

Journal of the Senate

FIRST REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 14, 2003

The Senate met pursuant to adjournment.

Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—34		

Senator Childers in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent with leave—Senators—None

“Take delight in the Lord and he will give you the desire of your heart.” (Psalm 37:4)

Gracious God, tame our appetites for more than we need and shape our desires according to what, in this sparse time, is truly needed. Calm our hearts by the truth of Your promises, O Lord, and we will be delighted and give You thanks with what we are capable of providing. 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

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

RESOLUTIONS

Senator Yeckel offered Senate Resolution No. 17, regarding Dick Walkenbach, Affton, which was adopted.

Senator Yeckel offered Senate Resolution No. 18, regarding the Twentieth Anniversary of the South County Chamber of Commerce, which was adopted.

Senator Yeckel offered Senate Resolution No. 19, regarding Ralph M. Harr, II, St. Louis, which was adopted.

Senator Yeckel offered Senate Resolution No. 20, regarding Christine Klinger, Affton, which was adopted.

INTRODUCTION OF BILLS

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

SB 249—By Shields.

An Act to repeal sections 135.478, 135.481,

135.484, 135.487, and 135.530, RSMo, and to enact in lieu thereof five new sections relating to tax credits for distressed communities.

SB 250—By Stoll.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a law enforcement sales tax, with an emergency clause.

SB 251—By Childers.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions.

REPORTS OF STANDING COMMITTEES

Senator Gibbons, 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 **SCR 1**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

REFERRALS

President Pro Tem Kinder referred **SCR 1** to the Committee on Governmental Accountability and Fiscal Oversight.

INTRODUCTION OF BILLS

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

SB 252—By Steelman.

An Act to amend chapter 644, RSMo, by adding thereto three new sections relating to water pollution bonds.

SB 253—By Steelman, Kinder, Shields, Bartle and Mathewson.

An Act to amend chapter 99, RSMo, by adding thereto twenty-one new sections relating to Missouri downtown economic stimulus act.

SB 254—By Goode and Mathewson.

An Act to repeal sections 149.015 and 149.160, RSMo, relating to tax on cigarettes and tobacco products, and to enact in lieu thereof two new sections relating to the same subject, with a referendum clause.

SJR 13—By Stoll.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39 (a) of article III of the Constitution of Missouri relating to bingo, and adopting one new section in lieu thereof relating to the same subject.

COMMUNICATIONS

President Pro Tem Kinder submitted the following hearing schedule:

SENATE HEARING SCHEDULE
92nd GENERAL ASSEMBLY
FIRST REGULAR SESSION
JANUARY 14, 2003

	Monday	Tuesday	Wednesday	Thursday
8:30 a.m.		Commerce & the Environment- SL (Steelman) Transportation- SCR 1 (Dolan)	Aging, Families, Mental & Public Health SCR 1 (Shields)	Rules, Jt. Rules, Resolutions and Ethics - SL (Gibbons)
9:00 a.m.			Gubernatorial Appointments- SL (Kinder)	Agriculture, Conservation, Parks & Natural Resources SCR 1 (Klindt)
11:00 a.m.	Financial & Governmental Organizations, Veterans' Affairs and Elections- SL (Yeckel) Governmental Accountability & Fiscal Oversight SCR 1 (Cauthorn)			
2:00 p.m.		Education- SCR 1 (Foster)	Small Business, Insurance & Industrial Relations- SCR 1 (Loudon)	
3:00 p.m.		Pensions & General Laws- SL (Scott)	Economic Development, Tourism & Local Government- SL (Childers)	
5:00 p.m.		Ways and Means- SL (Vogel)		
7:30 p.m.	Appropriations SCR 2 (Russell)	Appropriations SCR 2 (Russell)	Appropriations SCR 2 (Russell)	
8:00 p.m.	Judiciary & Civil & Criminal Jurisprudence SL (Bartle)			

SL - Senate Lounge
SCR 1 - Senate Committee Rm. 1, Room 118
SCR 2 - Senate Committee Rm. 2, Room 119

SECOND READING OF SENATE BILLS

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

SB 62—Economic Development, Tourism and Local Government.

