

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIFTH DAY—WEDNESDAY, FEBRUARY 20, 2002

The Senate met pursuant to adjournment.

Senator Klarich in the Chair.

Reverend Carl Gauck offered the following prayer:

“If you keep silent at such a time as this...you will perish.”
(Esther 4:14)

Almighty God, we are called to share our resources and our care for Your creation. Loosen our tongues to speak out against those things that will cause evil in all its forms. And give us a glimpse of Your vision of justice so that we may do our part in bringing that vision into a reality for our people by the laws we create and the actions we take. 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	Coleman	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—34		

Absent with leave—Senators—None

RESOLUTIONS

Senator Bentley offered Senate Resolution No. 1084, regarding Nathaniel David Mrad, Springfield, which was adopted.

THIRD READING OF SENATE BILLS

SB 708, introduced by Senator Mathewson, entitled:

An Act to repeal section 644.021, RSMo, relating to the clean water commission, 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 Mathewson, **SB 708** was read the 3rd time and passed by the following vote:

YEAS—Senators

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—30		

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SCS for SB 712, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 712

An Act to repeal sections 44.010, 44.100, 190.500, 192.320, 473.697, 490.620 and 610.021, and to enact in lieu thereof twelve new sections relating to state emergency health powers, with an emergency clause, penalty provisions and an expiration date for a certain section.

Was taken up by Senator Singleton.

Senator Rohrbach assumed the Chair.

On motion of Senator Singleton, **SCS for SB 712** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
Coleman	DePasco	Dougherty	Foster
Jacob	Johnson	Kennedy	Kenney
Mathewson	Quick	Russell	Sims
Singleton	Staples	Stoll	Wiggins—20

NAYS—Senators

Cauthorn	Gibbons	Goode	Gross
House	Kinder	Klarich	Klindt
Loudon	Rohrbach	Schneider	Steelman
Westfall	Yeckel—14		

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause failed to receive the necessary two-thirds majority by the following vote:

NAYS—Senators—None

Absent—Senators

Bentley	Bland	Coleman	Jacob—4
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 974, introduced by Senators Childers and Westfall, entitled:

An Act to repeal section 304.200, RSMo, relating to length limitations on certain vehicles, 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 Childers.

On motion of Senator Childers, **SB 974** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	Coleman	DePasco	Dougherty
Foster	Gibbons	Goode	Gross
House	Johnson	Kennedy	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Rohrbach	Russell	Schneider
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Jacob	Quick—2
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YEAS—Senators

Bentley	Bland	Caskey	Childers
Coleman	DePasco	Dougherty	Jacob
Johnson	Kennedy	Kenney	Mathewson
Quick	Russell	Sims	Singleton
Staples	Stoll	Wiggins—19	

NAYS—Senators

Cauthorn	Foster	Gibbons	Goode
Gross	House	Kinder	Klarich
Klindt	Loudon	Rohrbach	Schneider
Steelman	Westfall	Yeckel—15	

Absent—Senators—None

Absent with leave—Senators—None

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

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

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

SS for SCS for SB 931, introduced by Senator Klarich, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 931

An Act to repeal sections 59.042, 347.143, 351.055, 351.120, 351.140, 351.145, 351.150, 351.155, 351.182, 351.385, 351.400, 351.455, 355.856, 356.211, 400.9-102, 400.9-109, 400.9-303, 400.9-311, 400.9-313, 400.9-317, 400.9-323, 400.9-406, 400.9-407, 400.9-408, 400.9-409, 400.9-504, 400.9-509, 400.9-513, 400.9-525, 400.9-602, 400.9-608, 400.9-611, 400.9-613, 400.9-615, 400.9-625, 400.9-628, 400.9-710, 417.210 and 575.060, RSMo, relating to business and commerce, and to enact in lieu thereof forty-three new sections relating to the same subject, with penalty provisions.

Was taken up.

On motion of Senator Klarich, **SS for SCS for**

SB 931 was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators Rohrbach—1

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

President Pro Tem Kinder assumed the Chair.

INTRODUCTION OF BILLS

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

SJR 37—By Klindt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30 (b) of article IV of the Constitution of Missouri relating to powers and duties of the state highways and transportation commission, and adopting two new sections in lieu thereof relating to the same subject.

SB 1184—By Steelman.

