

Journal of the Senate

SECOND REGULAR SESSION

SIXTEENTH DAY—TUESDAY, FEBRUARY 5, 2002

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“This is the day that the Lord has made; let us rejoice and be glad in it.” (Psalm 118:24)

Heavenly Father, each day we begin anew wanting only to carry over those things that bear Your blessings. Bless us with Your presence and memory of Your goodness so we may be about doing more good with our lives and effective service in our calling. Amen.

The Pledge of Allegiance to the Flag was recited.

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

Senator DePasco moved that the Senate Journal for Monday, February 4, 2002, be corrected on Page 200, Column 2, by recording his vote as a “yes” rather than “absent” and further by making the appropriate vote total changes, which motion prevailed.

On motion of Senator Kenney, the Journal for Monday, February 4, 2002, was approved, as corrected.

Photographers from 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	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kennedy	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell
Schneider	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Loudon offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 43

WHEREAS, Missouri law requires parental consent of at least one parent in order for a minor to obtain an abortion, unless excused by a court; and

WHEREAS, Illinois law contains no such parental consent requirement; and

WHEREAS, as a result, Missouri resident minors may cross the state border to Illinois to access abortion providers in order to avoid state law:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby implore the General Assembly of the State of Illinois to enact a law to require parental consent prior to allowing a minor to obtain an abortion; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to Governor George H. Ryan of Illinois and the President Pro Tempore James "Pate" Philip and Speaker of the House Michael Madigan for the State of Illinois.

INTRODUCTION OF BILLS

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

SB 1105—By Loudon.

An Act to repeal section 287.020, RSMo, relating to workers' compensation, and to enact in lieu thereof one new section relating to the same subject.

SB 1106—By Klarich.

An Act to repeal section 370.061, RSMo, relating to credit union commissioners, and to enact in lieu thereof one new section relating to the same subject.

SB 1107—By Childers.

An Act to repeal sections 190.044, 190.050, 190.092, 190.094, 190.100, 190.105, 190.108, 190.109, 190.120, 190.142, 190.143, 190.160, 190.165, 190.171, 190.175, 190.185 and 190.196, RSMo, relating to provisions of emergency medical services, and to enact in lieu thereof twenty-six new sections relating to the same subject, with penalty provisions.

SB 1108—By Kennedy.

An Act to amend chapter 67, RSMo, by adding thereto twelve new sections relating to the creation of a regional taxicab commission.

SB 1109—By Yeckel.

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to drivers' licenses.

SENATE BILLS FOR PERFECTION

At the request of Senator Kinder, **SB 958** and **SB 657**, with **SCS**, were placed on the Informal Calendar.

Senator Bentley moved that **SB 668** be taken up for perfection, which motion prevailed.

Senator Bentley offered **SS** for **SB 668**, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 668**

An Act to amend chapters 160, 167 and 620, RSMo, by adding thereto thirteen new sections relating to the department of elementary and secondary education.

Senator Bentley moved that **SS** for **SB 668** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 668, Page 1, Section 160.560, Line 10, by inserting after the word "public" the words "**and private**".

Senator Klarich moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Caskey, Childers, Gross and Wiggins.

SA 1 was adopted by the following vote:

YEAS—Senators

Foster	Gibbons	Gross	Kennedy
Kenney	Kinder	Klarich	Klindt
Loudon	Rohrbach	Schneider	Singleton
Steelman	Wiggins	Yeckel—15	

NAYS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Goode	House
Johnson	Mathewson	Quick	Sims
Stoll	Westfall—14		

Absent—Senators

Bland	Russell	Staples—3
-------	---------	-----------

Absent with leave—Senator Jacob—1

Vacancies—1

Senator Singleton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 668, Page 1, Section 160.560, Line 17 of said page, by inserting after all of said line the following:

“3. By the state board, may pursuant to rules promulgated by the board, to any individual who presents to the state board a valid baccalaureate degree or master’s degree in chemistry, biology, physics, mathematics, computer science or medicine from an accredited institution of higher education accredited by a national or regional accrediting association and documentation of at least five years of work experience. Such certificate shall be limited to subject areas which include the applicant’s major and other significant areas of undergraduate or graduate study and work experience, and shall be restricted to those certificates established pursuant to subdivisions (1) and (2) of section 168.021.”; and

Further renumber remaining subsections accordingly.

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

Senator Childers assumed the Chair.

At the request of Senator Bentley, **SB 668**, with **SS**, as amended (pending), was placed on the Informal Calendar.

