

Journal of the Senate

FIRST REGULAR SESSION

THIRTIETH DAY—THURSDAY, FEBRUARY 22, 2001

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Spread snow like a blanket and spread ice like ashes.” (Psalm 147:16)

Blessed Lord, we travel through a winter wonderland after last night’s snow and are grateful that the difficulties of travel through such were minimized by those whose efforts to make our travel safe and possible were sacrificially given. We pray that You will be watching over our travel and bring us safely home to those we love and we may do the work You have provided for us to do. Bless us and watch over us this weekend in every way. 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.

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

Present—Senators

Bentley	Bland	Carter	Caskey
Cauthorn	Childers	DePasco	Dougherty
Foster	Gibbons	Goode	Gross
House	Jacob	Johnson	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

Yeckel—33

Absent with leave—Senator Quick—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Stoll offered Senate Resolution No. 234, regarding Fox Elementary School, Jefferson County, which was adopted.

Senator Stoll offered Senate Resolution No. 235, regarding Richard Simpson Elementary School, Jefferson County, which was adopted.

Senator Foster offered Senate Resolution No. 236, regarding Roger Baldwin, Poplar Bluff, which was adopted.

Senator Foster offered Senate Resolution No. 237, regarding Harry Blackwell, Poplar Bluff, which was adopted.

Senator Foster offered Senate Resolution No. 238, regarding Nicholas H. “Nick” Hagler, Patterson, which was adopted.

INTRODUCTION OF BILLS

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

SB 538—By Yeckel.

An Act to repeal sections 443.803, 443.805, 443.809, 443.810, 443.812, 443.819, 443.821, 443.825, 443.827, 443.833, 443.839, 443.841, 443.849, 443.851, 443.855, 443.857, 443.859, 443.863, 443.867, 443.869, 443.879, 443.881 and 443.887, RSMo 2000, relating to mortgages and mortgage brokers, and to enact in lieu thereof twenty-three new sections relating to the same

subject, with penalty provisions.

SB 539—By Yeckel.

An Act to repeal section 452.377, RSMo 2000, relating to custody of children, and to enact in lieu thereof one new section relating to the same subject.

SB 540—By Klindt.

An Act to repeal section 32.091, RSMo 2000, relating to motor vehicle records, and to enact in lieu thereof one new section relating to the same subject.

SB 541—By Klindt.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the establishment of the Missouri tobacco settlement trust fund.

SB 542—By Klindt.

An Act to repeal section 307.100, RSMo 2000, relating to the use of warning signals on motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

SB 543—By Foster.

An Act to repeal section 165.011, RSMo 2000, relating to transfers of funds in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

SB 544—By Johnson.

An Act to authorize the conveyance of an easement on property owned by Missouri Veterans Commission to Spectra Communications.

SB 545—By Johnson.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to tourism.

THIRD READING OF SENATE BILLS

SB 241, with **SCS**, introduced by Senator Rohrbach, entitled:

An Act to repeal section 375.355, RSMo 2000, relating to insurance companies, and to enact in lieu thereof one new section relating to the same subject.

Was called from the Consent Calendar and

taken up.

SCS for **SB 241**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 241

An Act to repeal section 375.355, RSMo 2000, relating to mergers of insurance companies, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

Senator Rohrbach moved that **SCS** for **SB 241** be adopted, which motion prevailed.

On motion of Senator Rohrbach, **SCS** for **SB 241** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Cauthorn	Childers	Dougherty
Foster	Gibbons	Goode	Gross
Kenney	Kinder	Klarich	Klindt
Loudon	Rohrbach	Russell	Scott
Sims	Staples	Westfall	Yeckel—20

NAYS—Senators

Caskey	DePasco	House	Mathewson
Schneider	Steelman	Wiggins—7	

Absent—Senators

Bland	Jacob	Stoll—3
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Absent with leave—Senators

Carter	Johnson	Quick	Singleton—4
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The President declared the bill passed.

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

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

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

SB 203, introduced by Senator Scott, entitled:

An Act to repeal section 32.085, RSMo 2000, relating to the sales tax imposed by the metropolitan park and recreation system, and to enact in lieu thereof two new sections relating to the same subject.

Was called from the Consent Calendar and taken up.

Senator Klarich assumed the Chair.

On motion of Senator Scott, **SB 203** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Rohrbach
Russell	Schneider	Scott	Sims
Staples	Steelman	Westfall	Wiggins
Yeckel—29			

NAYS—Senators—None

Absent—Senator Stoll—1

Absent with leave—Senators

Carter	Johnson	Quick	Singleton—4
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The President declared the bill passed.

