

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-THIRD DAY—TUESDAY, MARCH 5, 2002

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have given him his heart’s desire.” (Psalm 21:2a)

Oh God, it is good to know that You are a God that hears and answers prayer. In our silence when words refuse to come, You are aware of the deep rumblings of our soul and the concerns of our hearts. You comfort us and in our joy lift us up! When we bring our petitions before You and You respond, blessing us and encouraging us so we may know the joys of Your heart by the peace and comfort of Your loving presence. 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

The Lieutenant Governor was present.

RESOLUTIONS

Senator Singleton offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1142

WHEREAS, the Missouri Senate is fully cognizant of the important role which the Boy Scouts of America organization plays in offering a well-rounded program of activities designed to prepare young men for the many diverse challenges of responsible citizenship; and

WHEREAS, James Taylor of Neosho, Missouri, has been privileged to participate in such activities as a loyal, diligent, and industrious member of Troop 34, which will bestow upon him the rank of Eagle Scout during appropriate ceremonies on March 9, 2002, at United Methodist Church; and

WHEREAS, James culminated twelve years of Scouting endeavor with the successful completion of his required Eagle project that took him many hours to plan, organize, and carry out for the overall benefit of others by designing a four season floor garden and placing a memorial stone in honor of Gene Taylor at the Neosho Fish Hatchery; and

WHEREAS, the son of Jim and Susan Taylor, James always took the time and continually put forth the energy to perform his duties in the most efficient and effective manner possible and truly

excelled while assuming responsibility as Senior Patrol Leader and Assistant Senior Patrol Leader; and

WHEREAS, James has ample reason to be exceedingly proud of his other impressive achievements which include earning approximately twenty-six merit badges, going on various High Adventure trips, and providing assistance to the victim of a automobile accident; and

WHEREAS, it is only with the commitment, ability, and enthusiasm of such young Missourians as James Taylor that America can continue to maintain respect as the greatest nation in the world:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-first General Assembly, join unanimously in conveying to James Taylor a message of appreciation for his steadfast determination to succeed in Scouts, in congratulating him as he attains the rank of Eagle, and in wishing him only the best for his plans to earn a business degree at Crowder College and auto mechanic skills at a technical school; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Eagle Scout James Taylor.

THIRD READING OF SENATE BILLS

SB 1015, with **SCS**, introduced by Senators Foster and Mathewson, entitled:

An Act to repeal section 253.080 and 253.082, RSMo, relating to state parks, and to enact in lieu thereof four new sections relating to the same subject.

Was called from the Consent Calendar and taken up by Senator Foster.

SCS for **SB 1015**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1015

An Act to repeal section 253.080 and 253.082, RSMo, relating to state parks, and to enact in lieu thereof four new sections relating to the same subject.

Was taken up.

Senator Foster moved that **SCS** for **SB 1015** be adopted, which motion prevailed.

On motion of Senator Foster, **SCS** for **SB 1015**

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

YEAS—Senators

Caskey	Cauthorn	Childers	Dougherty
FosterGibbons	Goode	Gross	
House	Johnson	Kennedy	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Rohrbach	Russell	Schneider
Sims	Singleton	Staples	Steelman
Stoll	Wiggins	Yeckel—27	

NAYS—Senators—None

Absent—Senators

Bentley	Bland	Coleman	DePasco
Jacob	Quick	Westfall—7	

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SB 714, introduced by Senator Singleton, entitled:

An Act to repeal section 190.500, RSMo, relating to the declaration of a state public health emergency, 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 Singleton, **SB 714** was read the 3rd time and passed by the following vote:

YEAS—Senators

Caskey	Cauthorn	Childers	Dougherty
FosterGoode	Gross	House	
Johnson	Kennedy	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Rohrbach	Russell	Schneider	Sims

Singleton Staples Steelman Stoll
Westfall Wiggins Yeckel—27

NAYS—Senators—None

Absent—Senators

Bentley Bland Coleman DePasco
Gibbons Jacob Quick—7

Absent with leave—Senators—None

The President declared the bill passed.

