

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIFTH DAY—TUESDAY, APRIL 20, 2004

The Senate met pursuant to adjournment.

President Pro Tem Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“It is better to have a heart without words than words without a heart.” (Mahatma Gandhi)

Gracious God, as we enter into the necessary debates and discrimination of the budget and bills before us, help us always to employ our heart so that what we decide has remained faithful to Your call for us to care for those in need and make provisions for what is truly needful. We give You thanks for Kim Green and pray that You will continue his healing and bring him to full health and wholeness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from KRCG-TV and 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

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dolan offered Senate Resolution No. 1779, regarding Richard Oliver, O’Fallon, which was adopted.

Senator Dolan offered Senate Resolution No. 1780, regarding the River City Rascals baseball team, O’Fallon, which was adopted.

Senator Dolan offered Senate Resolution No. 1781, regarding Susan A. Proost, O’Fallon, which was adopted.

Senator Dolan offered Senate Resolution No. 1782, regarding Company K, 3rd Battalion, 24th Marines, 4th Marine Division, which was adopted.

HOUSE BILLS ON THIRD READING

HB 1071, HB 801, HB 1275 and HB 989, with SCS, entitled respectively:

An Act to authorize the governor to convey a tract of land owned by the state to Pierce City, with an emergency clause.

An Act to authorize the governor to convey land owned by the state in the county of Pettis.

An Act to authorize the conveyance of property owned by the state in the county of Newton to the city of Neosho.

An Act to authorize the conveyance of property owned by the state in the county of Dent to the city of Salem, with an emergency clause.

Were called from the Consent Calendar and taken up by Senator Childers.

SCS for **HBs 1071, 801, 1275 and 989**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 1071, 801, 1275 and 989

An Act to authorize the governor to convey certain tracts of land, with an emergency clause for certain sections.

Was taken up.

Senator Bartle assumed the Chair.

Senator Childers moved that **SCS** for **HBs 1071, 801, 1275 and 989** be adopted.

Senator Childers requested unanimous consent of the Senate to suspend the rules to offer an amendment, which request was granted.

Senator Childers offered **SPA 1**, which was read:

SENATE PERFECTING AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bills Nos. 1071, 801, 1275 and 989, Page 2, Section 2, Lines 19-20, by striking said lines and inserting in lieu thereof the following: **“reasonable.”**

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

Senator Childers moved that **SCS** for **HBs 1071, 801, 1275 and 989**, as amended, be adopted, which motion prevailed.

Senator Childers moved that **SCS** for **HBs 1071, 801, 1275 and 989**, as amended, be read the 3rd time and finally passed.

Senator Childers was recognized to close.

President Pro Tem Kinder referred **SCS** for **HBs 1071, 801, 1275 and 989**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Kinder referred **HB 1613, HB 1445, HB 1454, HB 1462, HCS** for **HB 1471, HB 1608, HB 1612 and HB 1635**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HCS for **HB 895**, entitled:

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to dissolution of certain road districts, with an emergency clause.

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

On motion of Senator Nodler, **HCS** for **HB 895** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Childers	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Vogel

Yeckel—29

NAYS—Senators—None

Absent—Senators

Champion Goode—2

Absent with leave—Senators

Clemens Griesheimer Wheeler—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Coleman	Days
Dolan	Dougherty	Foster	Gibbons
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Yeckel—28

NAYS—Senators—None

Absent—Senators

Bland	Childers	Goode—3
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Absent with leave—Senators

Clemens	Griesheimer	Wheeler—3
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On motion of Senator Nodler, title to the bill was agreed to.

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

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

HB 1001, introduced by Representative Bearden, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

Was taken up by Senator Russell.

On motion of Senator Russell, **HB 1001** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Gross
Jacob	Kinder	Klindt	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Vogel—29			

NAYS—Senators—None

Absent—Senators

Childers	Kennedy	Yeckel—3
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Absent with leave—Senators

Griesheimer	Wheeler—2
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The President declared the bill passed.

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

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

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

On motion of Senator Gibbons, the Senate recessed until 2:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Maxwell.

Photographers from the Chart-MSSU, Joplin were given permission to take pictures in the Senate Chamber today.

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HB 1002**, with **SCS**, introduced by Representative Bearden, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money

among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

Was taken up by Senator Russell.

