

Journal of the Senate

SECOND REGULAR SESSION

FORTY-SIXTH DAY—THURSDAY, APRIL 1, 2004

The Senate met pursuant to adjournment.

Senator Shields in the Chair.

Reverend Carl Gauck offered the following prayer:

“Prayer then involves all things, and is an attempt to bring all things into focus, to see all things as they really are, as seen by God. (Melvyn Matthews)

Gracious God, we come before You in prayer asking You to help us focus on what is truly important and for You to help us see things the way You would have us see them, through loving eyes and a grateful spirit. Please watch our “going out and coming in” bringing us to loved ones we truly appreciate. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from the Associated Press 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 Cauthorn offered Senate Resolution No. 1645, regarding the One Hundredth Birthday of Gwendolyn Proctor, Shelbina, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1646, regarding Martha Sue Smith, Louisiana, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1647, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald Baker, Kirksville, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1648, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. George Settle, Mexico, which was adopted.

Senator Childers offered Senate Resolution No. 1649, regarding Charley E. Schmidt, Rockaway Beach, which was adopted.

Senator Caskey offered Senate Resolution No. 1650, regarding Brian Jonathon McClure, Butler, which was adopted.

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 **HCS** for **HB 1278**, entitled:

An Act to repeal sections 374.160, 375.001, 375.246, 375.772, 375.773, 375.774, 375.775, 375.776, 375.778, 375.779, 375.1220, 376.421, 376.424, 376.426, 376.816, 376.960, 376.961, 376.966, 376.975, 376.980, 376.986, 379.110, 379.815, 379.825, 379.930, 379.938, 379.940, 379.942, 379.943, 379.952, 382.210, 384.043, 384.062, 384.065, 407.730, and 407.735, RSMo, and to enact in lieu thereof forty-four new sections relating to insurance, with an effective date.

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 **HJR 35**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 44 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bird, fish, game, wildlife, or forestry resources.

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 **HB 884**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to property and casualty insurance.

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 **HB 1142**, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of low-speed vehicles.

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 **HCS** for **HB 1471**, entitled:

An Act to authorize the conveyance of property owned by the state in the county of Jackson to the Truman Medical Center.

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 **HCS** for **HB 1179**, entitled:

An Act to repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in criminal cases.

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 **HB 1364**, entitled:

An Act to repeal section 452.310, RSMo, and to enact in lieu thereof one new section relating to parenting plans.

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 **HB 1438**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Deputy Steven Ziegler Memorial Highway.

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 **HB 1608**, entitled:

An Act to authorize the conveyance of property owned by the state in the county of Jackson.

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 **HB 1635**, entitled:

An Act to authorize the conveyance of property owned by the state in the county of

Jackson.

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 **HB 1612**, entitled:

An Act to authorize the conveyance of property owned by the state in the county of Marion to the city of Hannibal.

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 **HB 1634**, entitled:

An Act to repeal section 59.480, RSMo, and to enact in lieu thereof one new section relating to military discharge records.

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 **HCS for HB 1614**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the repeal of the expiration date for certain mental health insurance statutes.

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 **HB 1604**, entitled:

An Act to repeal section 263.534, RSMo, and to enact in lieu thereof one new section relating to cotton liens.

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 **HB 1610**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Trooper Jesse R. Jenkins Memorial Highway.

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 **HB 1613**, entitled:

An Act to authorize the conveyance of property in the county of Greene owned by the board of governors of Southwest Missouri State University, with an emergency clause.

Emergency clause adopted.

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 **HB 1048**, entitled:

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to appropriations for community college district maintenance funds.

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 **HCS for HB 1090**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to property insurance for real property transferring upon death.

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 **HB 1217**, entitled:

An Act to repeal section 86.690, RSMo, and to enact in lieu thereof one new section relating to civilian employees retirement system of the police department of Kansas City.

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 **HCS for HB 1233**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to subrogation rights of public entities.

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 **HCS for HB 1253**, entitled:

An Act to repeal sections 375.246, 375.1176, 375.1198, and 375.1220, RSMo, and to enact in lieu thereof four new sections relating to insurer liquidation law, with penalty provisions.