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

SENATE BILLS FOR PERFECTION

Senator Yeckel moved that **SB 675**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 675**, as amended, was again taken up.

Senator Gibbons offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 16, Section 115.085, Line 1, by adding at the end of said line the following: “No election judge shall serve in a jurisdiction outside the one for which he or she is appointed unless the chief election official of a county declares the existence of unfilled vacancies for election judges in such county.”.

Senator Gibbons moved that the above amendment be adopted.

Senator Gross assumed the Chair.

Senator Stoll offered **SSA 1** for **SA 4**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 15, Section 115.085, Lines 8-10, by deleting the opening and closing brackets and underlined type appearing on said lines.

Senator Stoll moved that the above substitute amendment be adopted.

Senator Jacob requested a roll call vote be taken on the adoption of **SSA 1** for **SA 4**. He was joined in his request by Senators Bentley, Caskey, Coleman and Wiggins.

Senator Loudon assumed the Chair.

SSA 1 for **SA 4** was adopted by the following vote:

YEAS—Senators

Bland	Caskey	Cauthorn	Coleman
DePasco	Dougherty	Goode	House
Jacob	Johnson	Kennedy	Mathewson
Quick	Schneider	Staples	Steelman
Stoll	Wiggins—18		

NAYS—Senators

Bentley	Childers	Foster	Gibbons
Gross	Kenney	Kinder	Klarich
Klindt	Loudon	Rohrbach	Sims
Singleton	Westfall	Yeckel—15	

Absent—Senator Russell—1

Absent with leave—Senators—None

At the request of Senator Yeckel, **SB 675**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were 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 **HB 1468**, entitled:

An Act to repeal section 379.362, 379.889, 379.890, and 379.893, RSMo, and to enact in lieu thereof one new section relating to commercial insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1086**, entitled:

An Act to amend chapter 166, RSMo, by adding thereto one new section relating to the privacy of personal information of participants in the Missouri higher education savings program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Kinder assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **CCS for HCS for SS No. 2 for SB 650**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

On behalf of Senator Klindt, Chairman of the Committee on Interstate Cooperation, Senator Kenney submitted the following report:

Mr. President: Your Committee on Interstate Cooperation, to which was referred **SB 1014**, 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 810**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for SCS for HS for HCS for HBs 1037, 1188, 1074 and 1271**; and **CCS for HCS for SS No. 2 for SB 650**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS for HCS for SS No. 2 for SB 650, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kenney, the Senate recessed until 2:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Klarich.

SECOND READING OF SENATE BILLS

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

SB 1238—Ways and Means.

SB 1239—Civil and Criminal Jurisprudence.

SB 1240—Aging, Families and Mental Health.

SB 1241—Transportation.

SB 1242—Ways and Means.

SB 1243—Commerce and Environment.

SB 1244—Aging, Families and Mental Health.

SB 1245—Transportation.

SB 1246—Education.

SB 1247—Pensions and General Laws.

SB 1250—Education.

SB 1251—Commerce and Environment.

SB 1252—Civil and Criminal Jurisprudence.

SB 1253—Transportation.

SB 1254—Local Government and Economic Development.

SB 1255—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1256—Education.

SB 1257—Judiciary.

SB 1258—Aging, Families and Mental Health.

SB 1259—Aging, Families and Mental Health.

SB 1260—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1261—Local Government and Economic Development.

SB 1262—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 1263—Commerce and Environment.

SB 1264—Interstate Cooperation

SB 1265—Commerce and Environment.

SB 1266—Commerce and Environment.

SB 1279—Pensions and General Laws.

REFERRALS

President Pro Tem Kinder referred **SCR 53** to

the Committee on Rules, Joint Rules, Resolutions and Ethics.

THIRD READING OF SENATE BILLS

SB 1024, with **SCS**, introduced by Senator Bentley, entitled:

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to medical records.

