

# Journal of the Senate

SECOND REGULAR SESSION

**TWENTY-NINTH DAY—WEDNESDAY, FEBRUARY 23, 2000**

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Do you not know that I must be about my Father's business?”  
(Luke 2:49)

Heavenly Father, help us cultivate that sense of “I must!” in all that we do here. Help us in our service to the public, our contributions to the state, our daily service to our fellow men and women we serve with; give us that sense of “divine necessity.” Help us see that we are called to do this not as unwilling slaves of a cruel habit, but because Your love for us leaves us no choice - We must because we want to! 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.

Photographers from the Associated Press and KRCG-TV were 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

The Lieutenant Governor was present.

President Wilson assumed the Chair.

## RESOLUTIONS

Senator Caskey offered Senate Resolution No. 1245, regarding Lois Virginia Stephens Warren, Clinton, which was adopted.

Senator Bland offered Senate Resolution No. 1246, regarding the Paradise Missionary Baptist Church, Kansas City, which was adopted.

Senator Bland offered Senate Resolution No. 1247, regarding the Boys and Girls Clubs of Greater Kansas City and guests Muhammad and Lonnie Ali, which was adopted.

## INTRODUCTION OF BILLS

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

**SB 1041**—By Flotron.

An Act to repeal sections 34.070, 34.073, 37.020 and 575.060, RSMo 1994, and sections 34.040 and 34.046, RSMo Supp. 1999, relating to the office of administration, and to enact in lieu thereof eight new sections relating to the same subject, with penalty provisions.

**SB 1042**—By Flotron.

An Act to amend chapter 144, RSMo, relating

to sales and use taxation by adding thereto one new section relating to bullion and investment coins.

**SB 1043**—By Mathewson.

An Act to amend chapter 570, RSMo, relating to stealing by adding thereto one new section relating to stealing services, with penalty provisions.

**THIRD READING OF SENATE BILLS**

**SCS** for **SB 756**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 756

An Act to repeal sections 273.327, 273.333 and 273.357, RSMo 1994, relating to animal care facilities, and to enact in lieu thereof three new sections relating to the same subject.

Was taken up by Senator Caskey.

On motion of Senator Caskey, **SCS** for **SB 756** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bland	Caskey	Clay	DePasco
Flotron	Goode	Howard	Jacob
Johnson	Mathewson	Maxwell	Mueller
Russell	Schneider	Scott	Sims
Singleton	Staples	Stoll	Wiggins—20

NAYS—Senators

Childers	Ehlmann	Graves	House
Kenney	Kinder	Klarich	Quick
Rohrbach	Steelman	Westfall	Yeckel—12

Absent—Senator Bentley—1

Absent with leave—Senators—None

Vacancies—1

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 DePasco moved that motion lay on the table, which motion prevailed.

**REFERRALS**

President Pro Tem Quick referred the Gubernatorial Appointments appearing on pages 299-300 of the Senate Journal for Tuesday, February 22, 2000, to the Committee on Gubernatorial Appointments.

President Pro Tem Quick referred **SCR 27**, **HCR 10** and **HCR 17** to the Committee on Rules, Joint Rules and Resolutions.

**THIRD READING OF SENATE BILLS**

**SB 816**, introduced by Senator Stoll, entitled:

An Act to repeal section 169.070, RSMo Supp. 1999, relating to the public school retirement system, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Stoll, **SB 816** was read the 3rd time and passed by the following vote:

YEAS—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			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

Senator Stoll moved that the vote by which the

bill passed be reconsidered.

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

**SB 804**, introduced by Senator Yeckel, entitled:

An Act to repeal section 443.415, RSMo Supp. 1999, relating to mortgage insurers, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

On motion of Senator Yeckel, **SB 804** was read the 3rd time and passed by the following vote:

YEAS—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			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

**SB 727**, introduced by Senators Goode and Bentley, entitled:

An Act to repeal section 610.021, RSMo Supp. 1999, relating to records of municipal utilities, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and

taken up by Senator Goode.

On motion of Senator Goode, **SB 727** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Quick—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

**SB 740**, introduced by Senator Wiggins, entitled:

An Act to repeal section 29.230, RSMo Supp. 1999, relating to duties of the state auditor, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and taken up.

