

Journal of the Senate

FIRST REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 9, 2003

The Senate met pursuant to adjournment.

Senator Gross in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will remove the heart of stone from their flesh and give them a heart of flesh, so that they may follow my statutes and keep my ordinances and obey them.” (Ezekiel 11:19-20)

Gracious God, after the excitement of yesterday we return to our normal lives and homes. Yet may our hearts stir in the joy of our families and our bloods enliven our bodies as we seek Your presence this weekend. And we pray, watch over us in our travels and bless us with Your grace as we abide by Your law. 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 for the day’s proceedings:

Present—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	DePasco	Dolan
Dougherty	Foster	Gibbons	Goode

Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—34		

Absent with leave—Senators—None

RESOLUTIONS

Senator Gibbons offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 5

BE IT RESOLVED by the Senate, that the Administrator of the Senate be and is hereby instructed to have placed in the Post Office of the Senate, or delivered each day to such other address as may be designated, Missouri newspapers for each Senator and each elected officer of the Senate, such papers to be designated by the Senator or officer, and the expenses of same to be paid out of the contingent fund of the Senate.

Senator Loudon offered Senate Resolution No. 6, regarding Scott Gregory Placial, Ballwin, which was adopted.

Senator Kinder moved that **SR 4** be taken up for adoption, which motion prevailed.

Senator Kinder moved that **SR 4** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 4 as it appears in the Senate Journal, First Day, January 8, 2003, Page 50, Column 1, Lines 22-23, by deleting all of said lines and inserting in lieu thereof the following: “management.”.

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

Senator Kinder moved that **SR 4**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	DePasco	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators—None

CONCURRENT RESOLUTIONS

Senator Gibbons moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Gibbons, **HCR 1** was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	DePasco	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators—None

Senator Gibbons moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Gibbons, **HCR 2** was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	DePasco	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators—None

INTRODUCTION OF BILLS

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

SB 233—By Foster.

An Act to repeal sections 169.030, 169.050, 169.056, 169.570, 169.577, 169.620, 169.650, and 169.655, RSMo, and to enact in lieu thereof ten new sections relating to the public school retirement system.

SB 234—By Quick.

An Act to repeal section 64.342, RSMo, and to enact in lieu thereof one new section relating to park concession stands, with an emergency clause.

SB 235—By Quick.

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to

local government indebtedness.

SB 236—By DePasco and Loudon.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to memorial for workers.

SB 237—By Russell, Mathewson, Vogel and Scott.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to fishing contests.

COMMITTEE APPOINTMENTS

President Pro Tem Kinder submitted the following committee appointments:

Administration

- Kinder, Chair
- Gibbons, Vice-chair
- Klindt
- Jacob
- Quick

Gubernatorial Appointments

- Kinder, Chair
- Gibbons, Vice-chair
- Childers
- Loudon
- Russell
- Bland
- Coleman
- Mathewson
- Quick

Rules, Joint Rules, Resolutions and Ethics

- Gibbons, Chair
- Nodler, Vice-chair
- Kinder
- Vogel
- Jacob
- Quick
- Mathewson

President Pro Tem Kinder referred the Gubernatorial Appointments appearing on pages 8-

33 of the Senate Journal for Wednesday, January 8, 2003, to the Committee on Gubernatorial Appointments.

SECOND READING OF CONCURRENT RESOLUTIONS

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

SCR 1—Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Klindt offered Senate Resolution No. 7, regarding Cary Ryan Sager, Trenton, which was adopted.

Senator Klindt offered Senate Resolution No. 8, regarding Daniel William Pierce, Gallatin, which was adopted.

Senator Klindt offered Senate Resolution No. 9, regarding Joseph William Michael, Winston, which was adopted.

COMMUNICATIONS

President Pro Tem Kinder submitted the following:

January 9, 2003

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment of Joint Committee on Terrorism, Bioterrorism & Homeland Security

Dear Terry:

Pursuant to Section 38.050 of the Revised Statutes of Missouri (RSMo 2002), I am appointing the following senators to the Joint Committee on Terrorism, Bioterrorism & Homeland Security:

- Senator John Griesheimer, Chairman
- Senator Sarah Steelman
- Senator Chuck Gross
- Senator Jon Dolan
- Senator Harold Caskey

Senator Pat Dougherty
 Senator Harry Kennedy

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,

/s/ Peter Kinder
 PETER D. KINDER
 President Pro-Tem

INTRODUCTIONS OF GUESTS

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

Senator Dolan introduced to the Senate, Mike and Sherry Clynch, Moscow Mills.

Senator Clemens introduced to the Senate, John Kelly, Springfield.

Senator Dougherty introduced to the Senate, Harold Brown, St. Louis.

On motion of Senator Gibbons, the Senate adjourned until 4:00 p.m., Monday, January 13, 2003.

SENATE CALENDAR

Unofficial

THIRD DAY—MONDAY, JANUARY 13, 2003

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Russell	SB 17-Childers
SB 2-Russell	SB 18-Yeckel and Cauthorn
SB 3-Russell	SB 19-Yeckel and Cauthorn
SB 4-Caskey and Russell	SB 20-Yeckel
SB 5-Caskey	SB 21-Bland
SB 6-Caskey	SB 22-Bland
SB 7-Mathewson	SB 23-Bland
SB 8-Goode and Stoll	SB 24-Steelman
SB 9-Goode and Dougherty	SB 25-Steelman
SB 10-Goode and Steelman	SB 26-Steelman
SB 11-Kinder	SB 27-Gibbons
SB 12-Kinder	SB 28-Gross
SB 13-Kinder	SB 29-Gross
SB 14-DePasco	SB 30-Gross, et al
SB 15-Childers	SB 31-Foster
SB 16-Childers	SB 32-Foster