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

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

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

SB 12, introduced by Senator Russell, entitled:

An Act to repeal section 484.020, RSMo 2000, relating to the practice of law, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

Was taken up.

On motion of Senator Russell, **SB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	Kenney	Kinder
Klindt	Loudon	Mathewson	Rohrbach
Russell	Scott	Sims	Staples
Steelman	Stoll	Westfall	Yeckel—24

NAYS—Senators

Bland	House	Jacob	Klarich
Schneider	Wiggins—6		

Absent—Senators—None

Absent with leave—Senators

Carter	Johnson	Quick	Singleton—4
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The President declared the bill passed.

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

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

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

SCS for **SBs 44** and **59**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 44 and 59

An Act to repeal sections 207.020, 453.005, 453.010, 453.070 and 453.080, RSMo 2000, relating to adoption, and to enact in lieu thereof eight new sections relating to the same subject.

Was taken up by Senator Bentley.

On motion of Senator Bentley, **SCS** for **SBs 44** and **59** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Rohrbach
Russell	Scott	Sims	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators

Carter	Johnson	Quick	Singleton—4
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The President declared the bill passed.

On motion of Senator Bentley, title to the bill

was agreed to.

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

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

INTRODUCTION OF BILLS

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

SB 546—By Kenney, Childers, Russell, Klindt, Foster and Cauthorn.

An Act to repeal sections 313.800, 313.802, 313.803, 313.805, 313.807, 313.810, 313.812, 313.815, 313.820, 313.822, 313.824, 313.830, 313.832, 313.835, 313.837, 313.842, 313.843, 313.845, 313.847, 313.848 and 313.850, RSMo 2000, relating to excursion gaming boats, and to enact in lieu thereof twenty-five new sections relating to the same subject, with penalty provisions.

SB 547—By Wiggins, Kenney and DePasco.

An Act to repeal section 162.492, RSMo 2000, relating to the election of board members in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

SB 548—By House.

An Act to repeal section 407.1095, RSMo 2000, relating to the amendment of definitions regarding telemarketing practices to further protect consumers, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

SB 549—By Goode, Sims, Bentley, House and Dougherty.

An Act to repeal sections 210.104, 210.107, 302.302 and 307.178, RSMo 2000, and to enact in lieu thereof five new sections relating to child restraint systems, with penalty provisions.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Singleton, Chairman of the Committee on Public Health and Welfare, Senator Kenney submitted the following reports:

Mr. President: Your Committee on Public Health and Welfare, to which was referred **SB 445**, 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 Public Health and Welfare, to which were referred **SB 22** and **SB 106**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Civil and Criminal Jurisprudence, to which were referred **SB 214**, **SB 124**, **SB 209** and **SB 322**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Childers, Chairman of the Committee on Local Government and Economic Development, submitted the following report:

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SJR 9**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Bentley, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 438**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 251**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Steelman, Chairman of the Committee on Commerce and Environment, submitted the following report:

Mr. President: Your Committee on Commerce and Environment, to which was referred **SB 375**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Gibbons, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 372**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kenney, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 127**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 302**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 16**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint

Rules, Resolutions and Ethics, to which was referred **SCR 17**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 18**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 19**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 36**, 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.

Senator Gross requested unanimous consent of the Senate for the Committee on Pensions and General Laws to meet while the Senate is in Session, which request was granted.

INTRODUCTIONS OF GUESTS

Senator Steelman introduced to the Senate, eighth grade students from St. Joseph's School, Westphalia.

Senator Mathewson introduced to the Senate, Mrs. Jane Britton, Mrs. Anne Rouchka and seventeen seventh and eighth grade students from Dresden Middle School, Dresden; and Nichole and Rachael Logan were made honorary guests.

Senator Rohrbach introduced to the Senate, Mark Rehagen, William Regot, Monica Harris, Thomas Rehagen, Christopher Rehagen, Samantha Clemens, Eric Borman, Brent Cain, Chris Delaney and Shawn Jaegers, Jefferson City.

On behalf of Senator Foster and himself, Senator Kinder introduced to the Senate, Norman Harty, Bernie.

Senator House introduced to the Senate, his daughter, Catherine, St. Charles County.

Senator Rohrbach introduced to the Senate, Richard Helmig, Jefferson City.

On behalf of Senator Quick, Senator Bland introduced to the Senate, Mayor Dan Bishop, Gladstone.

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

On motion of Senator Kenney, the Senate adjourned until 4:00 p.m., Monday, February 26, 2001.