Was called from the Consent Calendar and taken up.

SCS for **SB 1024**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1024

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to medical records.

Was taken up.

Senator Bentley moved that **SCS** for **SB 1024** be adopted, which motion prevailed.

On motion of Senator Bentley, **SCS** for **SB 1024** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Foster	Gibbons
Gross	House	Jacob	Johnson
Kennedy	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Coleman	Dougherty	Goode	Schneider—4
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Absent with leave—Senators—None

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

SB 976, introduced by Senator Steelman, et al, entitled:

An Act to repeal section 191.400, RSMo, relating to the state board of health, 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 Steelman.

On motion of Senator Steelman, **SB 976** 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	Rohrbach
Russell	Sims	Singleton	Staples
Stelman	Stoll	Westfall	Wiggins

Yeckel—33

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Yeckel moved that **SB 675**, with **SCS** and **SS** for **SCS**, as amended (pending), be called

from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 675**, as amended, was again taken up.

Senator Dougherty offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 29, Section 115.159, Lines 15-23 by striking all of said lines.

Senator Dougherty moved that the above amendment be adopted.

President Maxwell assumed the Chair.

Senator Gibbons offered **SSA 1** for **SA 5**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 29, Section 115.159, Lines 20-21, by deleting the following: “at his or her new polling place designated by the election authority”.

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

Senator Steelman offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 28, Section 115.157, Lines 3-4 of said page, by striking the following: “agents of a federal law enforcement agency,”.

Senator Steelman moved that the above amendment be adopted.

Senator Loudon offered **SSA 1** for **SA 6**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 28, Section 115.157, Line 4 of said page, by inserting immediately after the word “agency” the following: “, **any county, state or federal parole officer, any federal pretrial officer, any peace officer pursuant to section 590.100, RSMo, any member of a parole officer’s, pretrial officer’s or peace officer’s immediate family**”.

Senator Loudon moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Kennedy, Kenney, Schneider and Yeckel.

SSA 1 for SA 6 failed of adoption by the following vote:

YEAS—Senators

Cauthorn	Foster	Gibbons	Gross
Kennedy	Kenney	Kinder	Klarich
Klindt	Loudon	Russell	Sims
Singleton	Westfall	Yeckel—15	

NAYS—Senators

Caskey	Childers	Coleman	DePasco
Dougherty	Goode	House	Jacob
Johnson	Mathewson	Rohrbach	Schneider
Staples	Steelman	Stoll	Wiggins—16

Absent—Senators

Bentley	Bland	Quick—3
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Absent with leave—Senators—None

SA 6 was again taken up.

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

Senator DePasco offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 10, Section 115.074, Line 1, by inserting after the

word “grants.” the following: “**The secretary of state shall award grants first to election authorities in jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established and amended by the federal department of health and human services or its successor agency. Prior to issuing any grants,**”.

Senator DePasco moved that the above amendment be adopted.

Senator Yeckel offered **SSA 1 for SA 7**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 10, Section 115.074, Line 1 of said page, by inserting after “grants.” the following: “**The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established and amended by the federal Department of Health and Human services or its successor agency.**”.

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

Senator Childers offered **SA 8**, which was read:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 28, Section 115.157, Line 3, by deleting the words “**of this state**” on said line.

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

Senator Kennedy offered **SA 9**, which was read:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Pages 7-8, Section 115.027, by striking all of said section; and

Further amend the title and enacting clause accordingly.

Senator Kennedy moved that the above amendment be adopted, which motion failed.

Senator Goode offered SA 10:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 9, Section 115.063, Lines 2-25, by deleting all of said section; and further amend said bill, pages 11-13, section 115.077 by deleting all of said section; and

Further amend title and enacting clause accordingly.

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

Senator Caskey offered SA 11, which was read:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 20, Section 115.102, Lines 9-10, by deleting all of said lines.