SCS for HS for HCS for HB 1002, entitled:
**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1002**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

Was taken up.

Senator Russell moved that **SCS for HS for HCS for HB 1002** be adopted.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Bland	Dolan	Dougherty	Quick
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Stoll—5

Absent with leave—Senator Wheeler—1

Senator Childers assumed the Chair.

Senator Shields offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015,

Line 4, by deleting the number “1,799,536,395” and insert in lieu thereof the number “1,803,536,395”; and further amend said section, line 5, by deleting the number “372,555,326” and inserting in lieu thereof the number “374,555,326”; and further amend said section, line 13, by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607”; and further amend said section, line 12, by deleting the number “2,246,588,881” and inserting in lieu thereof the number “2,244,588,881”; and further amend said bill, section 2.295, line 4, by deleting the number “1,945,401,669” and inserting in lieu thereof the number “1,943,401,669”; and amend section and bill totals accordingly.

Senator Shields moved that the above amendment be adopted.

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

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

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by striking the dollar amount “\$1,799,536,395” and inserting in lieu thereof the following dollar amount “\$1,817,560,541”; and

Further amend same page, same section, line 5, by striking the dollar amount “\$372,555,326” and inserting in lieu thereof the following dollar amount “\$375,405,326”; and

Further amend same page, same section, line 8, by striking the dollar amount “\$35,526,150” and inserting in lieu thereof the following dollar amount “\$38,684,374”; and

Further by amending page 3, same section, line 12, by striking the dollar amount “\$2,246,588,881” and inserting in lieu thereof the following dollar amount “\$2,270,621,251”; and

Further by amending page 3, same section, line 24, by striking the dollar amount “\$2,789,712,274” and inserting in lieu thereof the following dollar amount “\$2,813,744,644”; and

Further by amending page 14, section 2.295,

line 4, by striking the dollar amount “\$1,945,401,669” and inserting in lieu thereof the following dollar amount “\$1,969,434,039”.

Senator Jacob moved that the above substitute amendment be adopted.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Dolan Mathewson—2

Absent with leave—Senators—None

Senator Jacob requested a roll call vote be taken on the adoption of **SSA 1** for **SA 1** and was joined in his request by Senators Callahan, Days, Kennedy and Wheeler.

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

YEAS—Senators

Bland	Bray	Callahan	Caskey
Coleman	Days	Dougherty	Jacob
Kennedy	Mathewson	Quick	Stoll
Wheeler—13			

NAYS—Senators

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

Absent—Senator Dolan—1

Absent with leave—Senators—None

SA 1 was again taken up.

Senator Goode offered **SSA 2** for **SA 1**:

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

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 3, Section 2.015, Line 12, by deleting the “2,246,588,881” and inserting in lieu thereof the number “2,238,588,881”; and further amend said section, line 13, by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607”; and further amend said bill, section 2.295, line 4, by deleting the number “1,945,401,669” and inserting in lieu thereof the number “1,937,401,669”; and amend section and bill totals accordingly.

Senator Goode moved that the above substitute amendment be adopted.

Senator Shields raised the point of order that **SSA 2** for **SA 1** is out of order as it is untimely; stating that no one had been seeking recognition when he was recognized by the Chair and renewed his motion.

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

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

At the request of Senator Goode, the above substitute amendment was withdrawn.

SA 1 was again taken up.

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

Senator Steelman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 12, Section 2.230, by inserting immediately after said section, the following new section:

“Section 2.231. To the Department of Elementary and Secondary Education

For Veterans Memorial Videotaping provided that

the source of funds shall be those funds allocated pursuant to Section 160.530.2, RSMo.

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

Senator Steelman moved that the above amendment be adopted.

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

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

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 8, Section 2.130, Line 5, by inserting immediately after said line the following:

“For teacher education student scholarships at four year colleges or universities, exclusively for veterans returning from the Iraq conflict pursuing teaching in the areas of mathematics and science.

From General Revenue Fund 1,000,000”;
and amend section and bill totals accordingly.

Senator Jacob moved that the above substitute amendment be adopted.

Senator Steelman raised the point of order that **SSA 1** for **SA 2** is out of order, as it is not a true substitute amendment.

