

Journal of the Senate

SECOND REGULAR SESSION

THIRTEENTH DAY—WEDNESDAY, JANUARY 26, 2000

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Every good gift and every perfect gift is from above, and comes down from the Father of Light.” (James 1:17)

Gracious God, we sometimes take for granted Your tenderly providing the wherewithals of life including love and sympathy. As a child will often turn to their father's house in times of trouble, we too need to turn to You as well. But sometimes dark moments shake our belief in Your providence and doubts erase certainty. At such time may Your Holy Spirit fill our hearts with faith in Your love and goodness so we may trust in You that no matter what befalls us we can call You, Father, and know we are truly never alone. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for 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	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller

Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Stoll offered Senate Resolution No. 1101, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Henry Hugh Richardson, Festus, which was adopted.

Senator Schneider offered Senate Resolution No. 1102, regarding Paul Lawrence Sansone, Florissant, which was adopted.

Senator Russell offered Senate Resolution No. 1103, regarding Clarence “Darrell” Keys, of Ozark Mountain Wholesale and Auction Company, Incorporated, which was adopted.

Senator Staples offered Senate Resolution No. 1104, regarding Ross Gordon, Farmington, which was adopted.

INTRODUCTION OF BILLS

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

SB 903—By Flotron.

An Act to repeal section 313.835, RSMo Supp. 1999, relating to veterans' affairs and to enact in lieu thereof seven new sections relating to the same subject.

SB 904—By Johnson.

An Act to repeal sections 59.020, 59.040,

59.041, 59.050, 59.090, 59.100, 59.130, 59.140, 59.150, 59.250, 59.255, 59.257, 59.260 and 59.300, RSMo 1994, relating to county recorders of deeds, and to enact in lieu thereof twelve new sections relating to the same subject.

SB 905—By House.

An Act to repeal section 167.181, RSMo Supp. 1999, relating to immunizations for students, and to enact in lieu thereof one new section relating to the same subject.

SB 906—By Singleton.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to health care facilities, with penalty provisions.

SB 907—By Caskey.

An Act to repeal section 307.173, RSMo Supp. 1999, relating to motor vehicle safety, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

SB 908—By Kenney.

An Act to repeal section 135.095, RSMo Supp. 1999, relating to taxation, and to enact in lieu thereof one new section relating to the same subject.

SB 909—By Bland.

An Act to repeal sections 143.171 and 160.500, RSMo 1994, and section 144.030, RSMo Supp. 1999, relating to sales and use tax, and to enact in lieu thereof three new sections relating to the same subject, with effective dates and a referendum clause.

SB 910—By Stoll.

An Act to repeal section 163.191, RSMo 1994, relating to community college districts, and to enact in lieu thereof one new section relating to the same subject.

SB 911—By Stoll.

An Act to repeal sections 161.092, 161.097, 168.011, 168.015, 168.081, 168.400 and 168.405, RSMo 1994, and sections 168.021, 168.071, 168.500 and 168.510, RSMo Supp. 1999, relating to the standards and practices of educational personnel of the public schools, and to enact in lieu

thereof twenty-four new sections relating to the same subject, with penalty provisions.

SB 912—By Jacob.

An Act to amend chapter 376, RSMo, relating to life insurance by adding thereto one new section relating to valuation of life insurance policies, with an emergency clause.

SB 913—By Ehlmann.

An Act to repeal section 578.395, RSMo 1994, relating to ticket scalping, and to enact in lieu thereof one new section relating to the same subject.

SB 914—By Schneider and House.

An Act to repeal sections 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 1994, relating to the administrative hearing commission, and to enact in lieu thereof three new sections relating to the same subject.

SB 915—By Clay.

An Act to repeal section 214.205, RSMo 1994, relating to cemeteries, and to enact in lieu thereof one new section relating to the same subject.

SJR 52—By Johnson.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting one new section in lieu thereof relating to the same subject.

RESOLUTIONS

Senator Kinder offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1105

WHEREAS, upon occasion the members of the Missouri Senate pause to applaud the achievements of an outstanding young college student who has excelled through remarkable talent in the ever-so-competitive world of sports; and

WHEREAS, Scott Pingel, a senior at Westminster College in Fulton, has completed a most impressive football career with the Blue Jays by being named to the Hewlett-Packard Division III All-American First Team, making him the only player on the list to earn the honor for three consecutive seasons; and

WHEREAS, Scott Pingle is the first wide receiver to win the 1999 Melberger Award presented by the Downtown Wilkes-Barre Touchdown Club; and

WHEREAS, the son of Wayne and Janet Pingel of Perryville, Scott has also enjoyed distinction as the Saint Louis Intercollegiate Athletic Conference Player of the Year and as a GTE Academic All-American finalist; and

WHEREAS, in his important role as a wide receiver for the Blue Jays, Scott Pingel won the hearts of countless football fans all across this great state and throughout the nation by setting new NCAA all-divisions records for career receptions, career yardage, and career touchdown catches; and