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

Senator Goode offered SA 12:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Pages 21-23, Section 115.126 by striking all of said section from the bill; and

Further amend said bill, Page 42, Section 115.277, Line 18 of said page, by inserting immediately after the word "retained" the following: "

(6) Personal inconvenience to the voter"; and

Further amend said bill, Page 49, Section 115.283, Line 11 of said page, by inserting immediately after the word "voting" the following: ";

..... personal inconvenience".

Senator Goode moved that the above amendment be adopted.

Senator Stoll offered SSA 1 for SA 12:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 21, Section 115.126, Line 22, by striking the words "in presidential election years"; and further amend said page and section, lines 23-24, by deleting all of said lines and inserting in lieu thereof the following: "the election authority. In any county of the first classification, election authorities may establish advance voting at a maximum of three geographically distributed locations designated by and under the control of the election authorities." and

Further amend said bill, page and section, line 27, by inserting after all of said line the following: "Advance voting periods at each location shall include Saturdays and shall terminate weekdays no earlier than 7:00 p.m."; and

Further amend said bill and section, page 22, line 6 by striking the word "Saturdays,;" and

Further amend said bill, section, and page, lines 10-25, by deleting all of said lines and inserting in lieu thereof the following: "115.445. The".

Senator Stoll moved that the above substitute amendment be adopted.

Senator Goode offered SA 1 to SSA 1 for SA 12, which was read:

SENATE AMENDMENT NO. 1 TO SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 12

Amend Senate Substitute Amendment No. 1

for Senate Amendment No. 12 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 1, Line 11 of the amendment by adding the following:

Further amend said bill, Page 21, Section 115.126, Line 26, by deleting the terms “5:00 p.m. on the Wednesday” and inserting in lieu thereof the following: “7:00 p.m. on the Friday”.

Senator Goode moved that the above amendment be adopted.

Senator Caskey requested a roll call vote be taken on the adoption of SA 1 to SSA 1 for SA 12. He was joined in his request by Senators Goode, Klarich, Quick and Schneider.

SA 1 to SSA 1 for SA 12 failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Coleman	DePasco
Dougherty	Goode	House	Jacob
Johnson	Kennedy	Mathewson	Quick
Schneider	Stoll	Wiggins—15	

NAYS—Senators

Bentley	Cauthorn	Childers	Foster
Gibbons	Gross	Kenney	Kinder
Klarich	Klindt	Loudon	Rohrbach
Russell	Sims	Singleton	Steelman
Westfall	Yeckel—18		

Absent—Senator Staples—1

Absent with leave—Senators—None

SSA 1 for SA 12 was again taken up.

Senator Childers offered SA 2 to SSA 1 for SA 12, which was read:

SENATE AMENDMENT NO. 2 TO SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 12

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 12 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 1, Lines 10-11, by deleting lines 10

and 11 of said amendment.

Senator Childers moved that the above amendment be adopted.

At the request of Senator Childers, SA 2 to SSA 1 for SA 12 was withdrawn.

SSA 1 for SA 12 was again taken up.

Senator Stoll moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Goode, Kennedy, Kenney and Kinder.

SSA 1 for SA 12 failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Coleman	DePasco
Dougherty	House	Jacob	Johnson
Kennedy	Mathewson	Quick	Schneider
Stoll	Wiggins—14		

NAYS—Senators

Bentley	Cauthorn	Childers	Foster
Gibbons	Goode	Gross	Kenney
Kinder	Klindt	Loudon	Rohrbach
Russell	Sims	Singleton	Steelman
Westfall	Yeckel—18		

Absent—Senators

Klarich Staples—2

Absent with leave—Senators—None

SA 12 was again taken up.

Senator Goode requested unanimous consent of the Senate to delete all of SA 12 after line 2, which request was granted.

Senator Goode moved that SA 12 be adopted.

Senator Caskey requested a roll call vote be taken on the adoption of SA 12 and was joined in his request by Senators Loudon, Singleton, Stoll and Yeckel.

