Page 1, Section 537.800, Line 4, by inserting after the first use of the word “of” the following: **“the state or”**.

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

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

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 807, Page 2, Section 537.800, Line 39, by inserting after all of said line the following:

“7. The provisions of this section shall apply to all causes of actions.”

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

On motion of Senator Loudon, **SB 807**, as amended, was declared perfected and ordered printed.

Senator Dolan moved that **SB 1183**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 1183**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1183

An Act to repeal section 89.410, RSMo, and to enact in lieu thereof one new section relating to regulations governing the subdivision of land.

Was taken up.

Senator Dolan moved that **SCS** for **SB 1183** be adopted.

Senator Dolan offered **SS** for **SCS** for **SB 1183**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1183

An Act to repeal section 89.410, RSMo, and to enact in lieu thereof one new section relating to regulations governing the subdivision of land.

Senator Dolan moved that **SS** for **SCS** for **SB 1183** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 1183, Page 1, Section A, Line 10, by inserting after said line, the following:

“64.825. The county planning commission may also prepare, with the approval of the county commission, as parts of the official master plan or otherwise, sets of regulations governing subdivisions of land in unincorporated areas, and amend or change same from time to time as herein provided, which regulations may provide for the proper location and width of streets, building lines, open spaces, safety, recreation, and for the avoidance of congestion of population, including minimum width and area of lots. Such regulations may also include the extent to which and the manner in which streets shall be graded and improved, and the extent to which water, sewer and other utility

services shall be provided, to protect public health and general welfare. Such regulations may provide that in lieu of the immediate completion or installation of the work, the county planning commission may accept bond for the county commission in the amount and with surety **or other form of security** and conditions satisfactory to the county commission, providing for and securing to the county commission the actual construction of the improvements and utilities within a period specified by the county planning commission, and the county commission shall have power to enforce the bond **or other form of security** by all proper remedies. The subdivision regulations shall be adopted, changed or amended, certified and filed as provided in section 64.815. The subdivision regulations shall be adopted, changed or amended only after a public hearing has been held thereon, public notice of which shall be given in the manner as provided for the hearing in section 64.815.”; and

Further amend the title and enacting clause accordingly.

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

Senator Dolan moved that **SS** for **SCS** for **SB 1183**, as amended, be adopted, which motion prevailed.

On motion of Senator Dolan, **SS** for **SCS** for **SB 1183**, as amended, was declared perfected and ordered printed.

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 8, 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:

Karen L. Berding, 1136 Timberline, Moberly, Randolph County, Missouri 65270, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2007, 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 8, 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:

Andrew J. Bettman, 1023 Marvilla Lane, Frontenac, St. Louis County, Missouri 63131, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2005, and until his successor is duly appointed and qualified; vice, Errol Bush, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

Burton A. Boxerman, 9622 Old Bonhomme Road, St. Louis, St. Louis County, Missouri 63132, as a member of the Second State Capitol Commission, for a term ending April 18, 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 8, 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:

Norma B. Clayton, Democrat, McDonnell Blvd., P.O. Box 516, MC 100-3245, St. Louis City, Missouri 63166, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2009, 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 8, 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:

Joan Kelly Horn, 2017 S. Grand Blvd. #104, St. Louis City, Missouri 63104, as a member of the Life Sciences Research Board, for a term ending April 8, 2008, and until her successor is duly appointed and qualified; vice, RSMo 196.1103.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

John M. Houghton, Ph.D., #1 Duddin Court, Manchester, St. Louis County, Missouri 63021, as a member of the Life Sciences Research Board, for a term ending April 8, 2006, and until his successor is duly appointed and qualified; vice, RSMo 196.1103.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

William J. Longmore, Ph.D., 517 Beaucaire Drive, Warson Woods, St. Louis County, Missouri 63122, as a member of the Life Sciences Research Board, for a term ending April 8, 2008, and until his successor is duly appointed and qualified; vice, RSMo 196.1103.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

Stephen M. Mahfood, 7311 North Shore Road, Hartsburg, Boone County, Missouri 65039, as a member of the Second State Capitol Commission, for a term ending April 18, 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 8, 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:

Fernando A. McGregor, Democrat, 3328 South Cochise Avenue, Independence, Jackson County, Missouri 64057, as a member of the Missouri Board for Respiratory Care, for a term ending April 3, 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 8, 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:

Robert Allan Morantz, M.D., 17100 Highland Ridge Drive, Belton, Cass County, Missouri 64012, as a member of the Life Sciences Research Board, for a term ending April 8, 2008, and until his successor is duly appointed and qualified; vice, RSMo 196.1103.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