Senator Wiggins moved that **SB 740** be read the 3rd time and finally passed.

At the request of Senator Wiggins, the above motion was withdrawn.

**REPORTS OF STANDING COMMITTEES**

Senator DePasco, Chairman of the Committee on Rules, Joint Rules and Resolutions, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SB 618**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On behalf of Senator Maxwell, Chairman of the Committee on Commerce and Environment, Senator Quick submitted the following report:

Mr. President: Your Committee on Commerce and Environment, to which was referred **SB 803**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Scott, Chairman of the Committee on Pensions and General Laws, Senator Quick submitted the following report:

Mr. President: Your Committee on Pensions and General Laws, to which was referred **SJR 53**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Goode, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 1114**, begs leave to report that it has considered the same and recommends that the bill do pass.

### SENATE BILLS FOR PERFECTION

Senator House moved that **SB 813** be taken up for perfection, which motion prevailed.

Senator House offered **SS** for **SB 813**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 813

An Act to repeal section 85.011, RSMo 1994, relating to discipline of law enforcement officers, and to enact in lieu thereof one new section relating to the same subject.

Senator House moved that **SS** for **SB 813** be adopted.

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

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No.

813, Section 85.011, Page 2, Line 19, by inserting after the period at the end of said line the following: **“The state shall reimburse municipalities for any new or increased activities or service beyond that required by existing law as required by Article X, Section 21 of the Missouri Constitution.”**

Senator Childers moved that the above amendment be adopted.

Senator House requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Childers, DePasco, Jacob and Russell.

**SA 1** was adopted by the following vote:

#### YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	Kenney	Kinder	Klarich
Mathewson	Mueller	Rohrbach	Russell
Sims	Singleton	Staples	Steelman
Westfall	Yeckel—18		

#### NAYS—Senators

Bland	Caskey	Clay	DePasco
Goode	House	Howard	Jacob
Johnson	Maxwell	Quick	Schneider
Stoll	Wiggins—14		

Absent—Senator Scott—1

Absent with leave—Senators—None

Vacancies—1

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

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 17, by inserting before the word “any” the following: **“Notwithstanding any provision of law to the contrary,”**.

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

Senator Goode offered **SA 3**, which was read:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 14 of said page,

by inserting immediately after the word “section” the following: “, or any municipality that has adopted similar written discipline appeal procedures”.

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

Senator Russell offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Lines 4, 5 and 6, by deleting all of lines 4, 5 and 6 on page 2 and insert in lieu thereof “**action**. At any such meeting the”.

Senator Russell moved that the above amendment be adopted.

Senator Staples assumed the Chair.

Senator House requested a roll call vote be taken on the adoption of **SA 4** and was joined in his request by Senators Jacob, Kenney, Kinder and Russell.

**SA 4** was adopted by the following vote:

YEAS—Senators

Bentley	Childers	Ehlmann	Flotron
Graves	Howard	Kenney	Kinder
Mueller	Rohrbach	Russell	Scott
Sims	Singleton	Staples	Steelman
Westfall	Yeckel—18		

NAYS—Senators

Bland	Caskey	Clay	DePasco
Goode	House	Jacob	Johnson
Mathewson	Maxwell	Schneider	Stoll
Wiggins—13			

Absent—Senators

Klarich	Quick—2
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Absent with leave—Senators—None

Vacancies—1

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

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 813, Section 85.011, Page 1, Lines 10 and 11, by removing the brackets on said lines; and

Further amend said bill, Section 85.011, page 2, lines 16 and 17, by removing the brackets on said lines.

Senator Russell moved that the above amendment be adopted.

At the request of Senator House, **SB 813**, with **SS** and **SA 5** (pending), was placed on the Informal Calendar.

**REFERRALS**

President Pro Tem Quick referred **SB 618** to the Committee on State Budget Control.

**RESOLUTIONS**

Senator Schneider offered Senate Resolution No. 1248, regarding Kenneth A. Kleinberg, Bellefontaine Neighbors, which was adopted.

Senator Graves offered Senate Resolution No. 1249, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dallas Hollenbeck, Bogard, which was adopted.

Senator Graves offered Senate Resolution No. 1250, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Eldon Dreher, Oregon, which was adopted.