SA 12 failed of adoption by the following vote:

YEAS—Senators

DePasco	Goode	Johnson	Kenney
Mathewson	Quick	Rohrbach	Russell
Schneider	Sims	Stoll	Wiggins—12

NAYS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	Coleman	Dougherty	Foster
Gibbons	Gross	House	Jacob
Kennedy	Kinder	Klindt	Loudon
Singleton	Steelman	Westfall	Yeckel—20

Absent—Senators

Klarich Staples—2

Absent with leave—Senators—None

Senator Schneider offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 7, Section 115.027, Line 28, by striking the underlined language in said line; and

Amend page 8, lines 1 to 6 by striking the underlined language in said lines and substitute the following on line 2 after the word “Senate”: “The members appointed from the political party who are not of the party of the Governor shall be selected from a list of four members submitted by the state committee of such party.”.

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

Senator Rohrbach offered **SA 14**:

SENATE AMENDMENT NO. 14

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 22, Section 115.126, Lines 20 and 21 by deleting all of said lines and inserting in lieu thereof the following:

“this chapter an advance voting program shall be”.

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

Senator Caskey offered **SA 15**, which was read:

SENATE AMENDMENT NO. 15

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Pages 72-75, Section 115.637, by deleting all of said section.; and

Further amend title and enacting clause accordingly.

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

At the request of Senator Yeckel, **SB 675**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

March 5, 2002

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

The following addendum should be made to the appointment of Dorothy M. Gresham for the Board of Election Commissioners for Platte County, submitted to you on March 4, 2002. Line 1 should be amended to read:

Dorothy M. Gresham, Democrat, 6205 Northwest 79th Street, Kansas City, Platte County, Missouri 64151

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

March 5, 2002

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

The following addendum should be made to the appointment of Joseph A. Swarts for the Board of Election Commissioners for

Platte County, submitted to you on March 4, 2002. Line 3 should be amended to read:

Commissioners for Platte County, for a term ending January 11, 2005

Respectfully submitted,
BOB HOLDEN
Governor

President Pro Tem Kinder referred the above addendums to the Committee on gubernatorial appointments.

CONCURRENT RESOLUTIONS

Senator Sims offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 54

WHEREAS, American women of every culture, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force in our Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic and cultural institutions in our Nation; and

WHEREAS, American women of every culture, class and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby

designate the month of March as "Women's History Month" and urge the Governor to issue a proclamation calling upon the people of the State of Missouri to observe this month with appropriate programs, ceremonies and activities; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and each member of Missouri's Congressional delegation.

REPORTS OF STANDING COMMITTEES

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 1028**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 1143**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, to which was referred **SB 1007**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 1210**, begs leave to report that it has considered the same and recommends that the

Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 1179**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 1128**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Economic Development, to which was referred **SB 1186**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Judiciary, to which was referred **SB 1152**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

RESOLUTIONS

Senator Wiggins offered Senate Resolution No. 1143, regarding the death of Richard E. "Gene" Clark, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 1144, regarding the death of Maura Angela Montgomery Gassman, Kansas City, which was adopted.

Senator Foster offered Senate Resolution No. 1145, regarding Sally Elrod, Piedmont, which was adopted.

Senator Foster offered Senate Resolution No. 1146, regarding the Twenty-fifth Anniversary of Victory Baptist Temple Ministries, Piedmont, which was adopted.

Senator Foster offered Senate Resolution No. 1147, regarding Richard McAllister, Piedmont, which was adopted.

Senator Foster offered Senate Resolution No. 1148, regarding Roger McAllister, Piedmont, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Staples introduced to the Senate, B.W. Robinson, Jefferson City.

Senator Kenney introduced to the Senate, Kerry Lipstiz, Tucson, Arizona.

Senator Sims introduced to the Senate, Kristian Margherio, St. Louis.

Senator Gibbons introduced to the Senate, the Physician of the Day, Dr. Gerard M. Doherty, M.D., Warson Woods.

Senator Yeckel introduced to the Senate, Matthew Taylor, Maryland.

