

Journal of the Senate

SECOND REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 7, 1999

The Senate met pursuant to adjournment.

Absent with leave—Senator Scott—1

President Pro Tem Quick in the Chair.

The Lieutenant Governor was present.

The Reverend Carl G. Gauck offered the following prayer:

Gracious and heavenly Father, help us keep the feeling of positive beginnings we started yesterday. Help us also have an ear to hear the concerns of the people of this state. Help us serve both well wisher and doubter, mindful only of Your call for service in Your Kingdom. Watch over our members' travel back to family and friends in the snow that is falling, bringing them safely to their destinations. And may all of us benefit from the recreation You provide with those You have given us to love. This we ask in Your Name. 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.

Senator DePasco announced that photographers from KRCG-TV had been given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Sims	Singleton	Staples
Stelman	Stoll	Westfall	Wiggins

Yeckel—33

RESOLUTIONS

Senator Stoll offered Senate Resolution No. 6, regarding Joseph F. Lingle III, which was adopted.

Senator Stoll offered Senate Resolution No. 7, regarding Darren West Romriell, Hillsboro, which was adopted.

Senator Stoll offered Senate Resolution No. 8, regarding Brandon Rutledge Templeton, Crystal City, which was adopted.

Senator Stoll offered Senate Resolution No. 9, regarding Bradley Wayne Parkin, Festus, which was adopted.

Senator Childers offered Senate Resolution No. 10, regarding Kenneth Bowling, Brookline, which was adopted.

Senator Mueller offered Senate Resolution No. 11, regarding the Fourth Annual Martin Luther King, Jr. Community Celebration at the Webster Groves Presbyterian Church, which was adopted.

Senator Clay offered Senate Resolution No. 12, regarding Pearlie I. Evans, St. Louis, which was adopted.

CONCURRENT RESOLUTIONS

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

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

YEAS—Senators

Banks	Bentley	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators

Schneider Scott—2

President Wilson assumed the Chair.

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

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

YEAS—Senators

Banks	Bentley	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senators

Schneider Scott—2

CONCURRENT RESOLUTIONS

Senator Clay offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 1

WHEREAS, one hundred fifty years have now passed since the greatest tragedy in Irish history occurred: The Great Irish Famine, also known as An Gorta Mor, the Great Starvation, the Great Hunger, the Irish Potato Blight, the Potato Famine, and the Great Irish Hunger; and

WHEREAS, this catastrophic five-year period between 1845 and 1850 in which millions of Irish people perished or emigrated was due to mass starvation precipitated by a recurring potato crop failure and worsened by acts of the British government which ignored the plight of the people; and

WHEREAS, the thousands upon thousands of bodies which required burial in a short period of time necessitated creation of the "sliding coffin", a hinged coffin which was used to transport the deceased to the graveyard where it would be placed over a huge pit, its bottom would drop, and the victim would fall into the common grave below; and

WHEREAS, Ireland lost nearly one half of its population during this dreadful famine, a catastrophe of astronomic proportions which needs to be examined and discussed in the public schools of Missouri in an effort to reaffirm the commitment of free people of all nations to eradicate the causes of famine that exist in the modern world and to engender an appreciation for Irish Americans; and

WHEREAS, many of the Irish immigrated to the Show-Me State where they distinguished themselves by their great contributions to the formation of Missouri, a long list of remarkable individuals which includes Joseph Charles who in 1808 founded the first newspaper west of the Mississippi River, the **Missouri Gazette**; and

WHEREAS, it would be in the best interests of the Missouri's public school students for the State Board of Education to prepare and make available to all school boards instructional materials that can be used as guidelines for the development of a unit of instruction on the Irish Famine:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, hereby join unanimously in expressing our support of the inclusion of a unit of instruction studying the causes and effects of mass starvation in mid-nineteenth century Ireland in every public elementary school and high school curriculum in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Department of Elementary and Secondary Education.

Senators Goode, Childers, Clay, Flotron, Mathewson, Kinder and Schneider offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, there is a nationwide trend toward deregulation of telecommunications services and energy services and sources which may create competitive markets and make available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services, and such taxes vary widely based upon locality and, within a locality, such taxes may vary widely between increasingly related and competitive services, such as telephone and

cable television; and

WHEREAS, there is currently a nationwide trend toward competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources, and this trend has both potential benefits and potential adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources will necessitate a fair and equitable structure of taxes across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied the above-mentioned issues during the tenure of the Eighty-ninth General Assembly and recommends that a similar study committee be established to such study during the tenure of the Ninetieth General Assembly;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, that a joint legislative study committee of the General Assembly be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House, and that said committee be authorized to function throughout the Ninetieth General Assembly; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale including consideration of the effects on residential customers, small business customers, large business customers, utility shareholders and other stakeholders and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that the committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninetieth General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-First General Assembly; and

BE IT FURTHER RESOLVED that the committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy

service providers, energy utilities and representatives of all telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that the Committee on Legislative Research, Senate Research and House Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

INTRODUCTION OF BILLS

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

SB 216—By Wiggins.

An Act to repeal section 195.030, RSMo Supp. 1998, relating to controlled substances, and to enact in lieu thereof one new section relating to the same subject.