Senator Singleton moved that **SS** for **SB 650** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Having voted on the prevailing side, Senator Singleton moved that the vote by which **SS** for **SB 650** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—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	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senator Staples—1

Absent with leave—Senator Jacob—1

Vacancies—1

SS for **SB 650** was again taken up.

At the request of Senator Klarich, **SS** for **SB 650** was withdrawn.

Senator Klarich offered **SS No. 2** for **SB 650**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 650

An Act to repeal section 556.036, RSMo, relating to sexual offenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions and an emergency clause.

Senator Klarich moved that **SS No. 2** for **SB 650** be adopted, which motion prevailed.

On motion of Senator Singleton, **SS No. 2** for **SB 650** was declared perfected and ordered printed.

SECOND READING OF SENATE BILLS

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

SB 1059—Education.

SB 1065—Transportation.

SB 1066—Financial and Governmental Or-

ganization, Veterans' Affairs and Elections.

SB 1067—Agriculture, Conservation, Parks and Tourism.

SB 1068—Aging, Families and Mental Health.

SB 1069—Aging, Families and Mental Health.

SB 1070—Civil and Criminal Jurisprudence.

SB 1071—Agriculture, Conservation, Parks and Tourism.

SB 1072—Commerce and Environment.

SB 1073—Pensions and General Laws.

SB 1074—Ways and Means.

SB 1075—Agriculture, Conservation, Parks and Tourism.

SB 1076—Civil and Criminal Jurisprudence.

SB 1077—Transportation.

SB 1078—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1080—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1082—Aging, Families and Mental Health.

REFERRALS

President Pro Tem Kinder referred **SCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

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:

Donald K. Johnson, as a member of the Board

of Regents for Linn State Technical College;

Also,

G. Paul Corbin, Mark A. Byington and Lt. Ronald S. Johnson, as members of the Peace Officer Standards and Training Commission;

Also,

Rudolph R. Rhodes, IV, as a public member of the State Board of Embalmers and Funeral Directors;

Also,

Laurie Barrow, as a member of the Child Abuse and Neglect Review Board;

Also,

John F. Younghanz, Jr., Andrea J. Lawrence and Thallis Malone, as members of the Missouri Real Estate Commission;

Also,

Matthew Wilson and Lisa Norman, as members of the Missouri Community Service Commission;

Also,

Calvin Thomas, IV, as a student representative to the Board of Regents for Harris-Stowe College;

Also,

Arlene V. McClendon, as a member of the State Board of Barber Examiners;

Also,

M. Elizabeth Fast, as a member of the State Banking Board;

Also,

Palmer "Nick" R. Nichols, as a member of the Board of Governors for Central Missouri State University;

Also,

Lori Scott, as a member of the Organ Donation Advisory Committee;

Also,

Darryl E. Knopf, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Ruth Ann Condry, as a member of the State Board of Cosmetology;

Also,

Donna L. Almond, D.O., as a member of the State Board of Registration for the Healing Arts;

Also,

Hillred Kay Thurston, Charlotte R. York, L.P.N. and Robin S. Vogt, M.S.N., R.N., as members of the Missouri State Board of Nursing;

Also,

Joseph L. Adams and Robert P. Neumann, as members of the State Historical Records Advisory Board;

Also,

George Dennis Shull, as Adjutant General of the Missouri National Guard;

Also,

Mari Ann Bihl, as a member of the Advisory Committee on Lead Poisoning;

Also,

Sherrie M. Nash, as a member of the Missouri Women's Council;

Also,

M. Elizabeth Kingsley, Ph.D., as a member of the State Committee of Marital and Family Therapists;

Also,

Charlotte L. Connell, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists.

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.

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 708**, 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, 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 995**, 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 Sims, Chairman of the Committee on Aging, Families and Mental Health, submitted the following reports:

Mr. President: Your Committee on Aging, Families and Mental Health, to which was referred **SB 740**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Aging, Families and Mental Health, to which was referred **SB 687**, begs leave to report that it has considered the same and recommends that the bill do pass.

INTRODUCTION OF BILLS

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

SB 1110—By Steelman.

An Act to amend chapter 441, RSMo, by

adding thereto one new section relating to landord agreements with telecommunication providers.

RESOLUTIONS

Senator Johnson offered Senate Resolution No. 996, regarding Beatrice Grimes, St. Joseph, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Klarich introduced to the Senate, Kathy, Hannah and Garrett VaLeu, Sullivan; and Connie, Andrea and Robert Lofton, Union; and Robert and Hannah were made honorary pages.