Senator Kinder introduced to the Senate, representatives of Emergency Medical Technicians day.

Senator Russell introduced to the Senate, Dennis Preston and the ninth grade government class from Lebanon Junior High School, Lebanon.

Senator Staples introduced to the Senate, Jeanette Bragg and a group of United Methodist Women from Koshkonong.

Senator Sims introduced to the Senate, Maria Worthen, Lacey McNary, Lisa Berryman and Njeri Kayotho, St. Louis County.

Senator Wiggins introduced to the Senate, Mrs. Annette Waugh, Grandview; and a group of United Methodist Women from North Kansas City and Raytown.

Senator Foster introduced to the Senate, Vickie and Alexandra Carter, Lauren and Stacey Henson, Erin and Cara Lee Pierce, Renee and Sheila Cook, James and Emma Kelly, Wes Mott and Lugenia Counce, Caruthersville; and Alexandra, Lauren, Erin, Renee, James and Wes were made honorary pages.

Senator Stoll introduced to the Senate, Jeff Montgomery, Pat Earley, Steve Pallo, Jennifer Golden, Regina Cooper, Mike Tull, Sally Tull, Kim Jewell and 80 ninth grade students from Festus High School, Festus.

Senator Bentley introduced to the Senate, Adrienne Laswell and Amber Noblitt, Republic; Nisha Lassman-Eul, Springfield; Emily Phillips and Wilma Phillips, Battlefield; Ruth Crawford, Highlandville; and Girl Scouts of Dogwood Trails.

Senator Caskey introduced to the Senate, Pricilla Swatosh and 50 fourth grade students and sponsors from Osceola Elementary School, Osceola; and Megan Boin, Brandon Belisle, Jimmy Jones and Holly Cone were made honorary pages.

Senator Klindt introduced to the Senate, members of the Bethany and Albany Chambers of Commerce and community business leaders.

Senator Schneider introduced to the Senate, Peggy Scharf and 33 eighth grade students from St. John Neumann School, North St. Louis County; and Heather Root, Christa Edwards and Eric Anderson were made honorary pages.

Senator Staples introduced to the Senate, Bobby Bland, Eric Mansfield, Steve Eaton, Kelly Chilton, Sam Baker and students from Southern Reynolds County School.

Senator Kennedy introduced to the Senate, Edmund J. Postawko, Det. Eric Pearson and Jennifer M. Joyce, St. Louis.

Senator Schneider introduced to the Senate, Candy Wells and 36 fourth grade students from Lee Hamilton Elementary School, North St. Louis County; and Jazzy Hillery, Marie Marks, Stephen

Garrett and Melissa Davis were made honorary pages.

Senator Stoll introduced to the Senate, David and Delta Vines and their son, Andrew, Imperial; and Andrew was made an honorary page.

Senator Coleman introduced to the Senate, Everett Cleveland, Jr., Oakland, California.

On behalf of Senator Kinder, the President introduced to the Senate, Ted Coalter, RFC, LUTCF, Alan Phillips, Sharon Stanley and Linda Puchbauer, Cape Girardeau.

Senator Klindt introduced to the Senate, Corey Neill, Nate Polley, Jason Richards, Richard Blackburn, Mark Kenney, Duane Jewell, Trina Regal, Lori Fordyce, Megan Snell, Kristen Rhodes and Lacy Freidrick, Maryville.

Senator Foster introduced to the Senate, Tim Coppage, Matthews; Teresa Jones, Oran; Jodie Brunke and Andy Cook, Jackson; and Alyshea Jokerst, Ste. Genevieve.

Senator Sims introduced to the Senate, Norman E. Sewing, St. Louis.

Senator Foster introduced to the Senate, his daughter, Karmen Foster, Poplar Bluff; Delane Beckwith, Poplar Bluff; and Mrs. Vickie Campbell, Beverly Barnes and fourth grade students from Clarkton Elementary School, Clarkton.

Senator Cauthorn and Senator Jacob introduced to the Senate, Dana Henke, Mexico; and David Kleinsorge, Laddonia.

