

Journal of the Senate

FIRST REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 13, 2003

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Common sense in an uncommon degree is what the world calls wisdom.” (Coleridge)

Gracious Lord, we work this session, in a time, that will call forth an uncommon degree of common sense. So we ask that You bless us with wisdom that we might begin the tough challenge that confronts us. And we ask please to guide us along the path of righteousness that what we accomplish is in keeping with Your will. 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 for Thursday, January 9, 2003, was read and approved.

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

Present—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder

Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

Absent with leave—Senator DePasco—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Scott offered Senate Resolution No. 10, regarding Aileen Pippins, Wheatland, which was adopted.

Senator Scott offered Senate Resolution No. 11, regarding the One Hundredth Birthday of Mary Belle Cook, Humansville, which was adopted.

Senator Gibbons offered Senate Resolution No. 12, regarding the Repertory Theatre, St. Louis, which was adopted.

Senator Quick offered Senate Resolution No. 13, regarding Sue E. Merrell, Kansas City, which was adopted.

Senators Wheeler, Bartle, Bland, DePasco, Quick and Caskey offered Senate Resolution No. 14, regarding the death of James H. Hale, Savoy, Texas, which was adopted.

Senator Mathewson offered Senate Resolution No. 15, regarding Peggy Studley, New Franklin, which was adopted.

Senator Mathewson offered Senate Resolution No. 16, regarding Corrections Officer II Bruce Studley, New Franklin, which was adopted.

INTRODUCTION OF BILLS

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

SB 238—By Caskey.

An Act to repeal sections 72.080 and 72.130, RSMo, and to enact in lieu thereof two new sections relating to incorporation of cities, with an emergency clause.

SB 239—By Mathewson and Scott.

An Act to authorize the governor to convey a tract of land owned by the state in the county of Pettis to the Sedalia School District Foundation.

SB 240—By Mathewson.

An Act to repeal section 301.4000, RSMo, and to enact in lieu thereof two new sections relating to specialized license plates.

SB 241—By Yeckel.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to police officer residency requirements.

SB 242—By Yeckel.

An Act to amend chapter 512, RSMo, by adding thereto one new section relating to supersedeas bond requirements.

SB 243—By Yeckel.

An Act to amend chapter 37, RSMo, by adding thereto two new sections relating to the creation of the property preservation fund.

SB 244—By Russell and Vogel.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to sales taxes for financing an exhibition center and recreational facilities.

SB 245—By Shields and Bartle.

An Act to repeal sections 160.534 and 164.303, RSMo, and to enact in lieu thereof three new sections relating to gambling moneys for schools.

SB 246—By Steelman, Gross, Dougherty and Klindt.

An Act to repeal sections 386.120 and 386.210, RSMo, and to enact in lieu thereof three new sections relating to the public service commission.

SB 247—By Dolan.

An Act to repeal sections 169.050, 169.056, 169.070, 169.570, 169.577, 169.590, 169.650, 169.655, and 169.670, RSMo, and to enact in lieu thereof twelve new sections relating to the public school retirement system.

SB 248—By Gross and Goode.

An Act to repeal section 287.845, RSMo, and to enact in lieu thereof two new sections relating to the administrative law judges and legal advisors retirement system.

Senator Loudon requested unanimous consent of the Senate to withdraw **SB 192**, which request was granted.

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

January 13, 2003

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

J. Richard Franklin, 18005 Cheyenne Drive, Independence, Jackson County, Missouri 64056, as a member of the Board of Trustees Public School Retirement System, for a term ending

January 13, 2007, and until his successor is duly appointed and qualified; vice, Lynn Harmon, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
January 10, 2003

TO THE SENATE OF THE 92nd GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Carson Ross, 3305 Park Lane, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2004, and until his successor is duly appointed and qualified; vice, Reginald Bassa, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

President Pro Tem Kinder referred the above appointments to the Committee on Gubernatorial Appointments.

