

Journal of the Senate

FIRST REGULAR SESSION

EIGHTH DAY—TUESDAY, JANUARY 16, 2001

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Blessed be the Lord, who daily bears us up: God is our salvation.” (Psalm 68:19)

Heavenly Father, You are the one who bears us up in our daily work and serving; You are the one who heals us (*salvos*) and makes us whole. So we are thankful this day and pray that You help us to pass some of that caring on to others who are in need of what we can offer, either through our legislation or our personal efforts. 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

Bentley	Bland	Carter	Caskey
Childers	DePasco	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Sims	Singleton

Staples Steelman Stoll Westfall
Wiggins Yeckel—30

Absent with leave—Senator Scott—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Singleton offered Senate Resolution No. 56, regarding Charles M. “Charlie” Cook, Carthage, which was adopted.

Senator Singleton offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 57

WHEREAS, it is with great pleasure that the members of the Missouri Senate pause to honor a remarkable Missourian who has continually given of himself through professional endeavor with the Missouri Department of Revenue; and

WHEREAS, Elmo E. Turner, Jr., an esteemed resident of Joplin, Missouri, will officially retire from the Division of Taxation and Collection, Field Audit Bureau, on January 31, 2001, after more than a quarter century of exceptional service and dedication; and

WHEREAS, Elmo Turner is bringing to completion twenty-six years and nine months of outstanding achievement with his retirement from the position he currently holds as Senior Auditor; and

WHEREAS, a graduate of Missouri Southern State College in Joplin where he earned a degree in accounting, Elmo Turner dutifully served his country in the United States Navy for three years and the Missouri National Guard for seven years; and

WHEREAS, Elmo Turner has compiled an enviable list of service to his community through the important role he has played as a member of the Masonic Lodge, Scottish Rite, York Rite,

Shriners, Webb City Elks Lodge, the Greater Joplin Bowling Association, and the Travelers Protective Association; and

WHEREAS, Elmo Turner looks forward to his "permanent vacation" so that he can enjoy life's little pleasures and spend more quality time with his beautiful wife of sixteen years, Linda; and

WHEREAS, it is entirely fitting and proper that this legislative body should pay tribute to Elmo Turner, an outstanding state employee who will be greatly missed by all those who had the distinct pleasure of knowing and working with him:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-first General Assembly, unanimously join in expressing our utmost appreciation to Elmo Turner for his twenty-six years and nine months of unparalleled service to the Missouri Department of Revenue and the citizenry of the Show-Me State, and in wishing him the long, relaxing retirement he so richly deserves; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Elmo E. Turner, Jr.

Senator Singleton offered the following resolution:

SENATE RESOLUTION NO. 58

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Thirty-Second District of the twenty-four hour notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-First General Assembly, First Regular Session, that Senate Rule 70 be amended to read as follows:

"Rule 70. All resolutions proposing amendments to the constitution shall be treated, in all respects, in the introduction and form of proceedings on them in the senate, in the same manner as bills. All other orders and resolutions (except courtesy resolutions) shall be referred to a committee unless the senate otherwise expressly allows by a majority vote of senators elected. Courtesy resolutions will be read only upon request of the senator offering the resolution. Courtesy resolutions shall be printed in the Journal only upon the request of the senator offering the resolution. A senator who wishes to offer a courtesy resolution which is not to be read or printed may file the resolution with the secretary of senate who will show the resolution in the Journal as having been adopted by the senate. **A senator may not offer more than two hundred courtesy resolutions per general assembly.**"

CONCURRENT RESOLUTIONS

Senator Klarich offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, state child protective service agencies received approximately 46,270 reports of child abuse or neglect, involving nearly 71,500 children in Missouri in 1999; and

WHEREAS, approximately, 17,700 reports were assigned for further investigation in 1999 and, of those investigated, 54 percent were found to be unsubstantiated; and

WHEREAS, there exists a need for accountability in the review and investigation of child abuse and neglect cases; and

WHEREAS, there exists an additional need for assistance within and oversight of the agencies handling child abuse and neglect reports in order to ensure that every child's case is appropriately handled; and

WHEREAS, a need for clarification and standardization of what constitutes the best interest of the child exists:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a Child Abuse and Neglect Commission which shall oversee and review the laws and rules relating to child abuse and neglect cases and shall make recommendations on further action or legislative remedies, if any, to be taken in such cases, as necessary; and

BE IT FURTHER RESOLVED that such Commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child; and

BE IT FURTHER RESOLVED that the Child Abuse and Neglect Commission shall be composed of 10 members to be appointed by the Governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, an educator, a Division of Family Services designee, and three citizens of the state of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the President Pro Tem and Co-Pro Tem of the Senate and to the Speaker of the House of Representatives.