On behalf of Senator Russell and himself, Senator Wiggins introduced to the Senate, students from Calvary Baptist Church, Devil's Elbow; and Lyon Yeoman, Adrian Rivera, Bradley Schibbelhut, JeVe Clayton, Matt Matthews, Ray Ortiz and Dustin Palmer were made honorary pages.

Senator Kennedy introduced to the Senate, Gary and Maureen Weigert, St. Louis.

Senator Gross introduced to the Senate, Mary Dempsey, St. Charles.

Senator Klindt introduced to the Senate, former State Representative Dale Whiteside, John Canepari and members of the Chillicothe Chamber of Commerce.

Senator Steelman introduced to the Senate, Richard Anderson, Ralf Trusty, Vicki Hopgood, Wanda Lucian, Tammy Linheart, Paula Laney, Kim Martin and members of MSTA from Rolla and St. James.

Senator Johnson introduced to the Senate, Bonnie Brown, Platte County.

Senator Kenney introduced to the Senate, members of Leadership Blue Springs Chamber of Commerce, Blue Springs.

Senator Kinder introduced to the Senate, Dr. Craig Roberts, Cape Girardeau.

Senator Singleton introduced to the Senate, Roy Jean Carter and students from Benton Elementary School, Neosho.

On behalf of Senator Jacob, Senator Caskey introduced to the Senate, Renee Slusher, Columbia.

On behalf of Senator Bentley and himself, Senator Singleton introduced to the Senate, Bud and Thelma Neff, Springfield.

Senator Rohrbach introduced to the Senate, the Physician of the Day, Dr. Susan M. Burkhart, M.D., California.

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

SENATE CALENDAR

SEVENTEENTH DAY—WEDNESDAY, FEBRUARY 6, 2002

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1079-Bland
SB 1081-Bland
SB 1083-Russell

SB 1084-Stoll
SB 1085-Yeckel
SB 1086-DePasco

SB 1087-Gibbons, et al
SB 1088-Foster, et al
SB 1089-Goode
SB 1090-Loudon
SB 1091-Loudon
SB 1092-Loudon
SB 1093-Loudon
SB 1094-Russell
SB 1095-Cauthorn
SB 1096-Kennedy
SB 1097-Kennedy and Stoll
SB 1098-Steelman

SB 1099-Childers
SB 1100-Childers and Stoll
SB 1101-Kenney, et al
SB 1102-Westfall
SB 1103-Westfall, et al
SB 1104-Mathewson
SB 1105-Loudon
SB 1106-Klarich
SB 1107-Childers
SB 1108-Kennedy
SB 1109-Yeckel
SB 1110-Steelman

Unofficial

HOUSE BILLS ON SECOND READING

HB 1338-Relford, et al

HS for HB 1399-Ransdall

SENATE BILLS FOR PERFECTION

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

Bill

Copy

10. SB 675-Yeckel, et al, with SCS
11. SB 881-Steelman and Yeckel, with SCS
12. SBs 641 & 705-Russell, et al, with SCS
13. SBs 721, 757, 818 & 930-Westfall, with SCS
14. SB 665-Kenney
15. SB 836-Gross and Dougherty, with SCS
16. SB 840-Gross and Russell, with SCS
17. SB 740-Wiggins
18. SB 687-Gibbons and Yeckel

HOUSE BILLS ON THIRD READING

HCS for HBs 1386 & 1038

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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

SB 668-Bentley, with SS
(pending)
SBs 958 & 657-Kinder,
with SCS

Unofficial

CONSENT CALENDAR

Senate Bills

Reported 1/28

Bill

SB 758-Bentley
SB 720-Westfall
SB 644-Mathewson and Yeckel
SB 701-Wiggins
SB 737-Cauthorn and
Russell, with SCS

SB 745-Russell, with SCS
SB 669-Bentley, with SCS
SB 726-Childers
SB 896-Yeckel

Copy

Reported 1/29

SB 702-Caskey
SB 695-Dougherty and Sims

SB 776-House, with SCS

Reported 1/30

SB 749-Goode

Reported 1/31

SB 813-Mathewson

Reported 2/4

SB 656-Rohrbach, with SCS

SB 893-Rohrbach

SB 804-DePasco, with SCS

SB 645-Mathewson, with SCS

SB 891-Kenney

SB 798-Westfall

SB 865-Foster and Kinder

SB 639-Caskey

SB 932-Klarich

SB 742-Caskey, with SCA 1

SB 860-Rohrbach

Reported 2/5

SB 708-Mathewson

SB 995-Rohrbach

RESOLUTIONS

To be Referred

SCR 43-Loudon

Reported from Committee

SCR 38-Klarich