

# Journal of the Senate

SECOND REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 13, 2000

The Senate met pursuant to adjournment.

President Wilson in the Chair.

The Reverend Carl Gauck offered the following prayer:

Psalm 91:11: "For He shall give His angels charge over you, to keep you in all your ways."

Merciful God, in the midst of the changes and chances and fluctuating pressures of daily living send Your holy angels to be with us especially when dangers threaten within and without. Direct Your angels to watch over us as we travel back and forth from here to home and back once again. Let Your angels banish doubts and fears that lie beneath the surface of our consciousness and help us venture forth upon the daily tasks before us, confident of Your loving care and divine protection. This we ask in Your Holy Name. 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.

Senator DePasco announced that photographers from the Associated Press had been given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Schneider	Sims

Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

Absent with leave—Senators

Flotron	Scott—2
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Vacancies—1

The Lieutenant Governor was present.

Senator Staples assumed the Chair.

## RESOLUTIONS

Senator Graves offered Senate Resolution No. 1049, regarding the One Hundredth Birthday of Elizabeth Freeman, Tarkio, which was adopted.

Senator Howard offered Senate Resolution No. 1050, regarding the Dexter High School 3A Bearcats Basketball Team, which was adopted.

Senator Quick offered the following resolution:

SENATE RESOLUTION NO. 1051

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director, two deputy department directors, and seven division level directors to be compensated according to Office of Administration guidelines for compensation of division directors; and the following authorized employees at rates of pay within the ranges hereby

established.

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
5	Staff Attorney II	2,802 - 4,275
1	Senior Staff Attorney	3,678 - 5,334
1	Research Analyst II	2,802 - 4,275
1	Senior Research Analyst	3,678 - 5,334
1	Investigator	2,688 - 4,096
7	Research Staff Secretary	2,038 - 3,238
5	Budget Research Analyst II	2,802 - 4,275
4	Assistant Secretary of Senate	2,381 - 3,524
5.5	Enrolling & Engrossing Clerk	1,926 - 2,802
1	Billroom Supervisor	1,926 - 2,802
1.5	Billroom Clerk	1,478 - 2,030
4	Public Information Specialist I	1,926 - 2,802
2	Public Information Specialist II	2,202 - 3,238
3	Administrative Assistant	1,500 - 5,527
1	Executive Assistant	1,500 - 5,405
1	Telecommunications Coordinator	2,480 - 3,678
3	Accountant	2,038 - 2,916
6	Administrative Secretary	1,500 - 3,687
7	Clerical Assistant	1,500 - 3,001
1	Messenger	1,478 - 2,030
1	Data Control Coordinator	2,202 - 3,238
3	Computer Info. Technology Spec. II	3,345 - 5,577
1	Computer Info. Technology Spec. III	3,489 - 5,836
1	Computer Info. Technologist III	2,916 - 4,469
1	Network/Communications Analyst	3,059 - 4,881
1	Computer Operator II	1,854 - 2,688
2	Computer Operator III	2,202 - 3,238
4	Data Entry Operator III	1,663 - 2,335
1	Graphics Supervisor	1,907 - 2,831
3	Composing Equipment Operator III	1,711 - 2,794
1	Mailroom Supervisor	1,926 - 2,802
3	Duplicating Equipment Operator I	1,426 - 1,920
1	Duplicating Equipment Operator II	1,621 - 2,237
3	Duplicating Equipment Operator III	1,788 - 2,530
1	Duplicating Equipment Operator IV	1,926 - 2,802
1	Photographer	2,139 - 3,366
0.25	Physical Plant Supervisor	1,830 - 3,579

1	Maintenance Supervisor	2,038 - 2,916
1	Carpenter II	1,854 - 2,688
4.5	Custodian II	1,295 - 2,110
2	Custodian III	1,492 - 2,237
2	Maintenance Worker	1,621 - 2,237
1	Sergeant at Arms (Elected)	2,202 - 3,238
0.5	Doorkeeper (Elected)	1,000 - 2,087
3	Assistant Doorkeeper	800 - 1,543
0.5	Reading Clerk	750 - 1,692
0.5	Chaplain	500 - 890
3	Security Guard	1,438 - 2,530

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator for the employment of Administrative and Clerical Assistants. Each Senator will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the House Administrator in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges in July to reflect implementation of the state pay plan for FY 2001.