INTRODUCTION OF BILLS

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

SB 301—By Johnson.

An Act to authorize the conveyance of property owned by Missouri Western State College to the curators of the University of Missouri for use as an extension office.

SB 302—By Johnson, Westfall and Foster.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to liability for crop damage and destruction.

SB 303—By Johnson.

An Act to amend chapter 177, RSMo, by adding thereto one new section relating to school lease purchases.

SB 304—By Klarich.

An Act to repeal section 456.183, RSMo 2000, relating to trustees' resignation and removal, and to enact in lieu thereof one new section relating to the same subject.

SB 305—By Jacob.

An Act to repeal sections 142.803, 301.057, 301.265, 302.735, 304.010 and 622.030, RSMo 2000, relating to transportation, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

SB 306—By Jacob.

An Act to amend chapter 375, RSMo, by adding thereto twenty new sections relating to the financial information privacy protection model act, with penalty provisions and an effective date.

SB 307—By Jacob.

An Act to repeal sections 140.010 and 140.730, RSMo 2000, relating to property taxes, and to enact in lieu thereof two new sections relating to the same subject.

SB 308—By Jacob.

An Act to repeal section 50.1000, RSMo 2000, relating to certain county employees' retirement systems, and to enact in lieu thereof one new section relating to the same subject.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
January 12, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I hereby withdraw from your consideration the following appointment to office made by Governor Mel Carnahan and submitted to you on January 3, 2001 for your advice and consent:

Elizabeth K. Grove, Route 3 Box 21, Monroe City, Monroe County, Missouri 63456, as a member of the Safe Drinking Water Commission, for a term ending September 1, 2000, and until her successor is duly appointed and qualified; vice, withdrawn.

Respectfully submitted,

BOB HOLDEN
Governor

INTRODUCTION OF BILLS

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

SB 309—By Steelman.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to court records.

SB 310—By Quick.

An Act to repeal sections 319.129, 319.131, 319.132 and 319.133, RSMo 2000, relating to the petroleum storage tank insurance fund, and to enact in lieu thereof four new sections relating to the same subject.

President Pro Tem Quick moved that the appointments of:

John F. Bass, as a member of the Coordinating Board for Higher Education;

Nanci Anton Bobrow, Ph.D., as a member of the Children's Trust Fund Board;

George A. Pipes, D.O., as a member of the State Board of Registration for the Healing Arts;

Wayman F. Smith, III, as a member of the Harris-Stowe State College Board of Regents; and

Elizabeth K. Grove, as a member of the Safe Drinking Water Commission

be returned to the Governor pursuant to his requests, which motion prevailed.

REFERRALS

President Pro Tem Quick referred **SCR 3** and **SCR 4** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 51—Insurance and Housing.

SB 52—Transportation.

SB 53—Education.

SB 54—Judiciary.

SB 55—Civil and Criminal Jurisprudence.

SB 56—Education.

SB 57—Ways and Means.

SB 58—Commerce and Environment.

SB 59—Aging, Families and Mental Health.

SB 60—Aging, Families and Mental Health.

SB 61—Ways and Means.

SB 62—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 63—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 64—Insurance and Housing.

SB 65—Ways and Means.

SB 66—Civil and Criminal Jurisprudence.

SB 67—Ways and Means.

SB 68—Education.

SB 69—Civil and Criminal Jurisprudence.

SB 70—Civil and Criminal Jurisprudence.

SB 71—Judiciary.

SB 72—Local Government and Economic Development.

SB 73—Public Health and Welfare.

SB 74—Ways and Means.

SB 75—Judiciary.

SB 76—Ways and Means.

SB 77—Judiciary.

SB 78—Education.

SB 79—Local Government and Economic Development.

SB 80—Commerce and Environment.