SB 63—Judiciary and Civil and Criminal Jurisprudence.

SB 64—Economic Development, Tourism and Local Government.

SB 67—Education.

SB 69—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 70—Aging, Families, Mental and Public Health.

SB 71—Ways and Means.

SB 72—Education.

SB 73—Aging, Families, Mental and Public Health.

SB 74—Small Business, Insurance and Industrial Relations.

SB 75—Aging, Families, Mental and Public Health.

SB 76—Ways and Means.

SB 77—Ways and Means.

SB 78—Pensions and General Laws.

SB 79—Ways and Means.

SB 80—Ways and Means.

SB 81—Small Business, Insurance and Industrial Relations.

SB 82—Aging, Families, Mental and Public Health.

SB 85—Aging, Families, Mental and Public Health.

SB 86—Small Business, Insurance and Industrial Relations.

SB 87—Aging, Families, Mental and Public Health.

SB 88—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 89—Transportation.

SB 90—Transportation.

SB 92—Small Business, Insurance and Industrial Relations.

SB 93—Ways and Means.

SB 94—Ways and Means.

SB 95—Ways and Means.

SB 96—Small Business, Insurance and Industrial Relations.

SB 97—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 98—Small Business, Insurance and Industrial Relations.

SB 99—Economic Development, Tourism and Local Government.

SB 100—Pensions and General Laws.

SB 101—Economic Development, Tourism and Local Government.

SB 102—Agriculture, Conservation, Parks and Natural Resources.

SB 103—Commerce and the Environment.

SB 105—Judiciary and Civil and Criminal Jurisprudence.

SB 106—Education.

SB 107—Pensions and General Laws.

SB 108—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 109—Commerce and the Environment.

SB 110—Aging, Families, Mental and Public Health.

SB 111—Judiciary and Civil and Criminal Jurisprudence.

SB 112—Aging, Families, Mental and Public Health.

SB 114—Small Business, Insurance and Industrial Relations.

SB 116—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 117—Transportation.

SB 118—Pensions and General Laws.

SB 119—Small Business, Insurance and Industrial Relations.

SB 120—Economic Development, Tourism and Local Government.

SB 121—Economic Development, Tourism and Local Government.

SB 122—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 123—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 124—Ways and Means.

SB 125—Commerce and the Environment.

SB 126—Commerce and the Environment.

SB 127—Commerce and the Environment.

SB 129—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 130—Economic Development, Tourism and Local Government.

SB 131—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 132—Governmental Accountability and Fiscal Oversight.

SB 133—Governmental Accountability and Fiscal Oversight.

SB 134—Transportation.

SB 136—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 137—Small Business, Insurance and Industrial Relations.

SB 138—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 139—Ways and Means.

SB 140—Ways and Means.

COMMUNICATIONS

Senator Gibbons submitted the following:

January 14, 2003

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

Dear Ms. Spieler:

The Rules, Joint Rules, Resolutions and Ethics Committee met today in the Senate Lounge. All members present voted unanimously to approve the 92nd General Assembly's Senate Republican Caucus.

A list of members is attached.

Yours truly,

/s/ Michael R. Gibbons

MICHAEL R. GIBBONS

Members of the Senate Republican Caucus:

Matt Bartle	Peter Kinder
John Cauthorn	David Klindt
Norma Champion	John Loudon
Doyle Childers	Gary Nodler
Dan Clemens	John T. Russell
Jon Dolan	Delbert Scott
Bill Foster	Charles Shields
Michael R. Gibbons	Sarah Steelman
John Griesheimer	Carl Vogel
Charles Gross	Anita Yeckel

Also,

January 14, 2003

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

Dear Ms. Spieler:

The Rules, Joint Rules, Resolutions and Ethics Committee met today in the Senate Lounge. All members present voted unanimously to approve the 92nd General Assembly's Senate Democrat Caucus.