Senator Wiggins offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1052

WHEREAS, the members of the Missouri Senate have been deeply saddened to learn of the death of Leslie Robert (Bob) Benson, of Kansas City; and

WHEREAS, Mr. Benson, a native of Hutchison, Kansas, graduated from Central Missouri State University with a degree in Accounting and then entered the United States Air Force where he

achieved the rank of Lieutenant and served as a jet fighter pilot during the Korean War; and

WHEREAS, Mr. Benson thereafter spent many years working in the corporate accounting field throughout the Kansas City area and was active in many other civic and community offices; and

WHEREAS, Mr. Benson was most of all a devoted husband and father in whose heart and love his family always came first;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate pause in their deliberations to salute the memory of Leslie Robert (Bob) Benson, express their appreciation for his lifetime of good citizenship, and his contributions to Kansas City, to Missouri, and to his country, and extend to his family and many friends most sincere sympathy on his death; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for his wife, Mrs. Mary Colleta Benson, son Robert M. Benson, and daughter Mrs. Teresa LeClerc.

Senator Wiggins offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1053

WHEREAS, the members of the Missouri Senate have been deeply saddened to learn of the death of Loretto G. Purcell, of Kansas City; and

WHEREAS, Mrs. Purcell, a longtime dynamic leader in the Catholic community, was born in Kansas City, January 17, 1908, attended St. James grade school, Loretta Academy and Sarachon-Hooley Secretarial School; and

WHEREAS, after losing both her husband, Joseph C. Purcell, and two year old son, Patrick James, in the early 1930's, she devoted her life to Catholic affairs beginning, with the Catholic Youth Council where she was the first secretary with Father Bernard Hale, the first director; and

WHEREAS, having served the CYO for 33 years she retired December 31, 1972, as office manager for the Catholic Lay Activities Office and personal secretary to its director, Father Thomas Reardon; and

WHEREAS, Mrs. Purcell received numerous awards, none of which she sought, including the "Benemerenti Award", given by Pope Pius XII in 1955 and the "Pro-Deo-ET Juventute" "For God & Youth" by the National Convention of Catholic Youth in 1959; and

WHEREAS, the greatest award Mrs. Purcell ever received was the undying admiration and affection of every young student who ever attended Catholic Schools in Kansas City during her long tenure including the sponsor of this Resolution, the current Senator from the 10th District, Senator Wiggins, who had been her loyal friend and booster since he was in grade school;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate pause in their deliberations to salute the memory of a remarkable and good lady, Mrs. Loretto G. Purcell, express their appreciation for her lifetime of good citizenship, not

just to Kansas City-St. Joseph, but to the youth of America, and extend to her family and many friends most sincere sympathy on her death; and

BE IT FURTHER RESOLVED that the Secretary of Senate be instructed to prepare properly inscribed copies of this resolution for Bishop Thomas Boland, Diocese of Kansas City-St. Joseph, Father Patrick Rush, Vicar General, and her nephew, Ernest J. Straub.

Senator Howard offered Senate Resolution No. 1054, regarding Ralph Waldo Emerson Fralick, Bernie, which was adopted.

### INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and 1,000 copies ordered printed:

**SB 821**—By Caskey.

An Act to amend chapter 50, RSMo, by adding thereto one new section relating to certain county retirement systems.

**SB 822**—By Clay.

An Act to amend chapter 320, RSMo, by adding thereto four new sections relating to fire protection, with penalty provisions.

**SB 823**—By Clay.

An Act to repeal section 208.071, RSMo 1994, relating to Missouri works program, and to enact in lieu thereof two new sections relating to the same subject.

**SB 824**—By Wiggins.

An Act to repeal section 494.425, RSMo 1994, relating to jury service, and to enact in lieu thereof one new section relating to the same subject.

**SB 825**—By Jacob.

An Act to repeal sections 174.620 and 175.021, RSMo 1994, and sections 172.037, 174.610 and 175.020, RSMo Supp. 1999, relating to certain representatives on college and university boards, and to enact in lieu thereof eight new sections relating to the same subject.