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 **HCS for HB 1405**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto two new sections relating to special license plates.

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 **HB 1440**, entitled:

An Act to repeal section 251.440, RSMo, and to enact in lieu thereof two new sections relating to regional planning commissions.

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 **HB 1444**, entitled:

An Act to repeal section 21.190, RSMo, relating to legislative committees.

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 **HB 1445**, entitled:

An Act to authorize the conveyance of property owned by the state in the county of Stoddard to the city of Dexter.

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 **HB 1502**, entitled:

An Act to repeal sections 169.270, 169.291, 169.295, 169.311, 169.313, 169.322, 169.324, and 169.328, RSMo, and to enact in lieu thereof seven new sections relating to school employee retirement.

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 **HCS for HBs 1529 and 1655**, entitled:

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to tax increment financing.

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 **HB 1603**, entitled:

An Act to reenact section 135.766 as repealed by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session

for the sole purpose of the republication of 135.766.

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 **HCS** for **HBs 1631** and **1623**, entitled:

An Act to repeal section 205.900, RSMo, and to enact in lieu thereof one new section relating to supervision of paroled persons.

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 **HCS** for **HB 1660**, entitled:

An Act to repeal sections 43.250, 43.251, and 610.200, RSMo, and to enact in lieu thereof three new sections relating to accident reports.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Kinder, Chairman of the Committee on gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John M. Parker, as a member of the Lincoln University Board of Curators;

Also,

Jean Howard, as a member of the State Committee of Dietitians;

Also,

Mariann Burnetti Atwell and Tina R. Wood, as members of the Missouri Head Injury Advisory Council;

Also,

Nancy J. Headrick, as a member of the Missouri Training and Employment Council;

Also,

Fernando A. McGregor, as a member of the Missouri Board for Respiratory Care;

Also,

Kelly Rostic, as a member of the Amber Alert System Oversight Committee;

Also,

Wallace N. Patrick and Roger E. Huckfeldt, M.D., as members of the State Advisory Council on Emergency Medical Services;

Also,

Larry Webber and Wallace S. Hartsfield, as members of the State Highway and Transportation Commission;

Also,

Robert M. Robuck, as a member of the State Banking Board;

Also,

Judy C. Logan, as a member of the Missouri Public Entity Risk Management Board of Trustees;

Also,

Charles C. Hill, Jr., as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Keith E. Spare, as a member of the Committee for Professional Counselors;

Also,

Ronald D. Boyer, as a member of the State Milk Board.

Senator Kinder requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Kinder moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Kinder assumed the Chair.

Senator Yeckel, Chairman of the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 787**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 1277**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which were referred **SB 908** and **SB 719**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to

which was referred **SB 906**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Vogel, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 888**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Shields, Chairman of the Committee on Aging, Families, Mental and Public Health, submitted the following report:

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **SB 1279**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HS** for **HCS** for **HB 1304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Shields assumed the Chair.

Senator Cauthorn, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SS** for **SCS** for **SB 1371**; and **SB 1247**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for **SS** for **SCS** for **SB 1371**, introduced by Senator Kinder, entitled:

SENATE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1371

An Act to repeal sections 208.556, 208.559, 208.568, and 208.574, RSMo, and to enact in lieu thereof nine new sections relating to the coordination of benefits for the Medicare Prescription Drug, Improvement and Modernization Act of 2003, with a termination date for a certain section.

Was taken up.

On motion of Senator Kinder, **SS** for **SS** for **SCS** for **SB 1371** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	Coleman	Days	Dolan
Dougherty	Foster	Gibbons	Goode
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senator Stoll—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SS for **SCS** for **SB 1081**, introduced by Senator Kinder, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1081

An Act to amend chapter 431, RSMo, by

adding thereto seven new sections relating to resolution of disputes concerning alleged defective residential construction.

Was taken up.

