

Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—THURSDAY, JANUARY 31, 2002

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Worship the Lord in holy splendor; tremble before him, all the earth.” (Psalm 96:9)

Almighty God, we thank You for this day and our being called to serve and follow Your leading. Bless us in the work we bring to a close for this week and instill in us to study Your word and share our faith with those we love. And we pray, bring us safely home through the ice, rain and snow, to those You have given us to care for. 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.

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

Present—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Johnson	Kennedy	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson

Quick

Rohrbach

Russell

Schneider

Sims

Singleton

Staples

Steelman

Stoll

Westfall

Wiggins

Yeckel—32

Absent with leave—Senator Jacob—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Gross offered Senate Resolution No. 981, regarding the Forest Park Elementary School Reading Incentive Program, which was adopted.

Senators House and Gross offered Senate Resolution No. 982, regarding Allen Martin Bacher, O’Fallon, which was adopted.

Senators House and Gross offered Senate Resolution No. 983, regarding Billy Collier, St. Charles County, which was adopted.

Senator House offered Senate Resolution No. 984, regarding Anna Nienhueser, Bowling Green, which was adopted.

Senator DePasco offered Senate Resolution No. 985, regarding Bryant Elementary School Breakfast with Books Program, Independence, which was adopted.

Senator Klindt offered Senate Resolution No.

986, regarding Dorothy “Perky” Premer, Bethany, which was adopted.

Senator Klindt offered Senate Resolution No. 987, regarding Pat Mazingo, Maryville, which was adopted.

Senator Yeckel offered Senate Resolution No. 988, regarding Andrew Steven Hrdlicka, Oakville, which was adopted.

Senator Bentley offered Senate Resolution No. 989, regarding the birth of Zoe Davis Herlick, Seattle, Washington, which was adopted.

Senator Bentley offered Senate Resolution No. 990, regarding Sarah Ann Cox Scheid, Springfield, which was adopted.

Senator Russell offered Senate Resolution No. 991, regarding David O’Dell, Camdenton, which was adopted.

INTRODUCTION OF BILLS

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

SB 1083—By Russell.

An Act to amend chapter 306, RSMo, by adding thereto two new sections relating to watercraft regulation, with penalty provisions.

SB 1084—By Stoll.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a law enforcement sales tax, with an emergency clause.

SB 1085—By Yeckel.

An Act to amend chapter 324, RSMo, by adding thereto seventeen new sections relating to the regulation and licensing of the practice of naturopathic medicine, with penalty provisions.

SB 1086—By DePasco.

An Act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to control of weeds and trash.

Senator Rohrbach assumed the Chair.

SB 1087—By Gibbons, Gross, Childers, Loudon, Dougherty, Yeckel, Goode, Sims, Klindt, Kennedy, Stoll, Jacob, DePasco, Westfall, Johnson, House, Wiggins and Steelman.

An Act to repeal sections 197.305, 197.310, 197.315, 197.366 and 197.367, RSMo, and to enact in lieu thereof eleven new sections relating to entities funded in whole or in part by the department of social services.

SB 1088—By Foster, DePasco, Mathewson, House and Johnson.

An Act to repeal sections 343.010, 343.030, 343.040, 343.050, 343.060, 343.070, 343.080, 343.090, 343.100 and 343.250, RSMo, relating to the licensing of auctioneers, and to enact in lieu thereof twenty new sections relating to the same subject with penalty provisions.

REPORTS OF STANDING COMMITTEES

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 687**, 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 740**, 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 **SJR 23**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules,

Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 650**, 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 Kinder, 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:

Michael David Conner and Debra Foster Greene, as members of the Unmarked Human Burial Consultation Committee;

Also,

Karen J. Jones, as a member of the Missouri Women's Council;

Also,

Rodney Wead and Gilbert Alderson, as members of the Child Abuse and Neglect Review Board;

Also,

Lucy Reinhart and Lori Schutte, as members of the Organ Donation Advisory Committee;

Also,

William B. Jenkins and Reverend Robert Charles Scott, as members of the Missouri Commission on Human Rights;

Also,

Jesse C. Caudle, David J. Heath and John R. Wittstruck, Ph.D., as members of the Missouri Training and Employment Council;

Also,

C. Lillian Metzger and GERALYN M. KLENKE, as members of the State Board of Senior Services;

Also,

Robert Dale Potter, as a member of the Drug Utilization Review Board;

Also,

Donald E. England, as a member of the Interior Design Council;

Also,

Linda Allen and Terry Jo Fox, as members of the Missouri Planning Council on Developmental Disabilities;