SB 81—Civil and Criminal Jurisprudence.

SB 82—Insurance and Housing.

SB 83—Civil and Criminal Jurisprudence.

SB 84—Education.

SB 85—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 86—Insurance and Housing.

SB 87—Civil and Criminal Jurisprudence.

SB 88—Agriculture, Conservation, Parks and Tourism.

SB 89—Civil and Criminal Jurisprudence.

SB 90—Civil and Criminal Jurisprudence.

SB 91—Transportation.

SB 92—Transportation.

SB 93—Ways and Means.

SB 94—Ways and Means.

SB 95—Insurance and Housing.

SB 96—Transportation.

SB 97—Education.

SB 98—Civil and Criminal Jurisprudence.

SB 99—Public Health and Welfare.

SB 100—Civil and Criminal Jurisprudence.

SB 256—Local Government and Economic Development.

RESOLUTIONS

Senator House offered Senate Resolution No. 59, regarding the Honorable Keith Sutherland, Warren County, which was adopted.

Senator House offered Senate Resolution No. 60, regarding University of Missouri-Columbia Hearnes Center paramedics and staff, Columbia, which was adopted.

Senator House offered Senate Resolution No. 61, regarding Eugene Buxton, Warren County, which was adopted.

Senator House offered Senate Resolution No. 62, regarding Margaret B. Kramer, Hermann, which was adopted.

Senator Caskey offered Senate Resolution No. 63, regarding Christopher Abraham Miller, Warrensburg, which was adopted.

Senator Caskey offered Senate Resolution No. 64, regarding Jackson Smith Jennings, Warrensburg, which was adopted.

Senator Caskey offered Senate Resolution No. 65, regarding Matthew Ryan Molt, Centerview, which was adopted.

Senator Caskey offered Senate Resolution No. 66, regarding Kenneth Dean Jennings, Warrensburg, which was adopted.

Senator Caskey offered Senate Resolution No. 67, regarding Clayton Randall Yearns,

Warrensburg, which was adopted.

Senator Caskey offered Senate Resolution No. 68, regarding Jay Steven Roush, Centerview, which was adopted.

Senator Caskey offered Senate Resolution No. 69, regarding Joel Thomas Roush, Centerview, which was adopted.

Senator Caskey offered Senate Resolution No. 70, regarding Edward Dean Hart, Warrensburg, which was adopted.

Senator Westfall offered Senate Resolution No. 71, regarding Bill Baugh, Mt. Vernon, which was adopted.

INTRODUCTIONS OF GUESTS

Senator House introduced to the Senate, Tim Byrd, Crestwood.

Senator Rohrbach introduced to the Senate, Wayne and Carol Collins, California.

Senator Loudon introduced to the Senate, the Physician of the Day, Dr. Chris Erkmann, M.D., St. Louis.

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

SENATE CALENDAR

NINTH DAY—WEDNESDAY, JANUARY 17, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 101-Childers
SB 102-Childers
SB 103-Bland
SB 104-Bland
SB 105-Bland
SB 106-Steelman, et al
SB 107-Steelman
SB 108-Steelman

SB 109-Gross
SB 110-Gross
SB 111-Gross
SB 112-Loudon
SB 113-Loudon
SB 114-Loudon
SB 115-Wiggins
SB 116-Wiggins