On motion of Senator Kinder, **SS** for **SCS** for **SB 1081** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Bland Wheeler—2

Absent—Senators

Quick Stoll—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SCS for **SB 1220**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1220

An Act to repeal sections 49.082, 50.334, 50.343, 51.281, 52.269, 53.082, 54.261, 54.320, 55.091, 56.265, 57.317, and 58.095, RSMo, and to enact in lieu thereof thirteen new sections relating to maximum allowable compensation for certain county officials.

Was taken up by Senator Caskey.

On motion of Senator Caskey, **SCS** for **SB**

1220 was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

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

The President declared the bill passed.

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

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

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

SB 1189, with **SCS**, introduced by Senator Scott, entitled:

An Act to repeal section 58.451, RSMo, and to enact in lieu thereof one new section relating to reporting and investigating of death by a coroner.

Was called from the Consent Calendar and taken up.

SCS for **SB 1189**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1189

An Act to repeal sections 58.451 and 58.720, RSMo, and to enact in lieu thereof two new sections relating to reporting and investigating of death by a coroner.

Was taken up.

Senator Scott moved that **SCS** for **SB 1189** be adopted.

At the request of Senator Scott the above motion was withdrawn, which placed the bill back on the Consent Calendar.

SB 1247, with **SCS**, introduced by Senators Dougherty and Kennedy, entitled:

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

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

SCS for **SB 1247**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1247

An Act repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

Was taken up.

Senator Dougherty moved that **SCS** for **SB 1247** be adopted, which motion prevailed.

On motion of Senator Dougherty, **SCS** for **SB 1247** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Dougherty moved that the vote by

which the bill passed be reconsidered.

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

SENATE BILLS FOR PERFECTION

Senator Loudon moved that **SB 738** and **SB 790**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 738** and **790**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 738 and 790

An Act to repeal sections 188.080 and 197.200, RSMo, and to enact in lieu thereof three new sections relating to abortion services, with penalty provisions.

Was taken up.

Senator Loudon moved that **SCS** for **SBs 738** and **790** be adopted.

Senator Loudon offered **SS** for **SCS** for **SBs 738** and **790**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 738 and 790

An Act to repeal sections 188.015, 188.080 and 197.200, RSMo, and to enact in lieu thereof five new sections relating to respect for human life, with penalty provisions.

Senator Loudon moved that **SS** for **SCS** for **SBs 738** and **790** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 738 and 790, Page 3, Section 188.250, Line 9, by inserting after “RSMo” the following:

“, **except in instances where the minor has been a victim of rape or incest**”.

Senator Bray moved that the above amendment be adopted.

A quorum was established by the following vote:

Present—Senators

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

Absent—Senators

Bland	Dolan	Dougherty	Scott—4
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Absent with leave—Senators—None

Senator Jacob requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Bray, Days, Quick and Stoll.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Coleman	Days
Goode	Jacob	Quick	Wheeler—8

NAYS—Senators

Bartle	Callahan	Caskey	Cauthorn
Champion	Childers	Clemens	Foster
Gibbons	Griesheimer	Gross	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Shields	Steelman
Stoll	Vogel	Yeckel—23	

Absent—Senators

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

Senator Bray offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 738 and 790, Page 4, Section 188.250, Line 8, by inserting after all of said line the following:

“**191.715. 1. This section shall be known**

and may be cited as the “Woman's Right to Know Act”.

2. For purposes of this section, “emergency contraception” means any drug or device approved by the Food and Drug Administration that prevents pregnancy after intercourse.

3. The division of community health within the department of health and senior services shall endeavor to raise public awareness by informing hospitals, health care providers, pharmacists, and the community of the existence and availability of emergency contraception. The division shall also endeavor to promote appropriate counseling and referrals for all contraceptive drugs and devices, including emergency contraception, that are approved by the Food and Drug Administration. The division shall develop and distribute information which describes the contraceptive drugs and devices that are available and stresses the availability of emergency contraception, its use and safety, and its effectiveness in preventing pregnancy if taken as soon as possible after intercourse. The information shall stress that emergency contraception is a method of pregnancy prevention that cannot harm or terminate an established pregnancy. The information shall also inform women that pursuant to section 376.1199, RSMo, health insurance plans that cover prescription drugs must also cover contraceptive drugs and devices.”; and

Further amend the title and enacting clause accordingly.