SENATE CALENDAR

THIRTY-FIRST DAY—MONDAY, FEBRUARY 26, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 506-Cauthorn and Klindt	SB 529-Dougherty
SB 507-Cauthorn and Klindt	SB 530-Gross
SB 508-Cauthorn and Klindt	SB 531-Gross, et al
SB 509-Cauthorn and Klindt	SB 532-Foster
SB 510-Kenney	SB 533-Jacob
SB 511-Gibbons, et al	SB 534-Childers
SB 512-House, et al	SB 535-Rohrbach
SB 513-House, et al	SB 536-Schneider
SB 514-Singleton	SB 537-Stoll
SB 515-Yeckel	SB 538-Yeckel
SB 516-Yeckel	SB 539-Yeckel
SB 517-Kinder, et al	SB 540-Klindt
SB 518-DePasco, et al	SB 541-Klindt
SB 519-Foster	SB 542-Klindt
SB 520-Foster	SB 543-Foster
SB 521-Mathewson	SB 544-Johnson
SB 522-Johnson	SB 545-Johnson
SB 523-Scott, et al	SB 546-Kenney, et al
SB 524-Cauthorn	SB 547-Wiggins, et al
SB 525-Cauthorn	SB 548-House
SB 526-Dougherty	SB 549-Goode, et al
SB 527-Dougherty	SJR 17-Schneider
SB 528-Dougherty and Sims	

HOUSE BILLS ON SECOND READING

HCS for HBs 302 & 38

THIRD READING OF SENATE BILLS

SB 32-Kinder
(In Budget Control)

SB 128-Childers

SS for SCS for SBs 46
& 47-Bentley

SCS for SB 36-Westfall, et al

SENATE BILLS FOR PERFECTION

1. SB 97-Bentley, with SCA 1
2. SB 184-Johnson, et al
3. SBs 323 & 230-Childers,
et al, with SCS
4. SB 226-Goode, et al,
with SCS
5. SB 220-Kinder and Gross
6. SBs 67 & 40-Gross,
with SCS
7. SB 65-Gibbons, with SCS
8. SB 317-Stoll, with SCS
9. SB 50-Childers
10. SBs 253 & 260-Gross,
with SCS
11. SBs 391 & 395-
Rohrbach, with SCS
12. SB 222-Caskey
13. SB 244-Staples
14. SBs 52 & 91-Childers,
with SCS
15. SB 267-Klarich and
Schneider, with SCS
16. SB 381-Klarich
17. SB 114-Loudon, with SCS
18. SB 339-Stoll and
Childers, with SCA 1
19. SB 48-Sims, with SCS
20. SB 400-Kenney, et al
21. SB 374-Steelmann, with SCS
22. SB 239-Stoll, with SCS
23. SBs 238 & 250-Staples,
et al, with SCS
24. SB 445-Singleton,
with SCS
25. SBs 22 & 106-
Singleton, with SCS
26. SBs 214, 124, 209 &
322-Gross, et al, with
SCS
27. SJR 9-Goode, et al
28. SB 438-Bentley and Stoll
29. SB 251-Kinder
30. SB 375-Steelmann, with SCS
31. SB 392-Kenney and
DePasco
32. SB 372-Gibbons, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 14-Mathewson
SBs 39 & 269-Klarich and
Goode, with SCS and SS
for SCS (pending)

SBs 89 & 37-Kinder, with
SCS
SB 123-Kinder, with SA 1
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers

Reported 2/13

SB 227-Jacob
SB 186-Klarich, with SCSSB 382-Yeckel and Stoll,
with SCS

Reported 2/19

SB 110-Gross
SB 344-Rohrbach and Jacob,
with SCS
SB 287-Klarich, with SCS
SB 111-Gross
SB 303-Johnson
SB 321-Westfall
SB 295-Stoll and Staples
SB 357-Schneider, with SCSSB 348-Sims
SB 352-Johnson, with SCS
SB 365-Steelman
SB 394-Bentley
SB 293-Steelman, with
SCA 1
SB 315-Childers, with SCS
SB 366-House
SB 380-House

Reported 2/20

SB 288-Klarich, with SCA 1
SB 270-Schneider, with SCS

SB 370-Caskey and Goode

RESOLUTIONS

SR 58-Singleton

Reported from Committee

SCR 6-Stoll and Loudon
SCR 8-Caskey
SCR 10-Staples
SCR 13-Foster
SCR 14-Mathewson, with SCSSCR 16-Yeckel
SCR 17-Steelman, et al
SCR 18-Goode
SCR 19-Sims

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS
(Senate requests House
recede or grant conference)

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