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

Senator Jacob raised the point of order that **SA 2** is out of order, as it goes beyond the scope of the underlying bill; stating that the amendment attempts to appropriate money for a purpose that is yet to be authorized by law.

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

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

SENATE SUBSTITUTE AMENDMENT NO. 2
FOR SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute

for House Bill No. 1002, Page 8, Section 2.130, Line 5, by inserting immediately after said line the following:

“For teacher education student scholarships at four year colleges or universities, exclusively for veterans returning from the Iraq conflict pursuing teaching in the areas of mathematics and science provided that the source of funds shall be those funds allocated pursuant to Section 160.530.2, RSMo.

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

Senator Jacob moved that the above substitute amendment be adopted.

Senator Nodler assumed the Chair.

Senator Jacob offered **SA 1** to **SSA 2** for **SA 2**:

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

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 2 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, the last line of the amendment, by deleting said line and inserting in lieu thereof the following:

“From General Revenue Fund 1,500,000”.

Senator Jacob moved that the above amendment be adopted.

At the request of Senator Jacob, **SA 1** to **SSA 2** for **SA 2** was withdrawn.

Senator Steelman offered **SA 2** to **SSA 2** for **SA 2**, which was read:

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

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 2 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, line 6 of said amendment, by adding after the word “science” the words “and for veterans memorial videotaping which may be distributed to

the public schools”; and

Further amend line 8, by deleting “1,000,000” and inserting “2,000,000”; and amend section and bill totals accordingly.

Senator Steelman moved that the above amendment be adopted.

At the request of Senator Steelman, SA 2 to SSA 2 for SA 2 was withdrawn.

SSA 2 for SA 2 was again taken up.

Senator Jacob requested a roll call vote be taken on the adoption of SSA 2 for SA 2 and was joined in his request by Senators Bray, Callahan, Days and Stoll.

A quorum was established by the following vote:

Present—Senators

Bray	Callahan	Caskey	Cauthorn
Champion	Days	Foster	Gibbons
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Stoll	Stoll	Vogel	Yeckel—24

Absent—Senators

Bartle	Bland	Childers	Clemens
Coleman	Dolan	Dougherty	Goode
Quick	Wheeler—10		

Absent with leave—Senators—None

SSA 2 for SA 2 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Callahan	Caskey
Coleman	Days	Jacob	Kennedy
Mathewson	Quick	Stoll—11	

NAYS—Senators

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

Absent—Senators

Childers	Dougherty	Goode	Wheeler—4
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Absent with leave—Senators—None

SA 2 was again taken up.

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

Senator Callahan offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 10, Section 2.190, Line 3, by deleting from said line “\$30,473,563” and inserting in lieu thereof the following “\$31,070,338”.

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

Senator Jacob offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by deleting the number “1,799,536,395” and insert in lieu thereof the number “1,803,536,395” and further amend said section, line 5 by deleting the number “372,555,326” and inserting in lieu thereof the number “374,555,326” and further amend said section line 13 by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607” and further amend said section line 12 by deleting the number “2,246,588,881” and inserting in lieu thereof the number “2,244,588,881” and further amend said bill section 2.295, line 4 by deleting the number “1,945,401,669” and inserting in lieu thereof the number “1,943,401,669” and amend section and bill totals accordingly.

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

Senator Russell offered **SSA 1** for **SA 4**:

**SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 4**

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 3, Section 2.015, Line 12, by deleting the “2,246,588,881” and inserting in lieu thereof the number “2,238,588,881” and further amend said section, line 13 by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607” and further amend said bill section 2.295, line 4 by deleting the number “1,945,401,669” and inserting in lieu thereof the number “1,937,401,669” and amend section and bill totals accordingly.

Senator Russell moved that the above substitute amendment be adopted.

Senator Jacob requested a roll call vote be taken on the adoption of **SSA 1** for **SA 4** and was joined in his request by Senators Bland, Callahan, Russell and Stoll.

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

**SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 4**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 4 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by deleting the number “1,799,536,395” and inserting in lieu thereof the number “1,805,536,395” and further amend said section, line 5 by deleting the number “372,555,326” and inserting in lieu thereof the number “374,555,326” and further amend said section line 13 by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607” and amend section and bill totals accordingly.

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

Senator Gross assumed the Chair.