Also,

Stephen W. Lehmkuhle, Ph.D., as a member of the Missouri Seed Capital Investment Board;

Also,

Lisa A. Guillory, Au.D., as a public member, and Sandy S. Drummond, as a member of the Missouri State Committee of Interpreters;

Also,

Charles Smith, Sherri Coleman and Shera Kafka, as members of the Missouri Head Injury Advisory Council;

Also,

Joseph E. Rechter, as a member of the Missouri Investment Trust Board of Trustees;

Also,

Avis Parman, as a member of the Missouri Agricultural and Small Business Development Authority;

Also,

Teri A. Murry, Ph.D., R.N., as a member of the Missouri State Board of Nursing;

Also,

Phillip Luebbering, as a member of the State Soil and Water Districts Commission;

Also,

William H. Worley, as a member of the

Environmental Improvement and Energy Resources Authority;

Also,

Michael J. Marx, as a member of the Seismic Safety Commission.

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

Senator Kinder 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.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of James B. Anderson, as a member of the State Highways and Transportation Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Bentley moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of William P. McKenna, as a member of the State Highway and Transportation Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Stoll moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Duane S. Michie, as a member of the State Highway and Transportation Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Foster moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

President Pro Tem Kinder assumed the Chair.

Senator Singleton, Chairman of the Committee on Public Health and Welfare, submitted the following report:

Mr. President: Your Committee on Public Health and Welfare, to which was referred **SB 712**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rohrbach, Chairman of the Committee on Insurance and Housing, submitted the following report:

Mr. President: Your Committee on Insurance and Housing, to which was referred **SB 1009**, 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 Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which were referred **SB 970**, **SB 968**, **SB 921**, **SB 867**, **SB 868** and **SB 738**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Klarich, Chairman of the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary,

to which was referred **SB 931**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, 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 722**, 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 **SB 856**, 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 reports:

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 895**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 675**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, 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 881**,

begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Loudon, Chairman of the Committee on Labor and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Labor and Industrial Relations, to which were referred **SB 641** and **SB 705**, 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 Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which were referred **SB 721**, **SB 757**, **SB 818** and **SB 930**, 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 Transportation, to which was referred **HCS for HBs 1386** and **1038**, 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 665**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Education, to which was referred **SB 813**, begs leave to report

that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Rohrbach assumed the Chair.

SECOND READING OF SENATE BILLS

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

SB 938—Judiciary.

SB 1011—Commerce and Environment.

SB 1012—Commerce and Environment.

SB 1013—Commerce and Environment.

SB 1014—Interstate Cooperation.

SB 1015—Agriculture, Conservation, Parks and Tourism.

SB 1016—Agriculture, Conservation, Parks and Tourism.

SB 1017—Local Government and Economic Development.

SB 1018—Civil and Criminal Jurisprudence.

SB 1019—Commerce and Environment.

SB 1020—Ways and Means.

SB 1021—Judiciary.

SB 1022—Judiciary.

SB 1023—Ways and Means.

SB 1024—Public Health and Welfare.

SB 1025—Transportation.

SB 1026—Public Health and Welfare.

SB 1027—Judiciary.

SB 1028—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1029—Aging, Families and Mental Health.

SB 1030—Financial and Governmental Or-

ganization, Veterans' Affairs and Elections.

SB 1031—Judiciary.

SB 1032—Local Government and Economic Development.

SB 1033—Education.

SB 1034—Education.

SB 1035—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1036—Ways and Means.

SB 1037—Transportation.

SB 1038—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1039—Local Government and Economic Development.

SB 1040—Ways and Means.

SB 1041—Local Government and Economic Development.

SB 1042—Commerce and Environment.

SB 1043—Agriculture, Conservation, Parks and Tourism.

SB 1044—Insurance and Housing.

SB 1045—Ways and Means.

SB 1046—Pensions and General Laws.

SB 1047—Aging, Families and Mental Health.

SB 1048—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1049—Transportation.

SB 1050—Education.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HS for HCS for HBs 1037, 1188, 1074 and 1271—Judiciary.

INTRODUCTION OF BILLS

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

SB 1089—By Goode.

An Act to amend chapter 192, RSMo, by adding thereto five new sections relating to a life sciences research program.

SB 1090—By Loudon.

An Act to amend chapter 307, RSMo, by adding thereto one new section relating to air bags, with penalty provisions.

SB 1091—By Loudon.

An Act to amend chapter 34, RSMo, by adding thereto five new sections relating to establishment of the open contracting act.

SB 1092—By Loudon.

An Act to repeal sections 610.120 and 610.122, RSMo, relating to expungement of certain criminal records, and to enact in lieu thereof eight new sections relating to the same subject, with penalty provisions.