**SB 826**—By Jacob, Kenney, House, Maxwell, Staples, Wiggins, Steelman and DePasco.

An Act to repeal section 407.820, RSMo 1994, and sections 407.815, 407.816, 407.822 and 407.825, RSMo Supp. 1999, relating to motor vehicle franchise practices, and to enact in lieu thereof seven new sections relating to the same subject.

**SB 827**—By Scott, Schneider, Yeckel and Clay.

An Act to amend chapter 66, RSMo, by adding thereto fourteen new sections relating to the downtown revitalization act, with an emergency clause.

**SB 828**—By DePasco.

An Act to repeal section 313.830, RSMo 1994, relating to the Missouri gaming commission, and to enact in lieu thereof one new section relating to the same subject.

**SJR 47**—By Quick, Maxwell, Stoll, Staples, Howard, DePasco, Wiggins, Schneider, Scott, Bland, Clay, Mathewson, Caskey, Johnson and Goode.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to the disposition of tobacco settlement funds.

**SJR 48**—By Goode.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 7 of article IX of the Constitution of Missouri relating to education, and adopting three new sections in lieu thereof relating to the same subject.

## REPORTS OF STANDING COMMITTEES

Senator Quick, 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:

Robert H. Douglass, as a member of the State Board of Mediation;

Also,

Marilyn L. Robinson and Joe Ann Alexander, as members of the Advisory Committee on Lead Poisoning;

Also,

Ollie C. Fisher and Marcella W. Williams, as members of the State Board of Health;

Also,

Mildred L. Jamison and Christy D. Broce, as members of the Children's Trust Fund Board;

Also,

Thomas R. Davis and Paula L. Spring, as members of the State Board of Education;

Also,

Patricia M. Mahoney and Katherine Ann Borman, as members of the State Milk Board;

Also,

Patrick M. Gleason, Rachel E. Locke and Margaret "Meg" A. Harding, as members of the Hazardous Waste Management Commission;

Also,

Joan R. Shores, Terri L. Powell, Mary B. McDonald, Marie E. Carter and Donna J. Medlin, as members and Nolan G. McNeill, as a public member of the State Committee of Dietitians;

Also,

Charli Jo Ledgerwood, Roger M. Folk, H. Dwight Douglas and Chester C. Dudley, as members of the Safe Drinking Water Commission;

Also,

Rolfe C. McCoy, as a member of the Missouri Dental Board;

Also,

Clifford I. Whipple and Jewel L. Hunter, as members of the Health and Educational Facilities Authority of the State of Missouri;

Also,

Lorene A. Van Dam, as a member of the State Board of Podiatric Medicine;

Also,

Dorothy Danforth Burlin and Judith Sutter Hinrichs, as members of the State Environmental Improvement and Energy Resources Authority;

Also,

Anita B. Gorman, as a member of the Conservation Commission;

Also,

Mary Wheeler-Jones, as a public member of the Missouri Board for Respiratory Care;

Also,

Sterling Adams and Nancy J. Reynolds, as members of the Missouri Commission on Human Rights;

Also,

Elizabeth B. Brown, as a member of the State Soil and Water Districts Commission;

Also,

William Hayden Creech, Jr., as a member of the Missouri Housing Development Commission;

Also,

Mary C. Hagerty, Dean E. Freeman, Roddy J. Rogers and Jeffrey D. Cawlfild, as members of the Dam and Reservoir Safety Council;

Also,

Lynne R. Nickolaisen, as a member of the Missouri Gaming Commission;

Also,

Paul A. Boudreau, as a member of the Personnel Advisory Board.

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

Senator Quick 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.

### INTRODUCTION OF BILLS

The following Bill was read the 1st time and 1,000 copies ordered printed:

**SB 829**—By Singleton.

An Act to amend chapter 354, RSMo, by adding thereto one new section relating to physicians.

### MESSAGES FROM THE HOUSE

The following message was 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 Speaker has appointed the following Escort Committee to act with a like committee from the Senate pursuant to **HCR 2**: Representatives Backer, Relford, Lawson, Reynolds, McKenna, Fraser, Riley, Meredith, McClelland, Shields, Ostmann, Tudor, Klindt and Long.