A list of members is attached.

Yours truly,
/s/ Michael R. Gibbons
MICHAEL R. GIBBONS

Members of the Senate Democratic Caucus:

Harry Kennedy	Pat Dougherty
Maida Coleman	Mary Bland
Charles Wheeler	Ronnie DePasco
Wayne Goode	Rita Days
Ed Quick	Ken Jacob
Jim Mathewson	Steve Stoll
Joan Bray	Harold Caskey

President Pro Tem Kinder submitted the following:

January 13, 2003

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

RE: Appointment to Missouri Ethanol and Other Renewable Fuel Sources Commission

Dear Terry:

Pursuant to Section 414.420, RSMo 2002, I am appointing Senator John Cauthorn to the Missouri Ethanol and Other Renewable Fuel Sources Commission.

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

Also,

January 13, 2003

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

RE: Appointment to Joint Legislative Committee on Administrative Rules

Dear Terry:

Pursuant to Section 536.037, RSMo 2002, I am appointing Senator Chuck Gross to the Joint Legislative Committee on Administrative Rules to replace Senator David Klindt.

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

Also,

January 13, 2003

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

RE: Appointment to Joint Legislative Committee on Public Employee Retirement

Dear Terry:

Pursuant to Section 21.553, RSMo, I am appointing Senator Chuck Gross to the Joint Legislative Committee on Public Employee Retirement to serve as Chairman.

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

Also,

January 13, 2003

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

RE: Appointment to Missouri Tourism Commission

Dear Terry:

Pursuant to Section 620.455, RSMo 2002, I am appointing Senator Chuck Gross to the Missouri Tourism Commission.

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 Champion introduced to the Senate, Joyce Mackney, Jefferson City; and Reggie McElhannon and Nicole Thomas, Springfield.

Senator Griesheimer introduced to the Senate,
Gina Schutt, Berger.

former State Senator Danny Staples, Eminence.

Senator Russell introduced to the Senate,

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

SENATE CALENDAR

FIFTH DAY–WEDNESDAY, JANUARY 15, 2003

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 15-Childers	SB 149-Bland
SB 17-Childers	SB 150-Bland
SB 35-Loudon	SB 151-Bland
SB 44-Dougherty	SB 152-Bland
SB 51-Shields	SB 153-Bland
SB 53-Shields and Nodler	SB 154-Bland
SB 55-Nodler	SB 155-Bland
SB 61-Caskey	SB 156-Bland
SB 65-Goode and Gross	SB 157-Bland
SB 68-Childers	SB 158-Bland
SB 83-Cauthorn, et al	SB 159-Bland
SB 84-Cauthorn and Klindt	SB 160-Bland
SB 91-Coleman	SB 161-Bland
SB 104-Goode and Dougherty	SB 162-Bland
SB 113-Loudon	SB 163-Bland
SB 115-Dougherty	SB 164-Bland
SB 128-Bland	SB 165-Bland
SB 135-Goode	SB 166-Bland
SB 141-Gross	SB 167-Russell
SB 142-Goode and Days	SB 168-Quick
SB 143-Goode	SB 169-Quick
SB 144-Goode	SB 170-Quick
SB 145-Bland	SB 171-Loudon
SB 146-Bland	SB 172-Goode
SB 147-Bland	SB 173-Quick
SB 148-Goode	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
SB 249-Shields
SB 250-Stoll
SB 251-Childers
SB 252-Steelman
SB 253-Steelman, et al
SB 254-Goode and
Mathewson
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
SJR 13-Stoll

RESOLUTIONS

Reported from Committee

SCR 1-Gross, et al
(In GAFO)

Unofficial

Journal

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