WHEREAS, Scott Pingel put forth tremendous effort all season in practice and on the gridiron to complete his football career at Westminster College with such incredible statistics as 136 receptions for 1648 yards and 24 touchdowns, achievements realized under the competent guiding hand of Head Coach John Welty; and

WHEREAS, Scott Pingel has distinguished himself as the greatest receiver statistically in NCAA history by virtue of his astounding performances which gave him record-breaking career totals of 436 receptions, 6108 yards, and 75 touchdown catches; and

WHEREAS, Scott Pingel tied and subsequently broke the fifteen-year reception record during play against Illinois College and had occasion to demonstrate his ability and talent to a much broader group of fans when he took the field in the Fifth Annual All-American Bowl at the Metrodome in Minneapolis, Minnesota:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, join unanimously in a thunderous round of applause for Scott Pingel upon the completion of a fabulous college football career, during which he set and broke many long-standing records to bring honor and glory to Westminster College and the entire Show-Me State; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Scott Pingel, as a mark of our high esteem for him.

INTRODUCTION OF BILLS

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

SB 916—By Singleton and Scott.

An Act to repeal sections 590.100, 590.101, 590.110, 590.116, 590.117, 590.130, 590.131, 590.150, 590.170, 590.175 and 590.180, RSMo 1994, and sections 590.105, 590.115, 590.135 and 590.140, RSMo Supp. 1999, relating to the training and certification of peace officers, and to enact in lieu thereof twelve new sections relating to the same subject, with penalty provisions.

SB 917—By Maxwell.

An Act to amend chapter 409, RSMo, relating to regulation of securities by adding thereto thirteen

new sections relating to regulation of business opportunities, with penalty provisions.

SB 918—By Ehlmann.

An Act to repeal section 167.645, RSMo Supp. 1999, relating to reading ability in elementary school, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

RESOLUTIONS

Senator Flotron offered the following resolution, which was referred to the Committee on Rules, Joint Rules and Resolutions:

SENATE RESOLUTION NO. 1106

WHEREAS, we enjoy many freedoms because of our veterans service and honor to our country; and

WHEREAS, the National World War II Memorial is being built in Washington D.C. to be situated on the Mall between the Washington Monument and the Lincoln Memorial and is the first such monument to honor all veterans of the conflict; and

WHEREAS, the National World War II Memorial will be an all-encompassing memorial to everyone who served in the American Armed Forces in World War II, to all who gave their lives and to all who joined the war effort at home; and

WHEREAS, Missouri ranks among the states with the highest number of living World War II veterans, estimated at 438,000; and

WHEREAS, the National World War II Memorial, is estimated to cost \$100 million; and

WHEREAS, nearly \$60 million dollars has already been raised and 23 states have voted to donate to the memorial; and

WHEREAS, the state of Missouri should join with the other states and contribute to the building of the memorial with a \$1 donation in honor of every World War II Veteran from Missouri that served in the conflict:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, hereby join unanimously in support of Missouri's contribution to the National World War II Memorial by and recommend an appropriation in the amount of \$430,000 be approved; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Veterans Commission and the American Battle Monuments Commission.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR
 State of Missouri
 Jefferson City, Missouri
 January 25, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
 OF THE STATE OF MISSOURI:

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

Randall Joe Davis, 62 Pearl Drive, Hillsboro, Jefferson County, Missouri 63050, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
 MEL CARNAHAN
 Governor

Also,

OFFICE OF THE GOVERNOR
 State of Missouri
 Jefferson City, Missouri
 January 25, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
 OF THE STATE OF MISSOURI:

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

Kathleen M. Meyer, Republican, 14 Woods Fort Court, Troy, Lincoln County, Missouri 63379, as a member of the State Banking Board, for a term ending August 29, 2003, and until her successor is duly appointed and qualified; vice, Al Nilges, resigned.

Respectfully submitted,
 MEL CARNAHAN
 Governor

Also,

OFFICE OF THE GOVERNOR
 State of Missouri
 Jefferson City, Missouri
 January 25, 2000

TO THE SENATE OF THE 90th GENERAL ASSEMBLY
 OF THE STATE OF MISSOURI:

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

Mark A. Terry, 11201 Jackson, Kansas City, Jackson County, Missouri 64137, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2004, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
 MEL CARNAHAN
 Governor

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

INTRODUCTION OF BILLS

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

SB 919—By House.

An Act to repeal sections 162.152, 162.171, 162.181, 162.201, 162.261, 162.321, 162.371, 162.391, 162.411, 162.501, 162.631, 164.221, 165.031, 166.151, 167.091, 167.101, 167.141, 167.191, 167.211, 167.221, 167.251, 167.260, 167.268, 167.278, 167.308, 167.330, 168.171, 168.181, 168.191, 168.201, 170.031, 170.041, 170.057, 171.051, 171.141, 171.181, 177.011, 177.031, 177.131, 177.161, 177.171, 178.290, 178.300, 178.310, 178.320, 178.330, 178.340, 178.350 and 178.360, RSMo 1994, and sections 161.102, 161.205, 162.191, 165.091, 165.111, 165.221, 167.161, 168.211 and 177.086, RSMo Supp. 1999, relating to public schools, and to enact in lieu thereof twenty-three new sections for the sole purpose of harmonizing and eliminating duplicative and obsolete education provisions.