Senator Bray moved that the above amendment be adopted.

Senator Loudon raised the point of order that SA 2 is out of order as it goes beyond the scope of the bill.

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

At the request of Senator Bray, SA 2 was withdrawn, rendering the point of order moot.

At the request of Senator Loudon, SB 738 and SB 790, with SCS, and SS for SCS (pending), were placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Russell, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which were referred SB 1221 and SB 1305, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which were referred SB 1227, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

Senator Kinder introduced to the Senate, Katie Jennings, Matt Strom, Tyler Holt, Whitney Wallace and Zach Casey, representatives of Farm Bureau Youth Leadership, Sikeston.

Senator Kinder introduced to the Senate, Keith Ruesler, Glenda Nations, Chris Haertling, Kacie and Jerry Seabaugh, Natalie Trankler, Zack Ruesler, Arron Olivas, David Keiner and Chris Huckstep, representatives of Farm Bureau Youth Leadership, Cape Girardeau.

Senator Clemens introduced to the Senate, Matt Cannefax, Ginger Ray, Jocelyn Butler, Alisha Woolf, Kylie Rawie and Tammy Lowery, representatives of Greene County Farm Bureau Youth Leadership.

Senator Foster introduced to the Senate, Ronald and Bonnie Yersak, Dexter; Deborah Jackson, Holland; Mayor Lucille Mullins, Dudley; Jerry and Cathryn Odle, and Councilwoman Alta Rader, Risco; Mayor James Vaughn and Councilman John Flowers, Quin; Councilman Norman Ogles, Puxico; Mayor Frank Smith,

Tallapoosa; Councilman Kenneth Holmes, Cooter; Mayor David Bishop, Cardwell; and Mayor Lawrence Newman, Helen J. Winda-Frye and Earnmore Burns, Hayti Heights.

Senator Steelman introduced to the Senate, Kim Gibbs, Jarod Bahr, Ashley Palmer and Cody Granstaff, representatives of Farm Bureau Youth Leadership, Steelville.

Senator Klindt introduced to the Senate, Leasa Hicks, Kaylan Sundermann and Matt Schlueter, representatives of Farm Bureau Youth Leadership, Tarkio.

Senator Caskey introduced to the Senate, Justin Hicks, Joe Bouchard, Cody Norvell and Mike Moreland, representatives of Cass County Farm Bureau Youth Leadership.

Senator Gross introduced to the Senate, Derek Machens, Kyle Wehmeyer, Carl Smith, Bridgette Godsey, Katie Schroeder and Katie and Jim Weber, representatives of Farm Bureau Youth Leadership, St. Charles.

Senator Steelman introduced to the Senate, David Day, Eric Hammock, Steven Pope, Matthew Brunelli, Heather Hayden, Sara Turner and Frankie Howser, representatives of Farm Bureau Youth Leadership, Waynesville and Dixon; and Eric Hammock, Steven Pope, Matthew Brunell, Heather Hayden, Sara Turner and Frankie Howser were made honorary pages.

Senator Cauthorn introduced to the Senate, Lou Grayson, Lucerne; Vera Tribble, Debbie Rennells, Fred Smith, Marla Pace, Gwyn McKinley and Nancy Flood, representatives of Farm Bureau Youth Leadership, Putnam County.

Senator Cauthorn introduced to the Senate, Rhett Hunziker and Kendra Davis, Knox City; Michelle Hines, Hedge City; Meagan Davis and Paul Clark, Edina; and Allen Hustrad, Colony, representatives of Knox County Farm Bureau Youth Leadership.

Senator Cauthorn introduced to the Senate, Lacy St. Clair, Michael Phillips, Coleen Bullerd, Clayton Parker, Darin Winters, Ashley Roberts and Kay Campbell, representatives of Farm Bureau Youth Leadership, Clark County.

Senator Klindt introduced to the Senate, Mike Small, Samantha Parish, Kyle Fordyce and Jason Hayne, Newtown; and Brett Smith and Nicholas Collins, Harris.