Senator Graves offered Senate Resolution No. 1251, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Merrill Greer, Bucklin, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Wiggins introduced to the Senate, Tom McClanahan, Tim Ritz, Pat Zuk, Denny Bush, Jim Berry, Steve Sears, Joe Neenan and members of the St. Elizabeth Cub Scout Troop, Kansas City; and Alex Berry, Colin Cicchetti, Andrew Maggard, Michael McClanahan, Nathan Neenan, William Wesley, Sam Weidman, Alex Bryant, Andrew Bush, Kenny Jenkins, Andrew Leis, David Ritz, Steven Lorenz, Joe O’Neill, Keith Sears, Matthew Weber and Keegan Zuk were made honorary pages.

Senator Howard introduced to the Senate, the Physician of the Day, Dr. Ben Soeter, M.D., and Dr. Kirby Turner, M.D., Poplar Bluff.

On behalf of Senator Westfall and himself, Senator Russell introduced to the Senate, Ron Locke, Roberta Bright and Martha Lewis, Long Lane; Gary Naylor, Judy Hargis, Margaret Matthews, Tony DeTrolio, Darlene Johnson, Charlotte Prater, Ardith Syfert and Jeanie Werner,

Buffalo; Dayle Nelson, Louisburg; James Small, Lebanon; and Deanna Stuckey, Tunas.

Senator Mueller introduced to the Senate, Michele Meyer and Jo Curran, St. Louis County.

Senator Maxwell introduced to the Senate, Doug Trembath and Hank Milius, Mexico.

Senator Westfall introduced to the Senate, Leslie Ehnis, Wilma Jean Lower, Josephine Johnson and Leila Ellis, Cedar County.

Senator Sims introduced to the Senate, Midge Crieder, Aranza Winkelman, Mary Beth Shields, Eileen Frese, Deirdre Brown, Cori Darvish, Leslie Foran and Terrie Young, St. Louis County; and Patty Hofer and Jeannie Citerman-Kroeger, St. Louis.

Senator Johnson introduced to the Senate, Monica Bolin, Cindy Hausman, Christina Lund, Nancy Kirby, Patty Waitkoss and Leigh Ann Dunn, St. Joseph.

Senator Westfall introduced to the Senate, Mike Peters and Ann Meuser, Springfield.

Senator Westfall introduced to the Senate, Rob Springer and members of the Aurora High School Band, Aurora.

Senator Wiggins introduced to the Senate, James C. Widen, Kansas City.

Senator Clay introduced to the Senate, former State Senator John Bass, Bessie Reece, Elizabeth Moore, Wilma Chestnut House, Larry and Marilyn Parker, Janice Davis and Ray Campbell, members of Missouri Council of the Blind.

Senator Howard introduced to the Senate, Gary Pogue, Tracy Fish, Jennifer Smith, Darrell Reynolds, Michael Carter, Jessica Hastings and Robert Rowley, Puxico; and Tracy, Jennifer, Darrell, Michael, Jessica and Robert were made honorary pages.

Senator Childers introduced to the Senate, Mary Gandy, Kimberling City; Conor Hall, Crane; Bill Atchison and Richard Brunken, McCord Bend; Lee Young, John C. Hedrick and Tony DeLong, Galena.

Senator Sims introduced to the Senate, Dr. David Kantor, D.O., Dr. Basima Williams, D.O., Dr. Michael Williams, D.O., Dr. Shannon Pedersen, D.O., Dr. Jennifer Hosto, D.O., Dr. Larry Otehan, D.O., Jackie Turner, Dr. Lee Parks, D.O., Dr. Jeff Kerr, D.O., Dr. Mel Saltzman, D.O. and Dr. Allen Weaver, D.O.

Senator Staples introduced to the Senate, Shannon and Mike Ennis, Eminence.