John Thornton Park, Ph.D., 650 Holmes Lane, Rolla, Phelps County, Missouri 65401, as a member of the Life Sciences Research Board, for a term ending April 8, 2006, and until his successor is duly appointed and qualified; vice, RSMo 196.1103.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

Rosalyn Schultz, Ph.D., 6233 Westminster Place, St. Louis City, Missouri 63130, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2007, 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 8, 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:

Jeffrey W. Siria, Ph.D., 103 Old Oaks Drive, Ballwin, St. Louis County, Missouri 63011, 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, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 8, 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:

Aaron J. Vickar, 7451 Stanford, St. Louis, St. Louis County, Missouri 63130, as a member of the Missouri State Employees' Voluntary Life Insurance Commission, for a term ending October 7, 2006, and until his successor is duly appointed and qualified; vice, Richard Hanson, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
April 13, 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:

Gilbert L. Alderson, 1218 Rock Road, DeSoto, Jefferson County, Missouri 63020, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 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 13, 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:

Robert S. Arnold, Republican, #1 Cotillion Court, O'Fallon, St. Charles County, Missouri 63366, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 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 13, 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:

Hugh C. Jenkins, Democrat, Route 4, Box 793, Butler, Bates County, Missouri 64730, as a member of the Land Reclamation Commission, for a term ending September 28, 2005, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

President Pro Tem Kinder referred the above appointments to the Committee on Gubernatorial Appointments.

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 1394** and **SB 1395**, 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.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 1207**, entitled:

An Act to repeal sections 245.015, 245.060, 245.095, and 246.305, RSMo, and to enact in lieu thereof four new sections relating to levee districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 1511**, entitled:

An Act to repeal sections 362.600, 456.010, 456.015, 456.016, 456.020, 456.030, 456.040, 456.050, 456.055, 456.060, 456.070, 456.072, 456.075, 456.080, 456.090, 456.100, 456.110, 456.120, 456.130, 456.140, 456.150, 456.160, 456.170, 456.180, 456.183, 456.185, 456.187, 456.190, 456.195, 456.200, 456.210, 456.220, 456.225, 456.230, 456.232, 456.233, 456.234, 456.235, 456.236, 456.240, 456.250, 456.260, 456.270, 456.280, 456.290, 456.300, 456.310, 456.320, 456.330, 456.340, 456.350, 456.400, 456.410, 456.420, 456.430, 456.440, 456.450, 456.460, 456.470, 456.480, 456.490, 456.500, 456.510, 456.520, 456.524, 456.530, 456.535, 456.540, 456.550, 456.560, 456.570, 456.580, 456.610, 456.620, 456.630, 456.640, 456.650, 456.660, 456.670, 456.900, 456.901, 456.902, 456.903, 456.904, 456.905, 456.906, 456.907, 456.908, 456.909, 456.910, 456.911, 456.912, 456.913, 469.401, 469.409, 469.411, 469.419, 469.423, 469.435, 469.449 and 469.453, RSMo, and to enact in lieu thereof one hundred fifty-one new sections relating to trust and estate administration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 1453**, entitled:

An Act to repeal sections 26.740, 43.503, 43.530, 43.540, 135.327, 135.333, 167.020, 207.050, 207.060, 210.025, 210.109, 210.110, 210.145, 210.150, 210.152, 210.153, 210.160, 210.183, 210.201, 210.211, 210.518, 210.565, 210.760, 210.903, 210.909, 211.031, 211.032, 211.059, 211.171, 211.181, 302.272, 402.199, 402.200, 402.205, 402.215, 402.217, 431.056, 452.310, 452.375, 452.400, 453.110, 475.024, 487.100, 491.075, 492.304, 537.046, and 701.336, RSMo, and to enact in lieu thereof seventy-four new sections relating to foster care and protection of children, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Foster offered Senate Resolution No. 1737, regarding Frank Smith, Poplar Bluff, which was adopted.

Senator Days offered Senate Resolution No. 1738, regarding Ernestine C. Bates, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kennedy introduced to the Senate, Sarah Wildt, St. Louis.

Senator Gibbons introduced to the Senate, Christine Krueger, Webster Groves.

Senator Dougherty introduced to the Senate, Debbie Hill, Chris Horton, and Cyndi Nason, St. Louis.