Senator Kinder introduced to the Senate, his nephew Will Kinder and fourth grade students from Alma Schrader School, Cape Girardeau; and Will was made an honorary page.

Senator Dolan introduced to the Senate, Kristen Burkemper, Old Monroe; Matt Sprock, Collyn Hunt, Carrie Logan, Jarred Wehde, Steven Levy and Curtis Parson, Elsberry, representatives of Farm Bureau Youth Leadership.

Senator Steelman introduced to the Senate, Ryan Meyer, Vicki Bade, Whitney Wieberg, Kasey Huffman and Josh Verschuren, representatives of Farm Bureau Youth Leadership.

Senator Klindt introduced to the Senate, Sandra and Mary Smith, Maryville; Tyler Smith, Blue Springs; Denise Murphy and Thomas Workman, Hopkins; and Daisy Workman Pickering, representatives of Farm Bureau Youth Leadership, Nodaway County.

Senator Cauthorn introduced to the Senate, Ashley Fletcher, Shane Brixey, Adriane Seiger, Megan Blair, Kerra Friday, Aaron Nevils, Janis Deimeke, Barbara Wilson, representatives of Farm Bureau Youth Leadership, Mexico.

Senator Klindt introduced to the Senate, Erin Croy, Kelsie Parker, Emily Gay, Stefanie Dowell, Aaron Everly, Matt Hostetter, and Keith Sutton, representatives of Farm Bureau Youth Leadership, Daviess County.

Senator Klindt introduced to the Senate, Dane Arnold, Jodi Main and Jesse Jobson, Bucklin; Charles Wyatt and Kristin Almond, New Boston; Bill Ehrich, Laclede; Valerie Montgomery, Brookfield; and Leslie Enigman, Marceline, representatives of Farm Bureau Youth Leadership.

Senator Jacob introduced to the Senate, Cory Hancox and Kim Sorensen, Hallsville; Maggie Brunner, Centralia; and Glenn Brown, Boone County; representatives of Farm Bureau Youth Leadership.

Senator Clemens introduced to the Senate, Jennifer De Vore and Wesley Davis, Ava; and

Doug Emerson, Douglas County, representatives of Farm Bureau Youth Leadership.

Senator Cauthorn introduced to the Senate, Donna Debes, Mollie Hanlin, and Joyce Vannice, Palmyra, representatives of Farm Bureau Youth Leadership.

Senator Cauthorn introduced to the Senate, Curtis Bowling, Lentner; Grant Mettler, Shelbina; Kalyn Bichsel, Leonard; Jenna Myers, Bethel; Kathy Chinn, Clarence; and Chris Chinn, Emden, representatives of Farm Bureau Youth Leadership.

Senator Cauthorn introduced to the Senate, Sam Cook, Cassie Vahle, and Anthony and Steve Clark, representatives of Farm Bureau Youth Leadership, Canton.

Senator Cauthorn introduced to the Senate, Ryan Stackhouse, Keith Bergthold, Scott Ray, Emmalee Roth, Chase Sommers, Bryant Jones and Megan Morgan, representatives of Farm Bureau Youth Leadership, Monroe County.

Senator Yeckel introduced to the Senate, Lora Montgomery and seventeen fourth grade students from Washington Lutheran School, St. Louis.

Senator Scott introduced to the Senate, Scott Largent, Angie McKinley, Stevi Slyter, Emily McEwan, Whitney Dameron, Travis Smith, Jordan

Woods, and Shawn Custer, representatives of Farm Bureau Youth Leadership, Clinton.

Senator Scott introduced to the Senate, Ashley Noblett, Bolivar; Shannon Garretson, Humansville; Whitney Brower and Nathen Vickers, El Dorado Springs; John Viles, Jeff Storey, Joe Ewing and Jerry Suhwotre, Stockton, representatives of Farm Bureau Youth Leadership.

Senator Bartle introduced to the Senate, the Physician of the Day, Dr. Julie Wood, M.D., Kansas City.