SB 1093—By Loudon.

An Act to repeal section 301.131, RSMo, relating to historic motor vehicles, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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 House has taken up and passed **HS** for **HB 1399**, entitled:

An Act to repeal section 42.175, RSMo, and to enact in lieu thereof one new section relating to World War II medals, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Caskey offered Senate Resolution No. 992, regarding David Patrick Bates, Pleasant Hill, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Wiggins introduced to the Senate, Dan Reichert, Ryan Lefebvre, Kim Hillix, Byron Shores, Shani Tate, Ben Aken and Chris George of the Kansas City Royals Baseball organization.

On behalf of Senator Jacob, the President introduced to the Senate, the Physician of the Day, Dr. Karen Edison, M.D., Columbia.

On motion of Senator Kenney, the Senate adjourned until 4:00 p.m., Monday, February 4, 2002.

SENATE CALENDAR

FIFTEENTH DAY—MONDAY, FEBRUARY 4, 2002

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 1010-Sims
SB 1051-Foster
SB 1052-Sims

SB 1053-Bentley
SB 1054-Steelman
SB 1055-Cauthorn, et al

SB 1056-Cauthorn, et al	SB 1075-Caskey and Childers
SB 1057-Cauthorn	SB 1076-DePasco
SB 1058-Childers	SB 1077-Klarich
SB 1059-Bentley, et al	SB 1078-Kennedy
SB 1060-Westfall	SB 1079-Bland
SB 1061-Rohrbach and Kenney	SB 1080-Bland
SB 1062-Rohrbach and Kenney	SB 1081-Bland
SB 1063-Rohrbach and Kenney	SB 1082-Bland
SB 1064-Stoll	SB 1083-Russell
SB 1065-Staples	SB 1084-Stoll
SB 1066-Klindt	SB 1085-Yeckel
SB 1067-Foster and Johnson	SB 1086-DePasco
SB 1068-Dougherty	SB 1087-Gibbons, et al
SB 1069-Sims	SB 1088-Foster, et al
SB 1070-Gibbons	SB 1089-Goode
SB 1071-Klindt	SB 1090-Loudon
SB 1072-Childers, et al	SB 1091-Loudon
SB 1073-Cauthorn	SB 1092-Loudon
SB 1074-Goode and Schneider	SB 1093-Loudon

HOUSE BILLS ON SECOND READING

HB 1338-Relford, et al

HS for HB 1399-Ransdall

THIRD READING OF SENATE BILLS

SS for SB 650-Singleton

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SBs 958 & 657-Kinder, with SCS | 7. SBs 970, 968, 921, 867,
868 & 738-Westfall,
et al, with SCS |
| 2. SB 668-Bentley | 8. SB 931-Klarich, with SCS |
| 3. SB 659-House and Kenney | 9. SB 722-Bentley, with SCS |
| 4. SJR 23-Singleton | 10. SB 856-Russell |
| 5. SB 712-Singleton and
Sims, with SCS | 11. SB 895-Yeckel and
Gross |
| 6. SB 1009-Rohrbach,
with SCS | |

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|---|---|
| 12. SB 675-Yeckel, et al,
with SCS | 15. SBs 721, 757, 818 &
930-Westfall, with SCS |
| 13. SB 881-Steelman and
Yeckel, with SCS | 16. SB 665-Kenney |
| 14. SBs 641 & 705-Russell,
et al, with SCS | |

HOUSE BILLS ON THIRD READING

HCS for HBs 1386 & 1038

INFORMAL CALENDAR

Unofficial
SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 651-Singleton and
Russell, with SCS (pending) | SBs 662 & 704-Westfall,
with SCS & SA 3 (pending) |
| SB 660-Westfall, et al,
with SCS (pending) | |

Bill
CONSENT CALENDAR

Senate Bills

Reported 1/28

- | | |
|--|--------------------------|
| SB 758-Bentley | SB 745-Russell, with SCS |
| SB 720-Westfall | SB 669-Bentley, with SCS |
| SB 644-Mathewson and Yeckel | SB 726-Childers |
| SB 701-Wiggins | SB 896-Yeckel |
| SB 737-Cauthorn and
Russell, with SCS | |

Reported 1/29

- | | |
|---------------------------|------------------------|
| SB 702-Caskey | SB 776-House, with SCS |
| SB 695-Dougherty and Sims | |

Reported 1/30

SB 749-Goode

Reported 1/31

SB 813-Mathewson

RESOLUTIONS

Reported from Committee

SCR 38-Klarich

Unofficial

Bill

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