On behalf of Senator House and herself, Senator Steelman introduced to the Senate, Amanda Davidson, Montgomery County; and Dan Engemann, Warren County.

Senator Westfall introduced to the Senate, Ericka Coble, Walnut Grove.

On behalf of Senators Caskey, Russell, Gross, Cauthorn, Bentley and himself, Senator Westfall introduced to the Senate, Anson Elliot, Springfield; Garrett Hawkins, Appleton City; Shawna Scott,

Fair Play; Patrick Eslinger, El Dorado Springs; Cody Gariss, Lamar; Janet Ratiff, Shelbina; Aaron Day, Marshfield; Jamie Lile, Strafford; Stacy Wildeisen, St. Charles; J.R. Perkins, Urbana; and J.D. Shantz, Buffalo.

Senator Staples introduced to the Senate, Wayne Swaggert, Ste. Genevieve.

Senator Coleman introduced to the Senate, her

father, Earl Henry, Beaumont, Texas.

On behalf of Senator Rohrbach and himself, Senator Russell introduced to the Senate, Debbie Ferguson and Gloria Fields, Lake Ozark.

Senator Gibbons introduced to the Senate, Bev Lanzafame and 21 eighth grade students from Annunciation School, Webster Groves.

On motion of Senator Kenney, the Senate adjourned until 9:30 a.m., Wednesday, March 6, 2002.

SENATE CALENDAR

THIRTY-FOURTH DAY—WEDNESDAY, MARCH 6, 2002

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SRB 1236-Rohrbach
 SB 1248-Mathewson and
 Kenney
 SB 1249-Mathewson
 SB 1267-Westfall
 SB 1268-Westfall
 SB 1269-Cauthorn
 SB 1270-Klindt
 SB 1271-Klindt
 SB 1272-Klindt

SB 1273-Goode
 SB 1274-Gibbons
 SB 1275-Gibbons
 SB 1276-Gibbons
 SB 1277-Caskey
 SB 1278-Bland
 SB 1280-Rohrbach
 SJR 38-Cauthorn and Steelman
 SJR 39-Gross and House
 SJR 40-Westfall

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
 HCS for HB 1425
 HB 1634-Hoppe
 HB 1342-Farnen
 HB 1381-Luetkenhaus
 HB 1492-Seigfreid
 HB 1421-McKenna, et al

HB 1375-Luetkenhaus
HB 1495-Seigfreid
HB 1348-Meyers, et al
HCS for HBs 1150, 1237 & 1327
HCS for HB 1711
HCS for HB 1398

HS for HB 1498-Johnson (90th)
HB 1432-Foley
HB 1477-Farnen
HB 1668-Holt, et al
HB 1446-Luetkenhaus
HB 1078-Whorton, et al
HB 1468-Ward
HB 1086-Harlan

THIRD READING OF SENATE BILLS

SCS for SB 722-Bentley
SB 856-Russell
(In Budget Control)

SS for SCS for SB 1009-Rohrbach
SB 895-Yeckel and Gross

Unofficial

SENATE BILLS FOR PERFECTION

1. SBs 641 & 705-Russell, et al, with SCS
2. SBs 721, 757, 818 & 930-Westfall, with SCS
3. SB 665-Kenney
4. SB 836-Gross and Dougherty, with SCS
5. SB 840-Gross and Russell, with SCS
6. SB 740-Wiggins
7. SB 687-Gibbons and Yeckel
8. SB 959-Kenney and Kinder, with SCS
9. SBs 817, 978 & 700-Gross, with SCS
10. SBs 837, 866, 972 & 990-Cauthorn, with SCS
11. SBs 688, 663, 691, 716, 759, 824 & 955-Gibbons, et al, with SCS
12. SBs 894, 975 & 927-Kinder, with SCS
13. SBs 670 & 684-Sims, with SCS
14. SB 1005-Loudon
15. SBs 741, 929 & 871-Wiggins, with SCS
16. SBs 1061 & 1062-Rohrbach and Kenney, with SCS
17. SBs 843 & 658-Stoll, with SCS
18. SB 647-Goode, with SCS
19. SBs 969, 673 & 855-Westfall and Bentley, with SCS
20. SB 1059-Bentley, et al, with SCS
21. SB 1052-Sims, with SCS
22. SB 884-DePasco and Kenney, with SCS
23. SBs 984 & 985-Steelman, with SCS
24. SB 1046-Gross and House, with SCS