RESOLUTIONS

Senator Johnson offered Senate Resolution No. 1107, regarding Mike Thornton, Savannah, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Bentley introduced to the Senate, Ralph Skelly, Ashland; and Janice Greene, Springfield.

Senator Johnson introduced to the Senate, Kerrie Burns, Agency.

Senator Yeckel introduced to the Senate, former State Senator Irene Treppler, St. Louis County; and Marc Houseman, Rodney Stoyer, Debbie Sheals and Becky Snider, members of the Missouri Alliance for Historic Preservation.

Senator Yeckel introduced to the Senate, John Bachmann, Dick Fleming, Mark Sauer, Roy Wagner, Steve Lowy, Dr. Robert Morgan and

Marcia Mellitz, members of the St. Louis Regional Chamber and Growth Association.

Senator Kinder introduced to the Senate, Scott Pingel, Perryville; John Welty and Donald Wood, Fulton; Terry Logue, Columbia; Alexandra Holland, Jefferson City; and Jodi Glaus,

Springfield.

Senator Staples introduced to the Senate, the Physician of the Day, Dr. Gene Leroux, Doniphan.

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

SENATE CALENDAR

FOURTEENTH DAY—THURSDAY, JANUARY 27, 2000

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 804-Yeckel	SB 830-Caskey
SB 805-Yeckel	SB 831-Childers
SB 806-Jacob	SB 832-Childers
SB 807-Jacob	SB 833-Childers
SB 808-Jacob	SB 834-Kenney
SB 809-Schneider	SB 835-Staples
SB 810-Goode	SB 836-Mueller
SB 811-Singleton	SB 837-Wiggins
SB 812-Westfall	SB 838-Bland
SB 813-House	SB 839-Jacob
SB 814-House	SB 840-Jacob
SB 815-Flotron, et al	SB 841-Jacob
SB 816-Stoll	SB 842-Flotron
SB 817-Stoll	SB 843-DePasco
SB 818-Maxwell and Kinder	SB 844-Kinder
SB 819-Maxwell, et al	SB 845-Rohrbach
SB 820-Maxwell, et al	SB 846-House
SB 821-Caskey	SB 847-House
SB 822-Clay	SB 848-Stoll and Maxwell
SB 823-Clay	SB 849-Stoll
SB 824-Wiggins	SB 850-Scott
SB 825-Jacob	SB 851-Wiggins and Stoll
SB 826-Jacob, et al	SB 852-Flotron
SB 827-Scott, et al	SB 853-Flotron and Wiggins
SB 828-DePasco	SB 854-Sims
SB 829-Singleton	

SB 855-Kinder and Yeckel	SB 891-Howard, et al
SB 856-Maxwell	SB 892-Quick
SB 857-Maxwell	SB 893-Quick
SB 858-Maxwell	SB 894-Quick
SB 859-Jacob	SB 895-Staples
SB 860-Jacob	SB 896-Klarich
SB 861-Jacob	SB 897-Jacob
SB 862-Jacob	SB 898-Bland
SB 863-Caskey	SB 899-Wiggins, et al
SB 864-Caskey	SB 900-Wiggins
SB 865-Goode	SB 901-Flotron, et al
SB 866-Klarich	SB 902-Mathewson
SB 868-Stoll	SB 903-Flotron
SB 869-Schneider	SB 904-Johnson
SB 870-Schneider	SB 905-House
SB 871-Flotron, et al	SB 906-Singleton
SB 872-Flotron and Rohrbach	SB 907-Caskey
SB 873-Flotron	SB 908-Kenney
SB 874-Caskey	SB 909-Bland
SB 875-Kinder	SB 910-Stoll
SB 876-Clay, et al	SB 911-Stoll
SB 877-Sims	SB 912-Jacob
SB 878-Schneider	SB 913-Ehlmann
SB 879-Bland	SB 914-Schneider and House
SB 880-Bland	SB 915-Clay
SB 881-Wiggins	SB 916-Singleton and Scott
SB 882-Flotron	SB 917-Maxwell
SB 883-Rohrbach	SB 918-Ehlmann
SB 884-Mathewson	SB 919-House
SB 885-Mathewson	SJR 48-Goode
SB 886-Ehlmann	SJR 49-Jacob
SB 887-Ehlmann	SJR 50-Stoll
SB 888-Ehlmann	SJR 51-Flotron, et al
SB 889-Howard	SJR 52-Johnson
SB 890-Howard, et al	

SENATE BILLS FOR PERFECTION

SB 549-Quick, et al