COMMITTEE APPOINTMENTS

President Pro Tem Kinder submitted the following standing committee appointments:

AGING, FAMILIES, MENTAL AND PUBLIC HEALTH

- Shields, Chair
- Champion, Vice-chair
- Clemens
- Dolan
- Steelman
- Bland
- Dougherty
- Kennedy
- Wheeler

AGRICULTURE, CONSERVATION, PARKS AND NATURAL RESOURCES

- Klindt, Chair
- Cauthorn, Vice-chair
- Clemens

- Foster
- Griesheimer
- Scott
- Caskey
- Coleman
- Kennedy
- Wheeler

APPROPRIATIONS

- Russell, Chair
- Gross, Vice-chair
- Champion
- Childers
- Foster
- Nodler
- Shields
- Yeckel
- Bland
- Bray
- Coleman
- Dougherty
- Goode

COMMERCE AND THE ENVIRONMENT

- Steelman, Chair
- Griesheimer, Vice-chair
- Bartle
- Gross
- Klindt
- Shields
- Dougherty
- Goode
- Mathewson
- Stoll

ECONOMIC DEVELOPMENT, TOURISM AND LOCAL GOVERNMENT

- Childers, Chair
- Griesheimer, Vice-chair
- Champion
- Nodler
- Vogel
- Kennedy
- Mathewson
- Stoll
- Wheeler

EDUCATION

Foster, Chair
Shields, Vice-chair
Bartle
Childers
Loudon
Steelman
Yeckel
Caskey
Days
Goode
Jacob
Stoll

**FINANCIAL AND GOVERNMENTAL ORGANIZATION,
VETERANS' AFFAIRS AND ELECTIONS**

Yeckel, Chair
Gross, Vice-chair
Bartle
Dolan
Foster
Scott
Bland
Coleman
Days
Mathewson

**GOVERNMENTAL ACCOUNTABILITY AND FISCAL
OVERSIGHT**

Cauthorn, Chair
Nodler, Vice-chair
Gross
Loudon
Steelman
Goode
Jacob
Mathewson
Quick

**JUDICIARY AND CIVIL AND CRIMINAL
JURISPRUDENCE**

Bartle, Chair
Loudon, Vice-chair
Dolan
Kinder
Yeckel
Caskey
Goode
Jacob

Wheeler

PENSIONS AND GENERAL LAWS

Scott, Chair
Gross, Vice-chair
Clemens
Kinder
Klindt
Jacob
Kennedy
Quick

**SMALL BUSINESS, INSURANCE AND INDUSTRIAL
RELATIONS**

Loudon, Chair
Cauthorn, Vice-chair
Bartle
Clemens
Klindt
Scott
Vogel
Days
DePasco
Dougherty
Kennedy
Stoll

TRANSPORTATION

Dolan, Chair
Scott, Vice-chair
Cauthorn
Griesheimer
Nodler
Russell
Bray
Days
DePasco
Goode
Stoll

WAYS AND MEANS

Vogel, Chair
Clemens, Vice-chair
Cauthorn
Griesheimer
Bray
Caskey
Jacob

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SECOND READING OF SENATE BILLS

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

SB 1—Transportation.

SB 2—Small Business, Insurance and Industrial Relations.

SB 3—Economic Development, Tourism and Local Government.

SB 4—Transportation.

SB 5—Judiciary and Civil and Criminal Jurisprudence.

SB 6—Judiciary and Civil and Criminal Jurisprudence.

SB 7—Economic Development, Tourism and Local Government.

SB 8—Ways and Means.

SB 9—Transportation.

SB 10—Commerce and the Environment.

SB 11—Ways and Means.

SB 12—Pensions and General Laws.

SB 13—Judiciary and Civil and Criminal Jurisprudence.

SB 14—Economic Development, Tourism and Local Government.

SB 16—Economic Development, Tourism and Local Government.

SB 18—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 19—Ways and Means.

SB 20—Ways and Means.

SB 21—Judiciary and Civil and Criminal Jurisprudence.

SB 22—Judiciary and Civil and Criminal Jurisprudence.

SB 23—Small Business, Insurance and Industrial Relations.

SB 24—Aging, Families, Mental and Public Health.

SB 25—Commerce and the Environment.

SB 26—Ways and Means.

SB 27—Ways and Means.

SB 28—Governmental Accountability and Fiscal Oversight.

SB 29—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 30—Pensions and General Laws.

SB 31—Education.

SB 32—Small Business, Insurance and Industrial Relations.

SB 33—Small Business, Insurance and Industrial Relations.

SB 34—Judiciary and Civil and Criminal Jurisprudence.

SB 36—Agriculture, Conservation, Parks and Natural Resources.

SB 37—Pensions and General Laws.

SB 38—Agriculture, Conservation, Parks and Natural Resources.

SB 39—Judiciary and Civil and Criminal Jurisprudence.

SB 40—Governmental Accountability and Fiscal Oversight.

SB 41—Education.

SB 42—Aging, Families, Mental and Public Health.

SB 43—Aging, Families, Mental and Public Health.

SB 45—Aging, Families, Mental and Public Health.

SB 46—Ways and Means.

SB 47—Economic Development, Tourism and Local Government.

SB 48—Small Business, Insurance and Industrial Relations.