Senator Scott introduced to the Senate, Mat Holt and Morgan Maples, and Harvey Beach, Warsaw; Audrey Meyer and Andrea Bockelman, Cole Camp; Sarah Brook, Lincoln; and Emme Daniels, Stockton, representatives of Farm Bureau Youth Leadership.

Senator Gross introduced to the Senate, Jerry and Rebecca LaRose, and their children, Rachel, Jonathan and David, St. Charles; and David was made an honorary page.

On behalf of Senator Shields, the President introduced to the Senate, Shayla Adams, Jennifer Moore, Nicole Lemons and Hal Sweeney, Platte County, Farm Bureau Youth Leadership.

On motion of Senator Gibbons, the Senate adjourned until 4:00 p.m., Monday, April 5, 2004.

SENATE CALENDAR



FORTY-SEVENTH DAY-MONDAY, APRIL 5, 2004



FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1377-Sutherland, et al
HCS for HB 1321
HCS for HB 855
HCS for HB 1055

HCS for HB 1041
HCS for HBs 1074 & 1129
HCS for HBs 1098 & 949
HB 1504-Lipke and Crowell

HB 869-Townley, et al	HB 1635-Salva
HCS for HB 988	HB 1612-Bringer
HCS for HB 1277	HB 1634-Behnen
HCS for HBs 795, 972, 1128 & 1161	HCS for HB 1614
HS for HB 1193-Self	HB 1604-Bean, et al
HCS for HB 1152	HB 1610-Ward
HB 1167-Kelly (144), et al	HB 1613-Morris, et al
HS for HB 1487-Self	HB 1048-Parker, et al
HCS for HB 941	HCS for HB 1090
HB 1494-Ervin	HB 1217-Johnson (47)
HS for HCS for HB 978-Baker	HCS for HB 1233
HB 1616-Hanaway, et al	HCS for HB 1253
HCS for HB 1278	HCS for HB 1405
HS for HCS for HJR 35-Dethrow, et al	HB 1440-Deeken
HB 884-Ward	HB 1444-Moore, et al
HB 1142-Daus, et al	HB 1445-Mayer
HCS for HB 1471	HB 1502-Wilson (42)
HCS for HB 1179	HCS for HBs 1529 & 1655
HB 1364-Bishop, et al	HB 1603-Lager
HB 1438-Ward, et al	HCS for HBs 1631 & 1623
HB 1608-Dougherty	HCS for HB 1660

SENATE BILLS FOR PERFECTION

SB 1234-Mathewson and Childers, with SCS	SB 1198-Russell, with SCA 1
SJR 40-Stoll	SB 1213-Steelman and Gross, with SCS
SB 817-Kennedy and Griesheimer, with SCS	SB 1159-Foster and Dougherty
SB 1124-Goode and Steelman, with SCS	SB 807-Loudon
SB 1128-Cauthorn, with SCS	SB 1023-Griesheimer
SJR 24-Caskey and Bartle, with SCS	SB 1166-Caskey
SB 1370-Nodler	SB 1076-Caskey
SJR 41-Kinder, et al, with SCS	SB 787-Childers, with SCS
SB 717-Childers	SB 1277-Yeckel, with SCS
SB 1183-Dolan, with SCS	SBs 908 & 719-Cauthorn, with SCS
SB 1254-Klindt, with SCS	SB 906-Foster, with SCS
SB 1171-Griesheimer, et al, with SCS	SB 888-Goode
SB 1116-Stoll, with SCS	SB 1279-Steelman, et al, with SCS
SB 1355-Days	SBs 1221 & 1305-Kinder, with SCS
SB 810-Klindt, with SCS	SB 1227-Russell, et al, with SCS
SB 728-Steelman, with SCS	

HOUSE BILLS ON THIRD READING

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

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 (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)

Unofficial
HOUSE BILLS ON THIRD READING

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

HCS for HB 1182, with SCS (Klindt)

CONSENT CALENDAR

Journal
Senate Bills

Reported 2/9

SB 741-Klindt

Reported 3/15

SB 1189-Scott, with SCS

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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 46-Gross

Reported from Committee

SR 1451-Yeckel

T

Unofficial

Journal

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