### INTRODUCTIONS OF GUESTS

On behalf of Senator Staples, the President introduced to the Senate, Dr. Larry Jackson, Doniphan.

On motion of Senator DePasco, the Senate adjourned until 4:00 p.m., Monday, January 17, 2000.

## SENATE CALENDAR

SEVENTH DAY—MONDAY, JANUARY 17, 2000

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 532-Wiggins and Clay	SB 733-Maxwell
SB 700-Caskey	SB 734-Stoll
SB 701-Wiggins	SB 735-Singleton and Westfall
SB 703-Steelman	SB 736-Sims and Ehlmann
SB 704-Kinder	SB 737-House
SB 705-Maxwell	SB 738-Maxwell and Kinder
SB 706-Schneider	SB 739-Maxwell
SB 707-Singleton	SB 740-Wiggins
SB 708-DePasco	SB 741-Maxwell
SB 709-DePasco	SB 742-Klarich and Goode
SB 710-DePasco	SB 743-Klarich
SB 711-DePasco	SB 744-Klarich
SB 712-DePasco	SB 745-Goode
SB 713-Schneider	SB 746-Johnson
SB 714-Schneider	SB 747-Singleton
SB 715-Schneider	SB 748-Johnson
SB 716-Bentley	SB 749-Rohrbach
SB 717-Schneider and Flotron	SB 750-Rohrbach
SB 718-Schneider, et al	SB 751-Clay
SB 719-Wiggins, et al	SB 752-Clay
SB 720-Caskey	SB 753-DePasco
SB 721-Caskey	SB 754-Graves
SB 722-Caskey	SB 755-Stoll
SB 723-Goode	SB 756-Caskey
SB 724-Rohrbach	SB 757-Maxwell
SB 725-Graves	SB 758-Maxwell
SB 727-Goode and Bentley	SB 759-Klarich
SB 728-Flotron and Klarich	SB 760-Klarich
SB 729-House	SB 761-Schneider
SB 730-Graves	SB 762-Russell
SB 731-Bentley	SB 763-Howard
SB 732-Schneider	SB 764-Kenney, et al
	SB 765-Kenney

SB 766-Sims	SB 799-Ehlmann
SB 767-Scott	SB 800-Ehlmann
SB 768-Stoll	SB 801-Mathewson
SB 769-DePasco and Wiggins	SB 802-Goode, et al
SB 770-DePasco	SB 803-Goode, et al
SB 771-DePasco	SB 804-Yeckel
SB 772-Goode	SB 805-Yeckel
SB 773-Caskey	SB 806-Jacob
SB 774-Caskey	SB 807-Jacob
SB 775-Mueller	SB 808-Jacob
SB 776-Mueller	SB 809-Schneider
SB 777-Steelman	SB 810-Goode
SB 778-Staples	SB 811-Singleton
SB 779-Mathewson and Johnson	SB 812-Westfall
SB 780-Mathewson	SB 813-House
SB 781-Goode	SB 814-House
SB 782-Westfall	SB 815-Flotron, et al
SB 783-Sims	SB 816-Stoll
SB 784-Sims	SB 817-Stoll
SB 785-Stoll and Maxwell	SB 818-Maxwell and Kinder
SB 786-Clay	SB 819-Maxwell
SB 787-Childers, et al	SB 820-Maxwell, et al
SB 788-Johnson	SB 821-Caskey
SB 789-Mathewson	SB 822-Clay
SB 790-Caskey	SB 823-Clay
SB 791-Goode	SB 824-Wiggins
SB 792-Sims	SB 825-Jacob
SB 793-Staples	SB 826-Jacob, et al
SB 794-Singleton	SB 827-Scott, et al
SB 795-Singleton	SB 828-DePasco
SB 796-Jacob	SB 829-Singleton
SB 797-Ehlmann	SJR 46-Goode, et al
SB 798-Ehlmann	SJR 47-Quick, et al
	SJR 48-Goode

RESOLUTIONS

SR 1051-Quick