An Act to repeal sections 190.092 and 190.142, RSMo, relating to emergency services,

and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

SB 1185—By Kenney.

An Act to repeal section 313.230, RSMo, relating to the frequency of drawings in lottery games, and to enact in lieu thereof one new section relating to the same subject.

SB 1186—By Kenney.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to required set-asides of private land by political subdivisions.

SB 1187—By Kennedy.

An Act to repeal section 621.045, RSMo, and to enact in lieu thereof twenty-two new sections relating to private investigators, with penalty provisions.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Judiciary, to which was referred **HS** for **HCS** for **HBS 1037, 1188, 1074** and **1271**, 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, to which were referred **SCS** for **SB 722**; and **SB 856**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rohrbach assumed the Chair.

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 **HCS** for **HB 1451**, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to the addition of members of the general assembly to the Missouri board of public buildings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Kinder referred **SB 856** to the Committee on State Budget Control.

President Pro Tem Kinder referred **SCR 48** and **SCR 49** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Dougherty introduced to the Senate, Amber Smidt, Trans Jones, Courtney Richard and Christi Sobee, St. Louis.

Senator Wiggins introduced to the Senate, Sudy Hurst and Amy Baumgartner, Kansas City.

Senator Foster introduced to the Senate, Ruth and Martha Martin, Fairdealing.

Senator Westfall introduced to the Senate, Chris Speer, Webb City.

Senator Childers introduced to the Senate, J.E. Hill, Howell County.

Senator Singleton introduced to the Senate, Megan Allen, Carterville; Eric Ceinnian, Chris Speer and Drew Whitworth, Joplin; Misti Stone, Oronogo; and Dr. Ron Lankford and Kelli Cragin, Webb City.

Senator Kinder introduced to the Senate, Dr. Desma Reno and representatives of the Southeast Missouri Area Health Education Council, Cape Girardeau.

Senator Sims introduced to the Senate, Misty Stone, Webb City.

Senator Bentley introduced to the Senate, Kathy Steinberg, Mary Craven, Elaine M. Cook, Marlene McCord, Catherine Collison, Linda McAllister, Yvette Hughes, Jennifer Hover, Melanie Blunt, Laura Meek, Becky Heron and Sue Noakes of the Springfield Junior League.

Senator Foster introduced to the Senate, Eric Boswell, Harviell.

Senator Johnson introduced to the Senate, Dustin Bauer, Easton; and Dana Staley, Rea.

Senator Steelman introduced to the Senate, Jessica Lehenbauer, Auxvasse.

Senator Caskey introduced to the Senate, Jason Hayes, Pleasant Hill.

Senator Rohrbach introduced to the Senate, Benjamin Marshall, Jamestown.

Senator Staples introduced to the Senate, Renea Honeycutt, Myrtle.

Senator House introduced to the Senate, Jason Davis, Warrenton.

Senator Westfall introduced to the Senate, Erica Coble, Walnut Grove; and Jamie Lile, Strafford.

Senator Klindt introduced to the Senate, Molly Quinn, Chillicothe.

Senator Singleton introduced to the Senate,

Crystal Mathews, Carthage.

Senator Kinder introduced to the Senate, Matthew Fox, Marble Hill.

Senator Mathewson introduced to the Senate, Andrea Olendorff, Salisbury.

Senator Sims introduced to the Senate, Pat Bradley, Lori Coyne, Midge Crider, Judith Griffin, Merri Ellin Huff, Alice Kinsella, Pryia M. Logan, Sherry Moschner and Bethany Nuessen of the Junior League of St. Louis.

Senator Dougherty introduced to the Senate, Tom Mayer, John Rice, Pat Rice, John Johnson, Kevin Ahlbrand, Michael McAteer, Mark Busken and Eric Larson, St. Louis.

Senator Bentley introduced to the Senate, Megan Allen, Webb City.

Senator Westfall introduced to the Senate, students from Humansville School, Humansville.

Senator Dougherty introduced to the Senate, former State Senator, Sheriff Jim Murphy, Ray Harris and Greg Thomas, St. Louis.

Senator Bentley introduced to the Senate, Adam Warren, Meadville; Stephanie Schlue, St. Louis; Susan Donovan, Columbia; and Sarah Weitzel, St. Peters.