SB 117-Wiggins	SB 160-Bland
SB 118-Goode	SB 161-Bland
SB 119-Goode	SB 162-Bland
SB 120-Goode, et al	SB 163-Bland
SB 121-Singleton	SB 164-Bland
SB 122-Kinder	SB 165-Bland
SB 123-Kinder	SB 166-Bland
SB 124-Kinder	SB 167-Bland
SB 125-Bentley	SB 168-Bland
SB 126-Bentley	SB 169-Bland
SB 127-Childers	SB 170-Bland
SB 128-Childers	SB 171-Bland
SB 129-Childers	SB 172-Bland
SB 130-Bland	SB 173-Bland
SB 131-Bland	SB 174-Bland
SB 132-Bland	SB 175-Bland
SB 133-Steelman	SB 176-Bland
SB 134-Loudon	SB 177-Schneider
SB 135-Wiggins	SB 178-Schneider and Rohrbach
SB 136-Wiggins	SB 179-Rohrbach
SB 137-Wiggins	SB 180-Klarich
SB 138-Goode and Wiggins	SB 181-Caskey
SB 139-Goode	SB 182-Loudon
SB 140-Goode	SB 183-Schneider
SB 141-Childers	SB 184-Johnson, et al
SB 142-Childers	SB 185-Loudon
SB 143-Childers	SB 186-Klarich
SB 144-Bland	SB 187-Schneider and Wiggins
SB 145-Bland	SB 188-Russell
SB 146-Bland	SB 189-Russell
SB 147-Wiggins and DePasco	SB 190-Russell
SB 148-Goode	SB 191-Goode
SB 149-Goode	SB 192-Schneider, et al
SB 150-Goode	SB 193-Rohrbach
SB 151-Childers	SB 194-Schneider and Bland
SB 152-Childers	SB 195-Schneider and Goode
SB 153-Bland	SB 196-Scott
SB 154-Bland	SB 197-Johnson
SB 155-Bland	SB 198-Staples
SB 156-Goode	SB 199-Sims
SB 157-Goode and Bentley	
SB 158-Bland	
SB 159-Bland	

SB 200-Sims
SB 201-Sims
SB 202-Wiggins
SB 203-Scott
SB 204-House
SB 205-Bland
SB 206-Wiggins
SB 207-Klarich
SB 208-Sims
SB 209-DePasco
SB 210-DePasco
SB 211-DePasco
SB 212-Gross, et al
SB 213-Gross, et al
SB 214-Gross, et al
SB 215-Gross
SB 216-Scott
SB 217-Russell
SB 218-Russell
SB 219-Mathewson
SB 220-Kinder and Gross
SB 221-Westfall
SB 222-Caskey
SB 223-Caskey
SB 224-Russell
SB 225-Mathewson
SB 226-Goode, et al
SB 227-Jacob
SB 228-Jacob
SB 229-Jacob
SB 230-Childers
SB 231-Gross
SB 232-Gross
SB 233-Wiggins
SB 234-Wiggins
SB 235-Sims
SB 236-Sims
SB 237-Westfall
SB 238-Staples, et al
SB 239-Stoll
SB 240-Stoll and Bentley
SB 241-Rohrbach
SB 242-Kenney
SB 243-DePasco
SB 244-Staples
SB 245-Caskey
SB 246-Caskey
SB 247-Westfall and
Staples
SB 248-Wiggins and
DePasco
SB 249-Wiggins
SB 250-Bentley and
Johnson
SB 251-Kinder
SB 252-Singleton
SB 253-Gross
SB 254-Gross and Foster
SB 255-Gross, et al
SB 257-Caskey
SB 258-Rohrbach and
Schneider
SB 259-Childers, et al
SB 260-Gross and Stoll
SB 261-House
SB 262-Stoll
SB 263-Stoll
SB 264-Steelman
SB 265-Schneider and
Caskey
SB 266-Bland, et al
SB 267-Klarich and
Schneider
SB 268-Schneider
SB 269-Schneider
SB 270-Schneider
SB 271-Schneider
SB 272-DePasco
SB 273-Caskey
SB 274-Caskey
SB 275-Sims
SB 276-Sims
SB 277-Sims
SB 278-Westfall
SB 279-Staples
SB 280-Yeckel, et al
SB 281-Yeckel
SB 282-Klarich
SB 283-Steelman
SB 284-Steelman

SB 285-Steelman
SB 287-Klarich
SB 288-Klarich
SB 289-Sims
SB 290-Wiggins and DePasco
SB 291-Westfall
SB 292-Singleton
SB 293-Steelman
SB 294-Steelman
SB 295-Stoll and Staples
SB 296-Gross
SB 297-DePasco
SB 298-Quick

SB 299-Quick
SB 300-Rohrbach
SB 301-Johnson
SB 302-Johnson, et al
SB 303-Johnson
SB 304-Klarich
SB 305-Jacob
SB 306-Jacob
SB 307-Jacob
SB 308-Jacob
SB 309-Steelman
SB 310-Quick
SJR 10-Quick

RESOLUTIONS

SR 58-Singleton

HCR 3-Crump (DePasco)

To be Referred

SCR 5-Klarich

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