At the request of Senator Jacob, **SA 1** to **SSA 1** for **SA 4** was withdrawn.

Senator Jacob offered **SA 2** to **SSA 1** for **SA 4**:

**SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 4**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 4 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 1, Line 4, by deleting the number “2,238,588,881” and inserting in lieu thereof the number “3,246,588,881” and further amend said amendment line 9 by deleting the number “1,937,401,669” and inserting in lieu thereof the number “1,945,401,669” and further amend said amendment line 9 by adding after the number “1,937,401,669” the following: further amend said bill page 2 section 2.015, line 4 by deleting the number “1,799,536,395” and inserting in lieu thereof the number “1,805,536,395” and further amend said section, line 5 by deleting the number “372,555,326” and inserting in lieu thereof the number “374,555,326”.

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

A quorum was established by the following vote:

Present—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Russell	Shields	Steelman	Stoll

Yeckel—29

Absent—Senators

Clemens	Quick	Scott	Vogel
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Wheeler—5

Absent with leave—Senators—None

Senator Shields assumed the Chair.

SA 2 to SSA 1 for SA 4 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Callahan	Caskey
Coleman	Days	Jacob	Kennedy
Quick	Steelman	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Goode	Gross	Kinder	Klindt
Loudon	Mathewson	Nodler	Russell
Shields	Vogel	Yeckel—19	

Absent—Senators

Dougherty	Griesheimer	Scott—3
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Absent with leave—Senators—None

SSA 1 for SA 4 was again taken up.

At the request of Senator Russell, the above substitute amendment was withdrawn.

SA 4 was again taken up.

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

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

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 14, Section 2.295, Line 14, by deleting from said line “\$1,945,401,669” and inserting in lieu thereof the following “\$1,955,650,410”.

Senator Jacob moved that the above amendment be adopted.

At the request of Senator Jacob, **SA 5** was withdrawn.

Senator Callahan offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by deleting the number “1,799,536,395” and insert in lieu thereof the number “1,803,536,395” and further amend said section, line 5 by deleting the number “372,555,326” and inserting in lieu thereof the number “374,555,326” and further amend said section line 13 by deleting the number “98,880,607” and inserting in lieu thereof the number “106,880,607” and further amend said section line 12 by deleting the number “2,246,588,881” and inserting in lieu thereof the number “2,244,588,881” and further amend said bill section 2.295, line 4 by deleting the number “1,945,401,669” and inserting in lieu thereof the number “1,943,401,669” and amend section and bill totals accordingly.

Senator Callahan moved that the above amendment be adopted.

Senator Stoll offered **SSA 1 for SA 6**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by striking the number “\$1,799,536,395” and insert in lieu thereof the number “\$1,809,536,395”; and

Further amend said section, same page, line 5 by striking the number “\$372,555,326” and inserting in lieu thereof the number “\$382,555,326”; and

Further amend said section, page 3, line 13, by striking the number “\$98,880,607” and inserting in lieu thereof the number “\$108,880,607”; and

Further amend said section, page 3, line 12 by striking the number “\$2,246,588,881” and inserting in lieu thereof the number “\$2,256,588,881”; and

Further amend said bill, section 2.295, page

14, line 4 by striking the number “\$1,945,401,669” and inserting in lieu thereof the number “\$1,955,401,669”.

Senator Stoll moved that the above substitute amendment be adopted.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Cauthorn	Dougherty	Scott—3
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Absent with leave—Senators—None

SSA 1 for SA 6 was again taken up.

A quorum was established by the following vote:

Present—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	Coleman	Days	Dolan
Dougherty	Foster	Gibbons	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

SSA 1 for SA 6 was again taken up.

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

SSA 1 for SA 6 failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Kinder	Klindt	Loudon	Nodler
Russell	Scott	Shields	Steelman
Vogel	Yeckel—22		

Absent—Senators—None

Absent with leave—Senators—None

SA 6 was again taken up.

Senator Callahan moved that the above amendment be adopted.

Senator Jacob requested a roll call vote be taken on the adoption of **SA 6** and was joined in his request by Senators Callahan, Kennedy, Mathewson and Quick.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Callahan	Caskey
Coleman	Days	Jacob	Kennedy
Quick	Steelman	Stoll	Wheeler—12

NAYS—Senators

Bartle	Cauthorn	Champion	Childers
Clemens	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Vogel	Yeckel—22		

Absent—Senators—None

Absent with leave—Senators—None

Senator Gross assumed the Chair.