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

SENATE CALENDAR

TWENTY-SIXTH DAY—THURSDAY, FEBRUARY 21, 2002

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1162-Wiggins, et al
SB 1163-Steelman
SB 1164-Coleman, et al

SB 1165-Mathewson, et al
SB 1166-DePasco
SB 1167-Gibbons, et al

SB 1168-Russell
 SB 1169-Childers
 SB 1170-Childers
 SB 1171-House
 SB 1172-Yeckel
 SB 1173-Yeckel
 SB 1174-Steelman
 SB 1175-Kennedy
 SB 1176-Loudon
 SB 1177-Coleman
 SB 1178-Kinder and Childers

SB 1179-Caskey and Dougherty
 SB 1180-Jacob
 SB 1181-Coleman
 SB 1182-Singleton
 SB 1183-Bentley
 SB 1184-Steelman
 SB 1185-Kenney
 SB 1186-Kenney
 SB 1187-Kennedy
 SJR 36-Jacob
 SJR 37-Klindt

HOUSE BILLS ON SECOND READING

HB 1338-Relford, et al
 HS for HB 1399-Ransdall
 HCS for HB 1154
 HB 1519-Boucher
 HB 1192-Harding and Boucher

HB 1151-Smith
 HCS for HBs 1134, 1100 &
 1559
 HCS for HB 1451

THIRD READING OF SENATE BILLS

SCS for SB 722-Bentley

SB 856-Russell
 (In Budget Control)

SENATE BILLS FOR PERFECTION

1. SB 675-Yeckel, et al,
with SCS
2. SB 881-Steelman and
Yeckel, with SCS
3. SBs 641 & 705-Russell,
et al, with SCS
4. SBs 721, 757, 818 &
930-Westfall, with SCS
5. SB 665-Kenney
6. SB 836-Gross and
Dougherty, with SCS

7. SB 840-Gross and
Russell, with SCS
8. SB 740-Wiggins
9. SB 687-Gibbons and
Yeckel
10. SB 959-Kenney and
Kinder, with SCS
11. SBs 817, 978 & 700-
Gross, with SCS
12. SBs 837, 866, 972 &
990-Cauthorn, with SCS

- 13. SBs 688, 663, 691, 716,
759, 824 & 955-Gibbons,
et al, with SCS
- 14. SBs 894, 975 & 927-
Kinder, with SCS

- 15. SBs 670 & 684-Sims,
with SCS
- 16. SB 1005-Loudon

HOUSE BILLS ON THIRD READING

HS for HCS for HBs 1037,
1188, 1074 & 1271-Hosmer,
with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- SB 651-Singleton and
Russell, with SCS (pending)
- SB 659-House and Kenney,
with SS#2, SA 3 and
SSA 1 for SA 3 (pending)
- SB 660-Westfall, et al,
with SCS (pending)
- SBs 662 & 704-Westfall,
with SCS & SA 4 (pending)
- SB 668-Bentley, with SS &
SA 1 (pending)

- SB 895-Yeckel and Gross
- SBs 958 & 657-Kinder,
with SCS
- SBs 970, 968, 921, 867,
868 & 738-Westfall,
et al, with SCS
- SB 1009-Rohrbach, with
SCS & SS for SCS (pending)
- SJR 23-Singleton, with SS,
SA 1 & SSA 1 for SA 1
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 995-Rohrbach

Reported 2/12

- SB 885-Bentley, with SCS
- SB 992-Johnson

- SB 993-Rohrbach
- SB 997-Quick, with SCS

SB 756-Westfall, with SCS
SB 718-House and Steelman
SB 1048-Kenney
SB 918-Klarich, with SCS
SB 831-Loudon and Kennedy

SB 812-Russell
SB 729-Yeckel, with SCS
SB 690-Gross
SB 1001-Mathewson

Reported 2/18

SB 775-House and Loudon
SB 744-Caskey
SB 989-Caskey
SB 1017-Cauthorn
SB 1041-Russell

SB 1014-Klindt and Kinder
SB 961-Wiggins, et al
SB 924-Sims, with SCS
SB 642-Russell, with SCS

Unofficial
Reported 2/19

SB 1011-Caskey
SB 810-Dougherty, with SCS
SB 786-Goode

SB 1015-Foster and
Mathewson, with SCS

Journal
RESOLUTIONS

SR 1026-Jacob, with SA 1
(pending)

SR 1028-Schneider

Reported from Committee
Copy

SCR 38-Klarich

SCR 35-Stoll