SB 49—Judiciary and Civil and Criminal Jurisprudence.

SB 50—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 52—Ways and Means.

SB 54—Commerce and the Environment.

SB 56—Education.

SB 57—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 58—Commerce and the Environment.

SB 59—Judiciary and Civil and Criminal Jurisprudence.

SB 60—Small Business, Insurance and Industrial Relations.

Senator Bray requested unanimous consent of the Senate to withdraw **SB 229**, which requested was granted.

The Senate paused in a moment of silence in recognition of the late Representative David Reynolds.

INTRODUCTIONS OF GUESTS

Senator Kennedy introduced to the Senate, Samantha Acquisto, Columbia.

Senator Kinder introduced to the Senate, Dr. Dan Obermark, Sikeston.

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

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 14, 2003

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 15-Childers

SB 17-Childers

SB 35-Loudon

SB 44-Dougherty

SB 51-Shields

SB 53-Shields and Nodler

SB 55-Nodler

SB 61-Caskey

SB 62-Caskey

SB 63-Caskey

SB 64-Goode and Gross

SB 65-Goode and Gross

SB 67-Childers

SB 68-Childers

SB 69-Yeckel

SB 70-Yeckel

SB 71-Yeckel

SB 72-Bland

SB 73-Bland

SB 74-Bland

SB 75-Steelman and Gross

SB 76-Gross

SB 77-Gross

SB 78-Gross

SB 79-Loudon	SB 119-Russell
SB 80-Loudon	SB 120-Caskey
SB 81-Loudon	SB 121-Caskey
SB 82-Klindt	SB 122-Caskey
SB 83-Cauthorn, et al	SB 123-Goode
SB 84-Cauthorn and Klindt	SB 124-Goode
SB 85-Dougherty	SB 125-Goode
SB 86-Dougherty	SB 126-Bland
SB 87-Dougherty	SB 127-Bland
SB 88-Kennedy	SB 128-Bland
SB 89-Kennedy	SB 129-Gross
SB 90-Kennedy	SB 130-Gross
SB 91-Coleman	SB 131-Gross
SB 92-Coleman	SB 132-Loudon
SB 93-Shields	SB 133-Loudon
SB 94-Shields	SB 134-Loudon
SB 95-Shields	SB 135-Goode
SB 96-Russell	SB 136-Goode
SB 97-Russell	SB 137-Goode
SB 98-Russell	SB 138-Bland
SB 99-Caskey	SB 139-Bland
SB 100-Caskey	SB 140-Bland
SB 101-Caskey	SB 141-Gross
SB 102-Goode	SB 142-Goode and Days
SB 103-Goode	SB 143-Goode
SB 104-Goode and Dougherty	SB 144-Goode
SB 105-Bland	SB 145-Bland
SB 106-Bland	SB 146-Bland
SB 107-Bland	SB 147-Bland
SB 108-Gross	SB 148-Goode
SB 109-Gross	SB 149-Bland
SB 110-Gross, et al	SB 150-Bland
SB 111-Loudon	SB 151-Bland
SB 112-Loudon	SB 152-Bland
SB 113-Loudon	SB 153-Bland
SB 114-Dougherty	SB 154-Bland
SB 115-Dougherty	SB 155-Bland
SB 116-Shields and Gross	SB 156-Bland
SB 117-Shields	SB 157-Bland
SB 118-Shields	SB 158-Bland
	SB 159-Bland

SB 160-Bland
SB 161-Bland
SB 162-Bland
SB 163-Bland
SB 164-Bland
SB 165-Bland
SB 166-Bland
SB 167-Russell
SB 168-Quick
SB 169-Quick
SB 170-Quick
SB 171-Loudon
SB 172-Goode
SB 173-Quick
SB 174-Childers
SB 175-Loudon
SB 176-Wheeler
SB 177-Wheeler
SB 178-Bland
SB 179-Bland
SB 180-Bland
SB 181-Cauthorn
SB 182-Cauthorn, et al
SB 183-Dougherty
SB 184-Bartle
SB 185-Wheeler
SB 186-Cauthorn
SB 187-Yeckel
SB 188-Cauthorn, et al
SB 189-Loudon
SB 190-Loudon
SB 191-Bartle
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 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
SB 238-Caskey
SB 239-Mathewson and
Scott

SB 240-Mathewson

SB 241-Yeckel

SB 242-Yeckel

SB 243-Yeckel

SB 244-Russell and Vogel

SB 245-Shields and Bartle

SB 246-Steelman, et al

SB 247-Dolan

SB 248-Gross and Goode

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

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