Senator Kennedy offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 3, Section 2.025, Line 4: by striking the dollar amount “\$3,487,799” and inserting in lieu thereof the following dollar amount “\$3,836,579”; and

Further by amending same page, same section, line 6, by striking the dollar amount “\$164,719,668” and inserting in lieu thereof the following dollar amount “\$165,068,448”.

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

SA 7 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Callahan	Coleman
Days	Jacob	Kennedy	Quick
Stoll	Wheeler—10		

NAYS—Senators

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

Absent—Senator Dougherty—1

Absent with leave—Senators—None

Senator Russell moved that **SCS** for **HS** for **HCS** for **HB 1002**, as amended, be adopted, which motion prevailed.

On motion of Senator Russell, **SCS** for **HS** for **HCS** for **HB 1002**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Callahan	Caskey	Cauthorn
Champion	Childers	Clemens	Dolan
Dougherty	Foster	Gibbons	Goode
Griesheimer	Gross	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick

Russell	Scott	Shields	Steelman
Stoll	Vogel	Yeckel—27	

NAYS—Senators

Bland	Bray	Coleman	Days
Jacob	Kennedy	Wheeler—7	

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

RESOLUTIONS

Senator Gibbons offered Senate Resolution No. 1783, regarding the Self-Help Center, Kirkwood, which was adopted.

Senator Quick offered Senate Resolution No. 1784, regarding Angela Rosheim, which was adopted.

Senator Shields offered Senate Resolution No. 1785, regarding Deanna Losson, which was adopted.

COMMUNICATIONS

Senator Griesheimer submitted the following:

April 20, 2004

Terry Spieler
 Secretary of the Senate
 State Capitol, Room 325
 Jefferson City, MO 65101

Dear Terry:

Due to an unforeseen problem, pursuant to Senate Rule 45, I respectfully request that House Committee Substitute for House Bills 998 & 905 be removed from the Consent Calendar and sent back to the Senate Committee on Pensions and General Laws.

Thank you for your consideration of my request.

Sincerely,

/s/ John

John E. Griesheimer

INTRODUCTIONS OF GUESTS

Senator Days introduced to the Senate, the Physician of the Day, Dr. George R. Bradbury, M.D., University City.

Senator Scott introduced to the Senate, Dallas County Treasurer Becky Schofield, Buffalo.

Senator Bartle introduced to the Senate, his mother, Kay Bartle, Sandy Nowlin, Jackie Rozeboon and Babs Brooks, Wildwood.

Senator Cauthorn introduced to the Senate, his daughter, Katy Cauthorn and Megan Maxwell, Mexico.

On behalf of Senator Vogel and himself, Senator Gibbons introduced to the Senate, Rev. Jimmy Joe, Papua, New Guinea; and Gretchen Mueller, Steedman.

Senator Russell introduced to the Senate, Mr. Leon, Carefree, and twelve students from the Foreign Language School for Ethnic Minorities, Tibet; Mrs. Dorita Roderick, Mrs. Don Wade, Cindy Chase and Jack Cook, Lebanon; and Randy Simmons, St. Joseph.

Senator Coleman introduced to the Senate, Greg Bell and Josh Finland, St. Louis.

Senator Steelman introduced to the Senate, Phelps County Treasurer Carol Green, Rolla.

Senator Dougherty introduced to the Senate, Chris DeBerry and Kris Hargrove, St. Louis.

Senator Stoll introduced to the Senate, Cathy Whitlock and thirty seventh grade students from Our Lady School, Festus.

Senator Stoll introduced to the Senate, former State Senator Bill McKenna, Lynn Hoff, Dr. Julia Hampton, Sally Borgerson, Jefferson College, Hillsboro; and Caio Behrndt, Sao Paulo, Brazil.

Senator Griesheimer introduced to the Senate, Mayor Dick Stratman, Washington.

Senator Nodler introduced to the Senate, Thang Ho, Sondra Waltz, Beth Page, Kent Farnsworth, Crowder College, Neosho.