SB 33-Loudon and Scott	SB 73-Bland
SB 34-Loudon	SB 74-Bland
SB 35-Loudon	SB 75-Steelman
SB 36-Klindt and Cauthorn	SB 76-Gross
SB 37-Klindt and Kinder	SB 77-Gross
SB 38-Klindt, et al	SB 78-Gross
SB 39-Cauthorn, et al	SB 79-Loudon
SB 40-Cauthorn, et al	SB 80-Loudon
SB 41-Cauthorn and Klindt	SB 81-Loudon
SB 42-Dougherty	SB 82-Klindt
SB 43-Dougherty	SB 83-Cauthorn, et al
SB 44-Dougherty	SB 84-Cauthorn and Klindt
SB 45-Kennedy	SB 85-Dougherty
SB 46-Kennedy	SB 86-Dougherty
SB 47-Kennedy	SB 87-Dougherty
SB 48-Coleman	SB 88-Kennedy
SB 49-Coleman	SB 89-Kennedy
SB 50-Coleman	SB 90-Kennedy
SB 51-Shields	SB 91-Coleman
SB 52-Shields	SB 92-Coleman
SB 53-Shields and Nodler	SB 93-Shields
SB 54-Griesheimer	SB 94-Shields
SB 55-Nodler	SB 95-Shields
SB 56-Nodler	SB 96-Russell
SB 57-Nodler	SB 97-Russell
SB 58-Russell	SB 98-Russell
SB 59-Russell	SB 99-Caskey
SB 60-Russell	SB 100-Caskey
SB 61-Caskey	SB 101-Caskey
SB 62-Caskey	SB 102-Goode
SB 63-Caskey	SB 103-Goode
SB 64-Goode and Gross	SB 104-Goode and Dougherty
SB 65-Goode and Gross	SB 105-Bland
SB 67-Childers	SB 106-Bland
SB 68-Childers	SB 107-Bland
SB 69-Yeckel	SB 108-Gross
SB 70-Yeckel	SB 109-Gross
SB 71-Yeckel	SB 110-Gross, et al
SB 72-Bland	

SB 111-Loudon	SB 150-Bland
SB 112-Loudon	SB 151-Bland
SB 113-Loudon	SB 152-Bland
SB 114-Dougherty	SB 153-Bland
SB 115-Dougherty	SB 154-Bland
SB 116-Shields and Gross	SB 155-Bland
SB 117-Shields	SB 156-Bland
SB 118-Shields	SB 157-Bland
SB 119-Russell	SB 158-Bland
SB 120-Caskey	SB 159-Bland
SB 121-Caskey	SB 160-Bland
SB 122-Caskey	SB 161-Bland
SB 123-Goode	SB 162-Bland
SB 124-Goode	SB 163-Bland
SB 125-Goode	SB 164-Bland
SB 126-Bland	SB 165-Bland
SB 127-Bland	SB 166-Bland
SB 128-Bland	SB 167-Russell
SB 129-Gross	SB 168-Quick
SB 130-Gross	SB 169-Quick
SB 131-Gross	SB 170-Quick
SB 132-Loudon	SB 171-Loudon
SB 133-Loudon	SB 172-Goode
SB 134-Loudon	SB 173-Quick
SB 135-Goode	SB 174-Childers
SB 136-Goode	SB 175-Loudon
SB 137-Goode	SB 176-Wheeler
SB 138-Bland	SB 177-Wheeler
SB 139-Bland	SB 178-Bland
SB 140-Bland	SB 179-Bland
SB 141-Gross	SB 180-Bland
SB 142-Goode and Days	SB 181-Cauthorn
SB 143-Goode	SB 182-Cauthorn, et al
SB 144-Goode	SB 183-Dougherty
SB 145-Bland	SB 184-Bartle
SB 146-Bland	SB 185-Wheeler
SB 147-Bland	SB 186-Cauthorn
SB 148-Goode	SB 187-Yeckel
SB 149-Bland	SB 188-Cauthorn, et al

SB 189-Loudon
SB 190-Loudon
SB 191-Bartle
SB 192-Loudon
SB 193-Loudon
SB 194-Scott
SB 196-Scott
SB 197-DePasco
SB 198-Caskey
SB 199-Childers
SB 200-Bland
SB 201-Steelman
SB 202-Childers
SB 203-Bartle
SB 204-Yeckel, et al
SB 205-Gross and Yeckel
SB 206-Champion
SB 207-Mathewson
SB 208-Mathewson
SB 209-Steelman, et al
SB 210-Steelman
SB 211-Cauthorn
SB 212-Bartle
SB 213-Bartle
SB 214-Bartle
SB 215-Foster
SB 216-Foster
SB 217-Champion and
Clemens
SB 218-Goode, et al
SB 219-Steelman
SB 220-Bartle
SB 221-Steelman and Gross
SB 222-Steelman, et al
SB 223-Foster
SB 224-Vogel
SB 225-Klindt, et al
SB 226-Klindt and
Cauthorn
SB 227-Cauthorn
SB 228-Griesheimer
SB 229-Bray
SB 230-Bray
SB 231-Caskey
SB 232-Cauthorn
SB 233-Foster
SB 234-Quick
SB 235-Quick
SB 236-DePasco and Loudon
SB 237-Russell, et al
SJR 1-Bland
SJR 2-Bland
SJR 3-Gross
SJR 4-Cauthorn
SJR 5-Bland
SJR 6-Bartle
SJR 7-Loudon
SJR 8-Bartle
SJR 9-Yeckel
SJR 10-Yeckel
SJR 11-Bartle
SJR 12-Mathewson and
Goode