On behalf of Senator Nodler, the President introduced to the Senate, Josh Hughes, Debbie Stephens, Janice Walker, Maggie Watts, Jennifer Koester, Nellrena Boman, Heather Williams, Sharon Bradshaw, Oleg Tyurikov, Duane Bullard

and Gale Ellis, representatives of Leadership
Neosho.

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

SENATE CALENDAR

FIFTY-SECOND DAY-WEDNESDAY, APRIL 14, 2004

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HCS for HB 1207-Icet
HS for HCS for HB 1511-Byrd

HS for HCS for HB 1453-Hanaway

THIRD READING OF SENATE BILLS

SB 717-Childers
(In Fiscal Oversight)
SB 888-Goode
(In Fiscal Oversight)
SCS for SB 1116-Stoll
SB 1166-Caskey

SS for SCS for SB 1279-Steelman, et al
(In Fiscal Oversight)
SS for SB 1370-Nodler
SB 1076-Caskey
SB 1394-Vogel
SB 1395-Shields

HOUSE BILLS ON THIRD READING

HCS for HB 1305, with SCS (Scott)

HS for HCS for HB 1566-Stefanick, with SCS
(Scott) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 728-Steelman, with SCS
SBs 738 & 790-Loudon, with SCS &
SS for SCS (pending)
SB 755-Shields, with SCS

SBs 774 & 915-Wheeler, with SCS
SB 787-Childers, with SCS
SB 809-Klindt, with SCS, SS for SCS &
SA 2 (pending)

SB 810-Klindt, with SCS
 SB 817-Kennedy and Griesheimer, with SCS
 SB 856-Loudon, with SCS, SS for SCS, SS for SS
 for SCS, SA 2 & SSA 1 for SA 2 (pending)
 SB 906-Foster, with SCS
 SBs 908 & 719-Cauthorn, with SCS
 SB 933-Yeckel, et al
 SB 989-Gross, et al, with SCS (pending)
 SB 990-Loudon, with SCS
 SB 1023-Griesheimer
 SB 1037-Steelman and Stoll, 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 1124-Goode and Steelman, with SCS
 SB 1128-Cauthorn, with SCS
 SB 1132-Steelman, et al, with SCS
 SB 1138-Bartle

SB 1159-Foster and Dougherty
 SB 1180-Shields and Kinder, with SCS
 SB 1198-Russell, with SCA 1
 SB 1213-Steelman and Gross, with SCS
 SBs 1221 & 1305-Kinder, with SCS
 SB 1227-Russell, et al, with SCS
 SB 1232-Clemens, et al, with SCS (pending)
 SB 1234-Mathewson and Childers, with SCS
 SB 1254-Klindt, with SCS
 SB 1277-Yeckel, with SCS
 SBs 1332 & 1341-Caskey and Mathewson,
 with SCS
 SB 1355-Days
 SJR 24-Caskey and Bartle, with SCS
 SJR 25-Yeckel
 SJR 26-Yeckel
 SJR 40-Stoll
 SJR 41-Kinder, et al, with SCS

Unofficial

HOUSE BILLS ON THIRD READING

HB 969-Cooper, et al, with SA 1 (pending) (Bartle)

HCS for HB 1182, with SCS (Klindt)

Journal

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)

Copy

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

HB 1107-Crawford, et al (Shields)

Reported 4/7

HB 1070-Miller, et al (Scott)
HB 938-Luetkemeyer, with SCS (Loudon)
HB 923-Holand and Fraser (Jacob)
HB 1622-Wasson, et al (Clemens)
HCS for HB 1399 (Clemens)
HCS for HB 1347 (Shields)
HCS for HB 1363 (Gibbons)

HB 1291-Pearce (Cauthorn)
HCS for HB 985 (Childers)
HCS for HB 1246
HB 970-Portwood, et al (Shields)
HS for HCS for HB 1290-Portwood,
with SCS (Steelman)

Reported 4/13

HB 822-Luetkemeyer, et al, with SCS (Vogel)
HB 1187-Ervin, et al (Quick)
HCS for HB 1321, with SCS (Klindt)
HB 1362-Hobbs, et al (Cauthorn)
HB 1377-Sutherland, et al (Griesheimer)
HB 1398-Lager (Klindt)

HB 1407-Mayer and Villa (Dolan)
HCS for HB 1456 & HB 824, with SCS (Foster)
HB 1494-Ervin (Quick)
HBs 1613, 1445, 1454, 1462, HCS for HB 1471,
HBs 1608, 1612 & 1635-Morris, with SCS
(Champion)

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

RESOLUTIONS

Reported from Committee

SR 1451-Yeckel
SCR 44-Yeckel

SCR 45-Dougherty