Senator Cauthorn introduced to the Senate,

Betty Deters, Lois Van Brening, Donna Burt and twenty seventh and eighth grade students from St. Clement School, Bowling Green.

Senator Loudon introduced to the Senate, Vicki Westall and forty-eight eighth grade students and fifteen parents from St. Monica School, St. Louis County; and Jimmy Krupp, Stephanie Weithop, Kelly Schmittgens and Kevin Reinhardt were made honorary pages.

Senator Days introduced to the Senate, Malissa Travis, Wellston; and Malissa was made an honorary page.

Senator Clemens introduced to the Senate, Mr. and Mrs. Lonnie Owens and their children, Austin, Aaron, Ashton and Autumn, Fair Grove; and Aaron, Ashton and Autumn were made honorary pages.

Senator Bray introduced to the Senate, Shirley Greminger and thirty-seven eighth grade students and parents from St. Blaise School, Maryland Heights.

Senator Nodler introduced to the Senate, Ann Ludwig, Dawn Pickering, John Henderson and forty-six fifth grade students from Seneca Elementary School, Seneca.

Senator Caskey introduced to the Senate, Sylvia Eldridge, Ashley Doody, Angie Morrison, Tara White, Tyler Andula, Nikki Peak and Benito Albarado, Rich Hill.

Senator Caskey introduced to the Senate, Theresa Bynum-Owens and her children, Victoria, Christopher and Caroline, Knob Noster; and Victoria, Christopher and Caroline were made honorary pages.

Senator Nodler introduced to the Senate, Lauren Mustoe, Jefferson City.

Senator Caskey introduced to the Senate, Daryl Veach and Debbie Cook, Butler.

On motion of Senator Gibbons, the Senate adjourned until 9:30 a.m., Wednesday, April 21, 2004.

SENATE CALENDAR

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 21, 2004

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1034-Childers, with SCS
SB 1366-Yeckel, with SCS
SB 1196-Klindt, with SCS
SB 1096-Caskey, with SCS

SB 735-Foster, et al, with SCS
SB 1153-Cauthorn
SB 1185-Gross

HOUSE BILLS ON THIRD READING

HS for HCS for HB 1566-Stefanick,
with SCS (Cauthorn)
(In Fiscal Oversight)
HS for HCS for HB 1003-Bearden,
with SCS (Russell)
HS for HCS for HB 1004-Bearden
with SCS (Russell)
HS for HCS for HB 1005-Bearden,
with SCS (Russell)
HS for HCS for HB 1006-Bearden,
with SCS (Russell)
HS for HCS for HB 1007-Bearden,
with SCS (Russell)

HS for HCS for HB 1008-Bearden,
with SCS (Russell)
HS for HCS for HB 1009-Bearden,
with SCS (Russell)
HS for HCS for HB 1010-Bearden,
with SCS (Russell)
HS for HCS for HB 1011-Bearden,
with SCS (Russell)
HS for HCS for HB 1012-Bearden,
with SCS (Russell)

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, SS for SCS &
SS for SS for SCS (pending)

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 1180-Shields and Kinder, with SCS
SB 856-Loudon, with SCS, SS for SCS, SS for SS for SCS, SA 2 & SSA 1 for SA 2 (pending)	SB 1198-Russell, with SCA 1
SB 906-Foster, with SCS	SB 1213-Steelman and Gross, with SCS
SBs 908 & 719-Cauthorn, with SCS	SBs 1221 & 1305-Kinder, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)
SB 933-Yeckel, et al	SB 1227-Russell, et al, with SCS
SB 989-Gross, et al, with SCS (pending)	SB 1232-Clemens, et al, with SCS (pending)
SB 990-Loudon, with SCS	SB 1234-Mathewson and Childers, with SCS, SS for SCS, SA 4 & point of order (pending)
SB 1023-Griesheimer	SB 1254-Klindt, with SCS
SB 1037-Steelman and Stoll, with SCS	SB 1277-Yeckel, with SCS
SBs 1069, 1068, 1025, 1005 & 1089-Gross and Griesheimer, with SCS, SS for SCS, SA 2 & SA 2 to SA 2 (pending)	SBs 1332 & 1341-Caskey and Mathewson, with SCS
SB 1124-Goode and Steelman, with SCS	SB 1355-Days
SB 1128-Cauthorn, with SCS	SJR 24-Caskey and Bartle, with SCS
SB 1132-Steelman, et al, with SCS	SJR 25-Yeckel
SB 1138-Bartle	SJR 26-Yeckel
SB 1159-Foster and Dougherty	SJR 40-Stoll
	SJR 41-Kinder, et al, with SCS