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| 25. SB 1103-Westfall, et al | 30. SB 1107-Childers, with SCS |
| 26. SBs 915, 710 & 907-
Westfall, et al, with SCS | 31. SB 912-Mathewson, with SCS |
| 27. SBs 923, 828, 876, 694
& 736-Sims, with SCS | 32. SB 892-Kenney, with SCS |
| 28. SB 676-Yeckel, et al,
with SCS | 33. SB 910-Gibbons |
| 29. SB 900-Goode, et al,
with SCS | 34. SB 1104-Mathewson |
| | 35. SB 954-Loudon, with SCS |
| | 36. SB 1014-Klindt and Kinder |
| | 37. SB 1152-Klarich, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 651-Singleton and
Russell, with SCS (pending) | SB 881-Steelman and
Yeckel, with SCS & SS
for SCS (pending) |
| SB 659-House and Kenney,
with SS#2, SA 3 and
SSA 1 for SA 3 (pending) | SBs 958 & 657-Kinder,
with SCS |
| SB 660-Westfall, et al,
with SCS (pending) | SBs 970, 968, 921, 867,
868 & 738-Westfall,
et al, with SCS, SS for
SCS, SS for SS for SCS
& SA 6 (pending) |
| SBs 662 & 704-Westfall,
with SCS & SA 4 (pending) | SJR 23-Singleton, with SS,
SA 1 & SSA 1 for SA 1
(pending) |
| SB 668-Bentley, with SS &
SA 1 (pending) | |
| SB 675-Yeckel, et al, with
SCS & SS for SCS (pending) | |

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 995-Rohrbach

Reported 2/25

SB 967-Kennedy, et al, with SCS

SB 950-Gibbons and Klarich

SB 960-Kenney, et al,
with SCS

SB 966-Kennedy, with SCS

SB 916-Dougherty, et al,
with SCS

SB 1094-Russell

SB 834-Sims, with SCS

SB 941-DePasco

SB 1071-Klindt, with SCS

Reported 2/26

SB 988-Caskey, with SCS

SBs 1086 & 1126-DePasco,
with SCS

SB 1004-Loudon, with SCA 1

SB 1106-Klarich, with SCS

SB 962-Wiggins

SB 1078-Kennedy

SB 1109-Yeckel

SB 1132-Kennedy, with SCS

SB 795-Schneider, with SCA 1

SB 1113-Caskey, with SCS

SB 1168-Russell

Reported 3/4

SB 1140-Rohrbach

SB 1151-Kinder, with SCS

SB 794-Bland

SB 1050-Foster

SB 859-Russell

SB 821-Dougherty and Gross,
with SCS

SB 1012-Caskey, with SCA 1

SB 1102-Westfall

SB 680-Bland

SB 980-Singleton and
Schneider, with SCS

SB 1127-Johnson, et al,
with SCS

Reported 3/5

SB 810-Dougherty, with SCS

SB 1028-Russell

SB 1143-Jacob

SB 1007-Stoll, with SCS

SB 1210-Johnson, with SCS

SB 1179-Caskey and Dougherty

SB 1128-Johnson

SB 1186-Kenney

RESOLUTIONS

SR 1026-Jacob, with SA 1
(pending)

SR 1028-Schneider

To be Referred

SCR 54-Sims

Reported from Committee

SR 1054-Singleton
SCR 49-Rohrbach

SCR 51-Mathewson and
Yeckel, with SCA 1

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