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

## SENATE CALENDAR

THIRTIETH DAY—THURSDAY, FEBRUARY 24, 2000

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SRB 1001-Wiggins

SRB 1002-Wiggins

SB 1003-Wiggins

SB 1004-Schneider and Wiggins

SB 1005-Schneider

SB 1006-Yeckel

SB 1007-Scott

SB 1008-Scott

SB 1009-Bentley

SB 1010-Childers and Caskey

SB 1011-Singleton

SB 1012-Singleton

SB 1013-Stoll

SB 1014-Stoll

SB 1015-Wiggins and  
DePasco

SB 1016-Jacob, et al  
SB 1018-Bentley  
SB 1019-Rohrbach  
SB 1020-Bentley  
SB 1021-Rohrbach  
SB 1022-Scott  
SB 1023-Yeckel  
SB 1024-Yeckel  
SB 1025-Clay and House  
SB 1026-Wiggins  
SB 1027-Sims  
SB 1028-Ehlmann  
SB 1029-Schneider  
SB 1030-Bland  
SB 1031-Sims

SB 1032-Sims  
SB 1033-Steelman  
SB 1034-Steelman  
SB 1035-Westfall  
SB 1036-Johnson  
SB 1037-Bentley  
SB 1038-Caskey  
SB 1039-Westfall  
SB 1040-Caskey  
SB 1041-Flotron  
SB 1042-Flotron  
SB 1043-Mathewson

HOUSE BILLS ON SECOND READING

HB 1506-VanZandt, et al  
HJR 43-Barry, et al  
HB 1363-Bray, et al  
HCS for HB 1144  
HB 1321-Relford, et al  
HCS for HB 1142

HCS for HB 1074  
HB 1186-Gratz and Vogel  
HS for HCS for HBs 1215 &  
1240-Smith  
HB 1452-Foley and Levin

THIRD READING OF SENATE BILLS

SS for SB 576-Maxwell  
(In Budget Control)

SB 618-Rohrbach  
(In Budget Control)

SENATE BILLS FOR PERFECTION

1. SB 721-Caskey, with SCS
2. SBs 545, 628, 647,  
728, 834 & 832-  
Staples, with SCS
3. SB 741-Maxwell
4. SB 763-Howard, with SCS
5. SB 558-Howard, with SCS
6. SB 597-Steelman, with SCS
7. SB 858-Maxwell, with SCA 1

8. SB 729-House, with SCS
9. SB 577-Maxwell, with SCS
10. SJR 46-Goode, et al,  
with SCS
11. SBs 807, 553, 574,  
614, 747 & 860-  
Jacob, with SCS
12. SBs 771, 849 & 822-  
DePasco, with SCS

- 13. SJR 35-Goode, et al
- 14. SB 803-Goode, et al, with SCS
- 15. SJR 53-Quick

### HOUSE BILLS ON THIRD READING

HCS for HB 1114 (Goode)

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SBs 599 & 531-Schneider, with SCS (pending)	SBs 934, 546, 578, 579 & 782-Caskey, with SCS,
SB 610-Staples and DePasco, with SA 3 (pending)	SS for SCS, SA 3 & SSA 2 for SA 3 (pending)
SBs 678 & 742-Schneider, with SCS & SS for SCS (pending)	SJR 31-Schneider
SB 813-House, with SS & SA 5 (pending)	SJR 45 & 41-House, with SCS (pending)
SB 827-Scott, et al	SJR 47-Quick, et al, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & point of order (pending)
SBs 867 & 552-Maxwell, with SCS, SS for SCS, SA 4 & SA 1 to SA 4 (pending)	

### CONSENT CALENDAR

Senate Bills

Reported 2/7

SB 709-DePasco, with  
SCA 1  
(In Budget Control)

Reported 2/15

SB 743-Klarich, with SCA 1  
(In Budget Control)

SB 740-Wiggins



Reported 2/21

SB 996-DePasco  
SB 997-Caskey  
SB 894-Quick, with SCS  
SB 893-Quick, with SCS  
SB 789-Mathewson  
SB 842-Flotron, with SCS  
SB 946-Johnson  
SB 868-Stoll, with SCS  
SB 876-Clay, et al

SB 725-Graves  
SB 633-Childers and  
Russell, with SCS  
SB 541-Mathewson, with  
SCS

Unofficial

Reported 2/22

SBs 617 & 646-Johnson,  
with SCS  
SB 830-Caskey  
SB 907-Caskey  
SB 942-Rohrbach

SB 914-Schneider and House  
SB 881-Wiggins  
SB 922-Scott  
SB 910-Stoll  
SB 975-DePasco

Journal

RESOLUTIONS

SR 1185-Schneider

SR 1204-Goode

Copy

Reported from Committee

SR 1035-Steelman  
SCR 21-Clay and Scott

SR 1034-Schneider