HOUSE BILLS ON THIRD READING

HB 969-Cooper, et al, with SA 1 (pending) (Bartle)	SCS for HCS for HB 1305 (Scott) (In Fiscal Oversight)
HCS for HB 1182, with SCS (Klindt)	

CONSENT CALENDAR

Senate Bills

Reported 2/9

SB 741-Klindt

Reported 3/15

SB 1189-Scott, with SCS

House Bills

Reported 4/5

SCS for HBs 1071, 801, 1275 &
989-Goodman (Childers)
(In Fiscal Oversight)

HCS for HB 947 (Cauthorn)
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 (Loudon)
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)
(In Fiscal Oversight)

Reported 4/14

HB 1603-Lager (Klindt)
HCS for HBs 1529 & 1655
(Griesheimer)
HCS for HB 1136, with SCS (Dolan)
HCS for HB 1422 (Cauthorn)
HCS for HB 1171 (Klindt)
HB 1259-Threlkeld (Griesheimer)
HB 1126-Seigfreid, et al (Mathewson)

HCS for HB 1198 (Loudon)
HB 1502-Wilson (42), et al (Wheeler)
HB 1217-Johnson (47), et al, with SCS
(Wheeler)
HB 1572-St. Onge, et al (Loudon)
HCS for HB 1614 (Steelman)
HCS for HB 1253, with SCS (Loudon)
HB 884-Ward (Loudon)

HCS for HB 1233 (Griesheimer)
 HCS for HB 1090 (Quick)
 HB 1440-Deeken, with SCS (Scott)
 HB 1508-Baker (Bartle)
 HCS for HB 1660, with SCS (Klindt)

HB 1616-Hanaway, et al (Gibbons)
 HB 1444-Moore, et al (Vogel)
 HCS for HB 988 (Bartle)
 HB 1634-Behnen, with SCS (Gross)

Reported 4/15

HB 1317-Kingery, et al (Gibbons)
 HCS for HB 1405 (Callahan)
 HB 1114-Skaggs (Loudon)
 HB 1167-Kelly (144), et al (Clemens)
 HCS for HB 1284 (Dolan)
 HCS for HB 912 (Goode)
 HCS for HB 1449 (Vogel)
 HB 1149-May, et al (Steelman)
 HB 1442-Lipke, et al (Kinder)
 HB 960-Roark, with SCS (Champion)
 HBs 1029, 1438 & 1610-Henke, with
 SCS (Dolan)
 HB 826 & HCS for HB 883-Kelley (144),
 with SCS (Russell)
 HBs 996, 1142, HCS for HB 1201 &
 HB 1489-Dusenberg, et al, with SCS (Bartle)

HCS for HB 928, HCS for HB 1123 &
 HCS for HB 1280-Bivins, with SCS
 (Yeckel)
 HCS for HB 1179 (Days)
 HCS for HBs 1631 & 1623 (Champion)
 HCS for HB 798, with SCS (Klindt)
 HB 1364-Bishop, et al, with SCS
 (Quick)
 HB 1188-Lipke, et al, with SCS (Bartle)
 HB 904-Luetkemeyer (Vogel)
 HB 1427-Portwood (Wheeler)
 HB 994-Cunningham (145), et al (Scott)
 HB 869-Townley, et al (Caskey)
 HCS for HB 1192, with SCS
 (Cauthorn)
 HB 1048-Parker, et al (Klindt)

Journal

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 739-Klindt, with HCS, as amended

HS for HCS for HB 1304-Byrd, with
 SS#2 for SS for SCS, as amended
 (Scott)

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RESOLUTIONS

Reported from Committee

SR 1451-Yeckel
 SCR 44-Yeckel
 SCR 45-Dougherty
 SCR 46-Gross

SCR 47-Griesheimer
 HCR 10-Myers (Klindt)
 HCR 12-Kelly (36) (Mathewson)