SB 217—By Wiggins.

An Act relating to certain duties of the department of revenue.

SB 218—By Caskey.

An Act to repeal sections 174.450 and 174.453, RSMo 1994, relating to the governing boards of certain state colleges and universities, and to enact in lieu thereof two new sections relating to the same subject.

SB 219—By Caskey.

An Act to amend chapter 137, RSMo, by adding thereto eleven new sections relating to ad valorem taxation of freight line companies, with penalty provisions.

SB 220—By Caskey.

An Act to repeal section 50.660, RSMo Supp. 1998, relating to county bid requirements, and to enact in lieu thereof one new section relating to the same subject.

SB 221—By House.

An Act to repeal section 375.775, RSMo 1994, relating to the Missouri property and casualty insurance guaranty association, and to enact in lieu thereof one new section relating to the same

subject.

SB 222—By Clay.

An Act to repeal section 494.455, RSMo 1994, relating to the compensation of jurors, and to enact in lieu thereof one new section relating to the same subject.

SB 223—By Bland.

An Act relating to the tobacco settlement fund commission.

SJR 18—By Wiggins.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IX of

the Constitution of Missouri relating to the accountability by the board of curators of the state university.

INTRODUCTIONS OF GUESTS

Senator Singleton introduced to the Senate, Mary Lou Martin, Joplin.

Senator Singleton introduced to the Senate, Jimmy, Karen, Morgan and Nicole Jester, Neosho.

On motion of Senator DePasco, the Senate adjourned until 4:00 p.m., Monday, January 11, 1999.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 11, 1999

Journal
FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Schneider
SB 2-Schneider
SB 3-Schneider
SB 4-Wiggins
SB 5-Wiggins
SB 6-Wiggins
SB 7-Banks
SB 8-Banks
SB 9-Banks
SB 10-Scott
SB 11-Russell
SB 12-Russell
SB 13-Russell
SB 14-Mathewson
SB 15-Mathewson

SB 16-Mathewson, et al
SB 17-Staples
SB 18-Goode, et al
SB 19-Goode
SB 20-Goode, et al
SB 21-Flotron
SB 22-Flotron
SB 23-Flotron
SB 24-Singleton
SB 25-Singleton and
Schneider
SB 26-Singleton
SB 27-Mueller
SB 28-Mueller
SB 29-Mueller

SB 30-Howard
SB 31-Howard
SB 32-Howard
SB 33-Johnson
SB 34-Johnson
SB 35-Johnson
SB 36-Rohrbach
SB 37-Rohrbach
SB 38-Rohrbach
SB 39-Clay
SB 40-Clay
SB 41-Clay
SB 42-Ehlmann
SB 43-Ehlmann
SB 44-Ehlmann
SB 45-Kinder, et al
SB 46-Maxwell
SB 47-Maxwell
SB 48-Maxwell
SB 49-Westfall
SB 50-Westfall
SB 51-Westfall
SB 52-Klarich and Flotron
SB 53-Klarich
SB 54-Graves
SB 55-Graves
SB 56-Graves
SB 57-Kenney
SB 58-Kenney
SB 59-Kenney
SB 60-Bentley
SB 61-Bentley
SB 62-Bentley
SB 63-Sims, et al
SB 64-Sims, et al
SB 65-Sims, et al
SB 66-Childers
SB 67-Childers
SB 68-Childers
SB 69-Steelman
SB 70-Schneider
SB 71-Schneider
SB 72-Schneider
SB 73-Wiggins
SB 74-Wiggins, et al
SB 75-Wiggins
SB 76-Banks
SB 78-Russell
SB 79-Russell
SB 80-Russell
SB 81-Mathewson
SB 82-Goode, et al
SB 83-Goode
SB 84-Goode and Johnson
SB 85-Flotron
SB 86-Singleton
SB 87-Singleton
SB 88-Singleton
SB 89-Mueller
SB 90-Johnson
SB 91-Rohrbach
SB 92-Ehlmann
SB 93-Ehlmann
SB 94-Ehlmann
SB 95-Maxwell
SB 97-Maxwell
SB 98-Kenney
SB 99-Kenney
SB 100-Kenney
SB 101-Bentley
SB 102-Bentley
SB 103-Bentley
SB 104-Sims, et al
SB 105-Sims and Yeckel
SB 106-Sims
SB 107-Childers

SB 108-Childers and
Westfall

SB 109-Childers

SB 110-Schneider

SB 111-Schneider

SB 112-Schneider

SB 113-Wiggins

SB 114-Russell

SB 115-Russell

SB 116-Russell

SB 117-Goode

SB 118-Goode

SB 119-Goode

SB 120-Singleton

SB 121-Singleton

SB 122-Singleton

SB 123-Ehlmann

SB 124-Sims

SB 125-Childers

SB 126-Childers

SB 127-Childers

SB 128-Schneider

SB 129-Schneider

SB 130-Schneider

SB 131-Russell

SB 132-Russell

SB 133-Russell

SB 134-Goode

SB 135-Goode

SB 136-Goode

SB 137-Childers

SB 138-Childers

SB 139-Childers

SB 140-Schneider

SB 141-Schneider

SB 142-Schneider

SB 143-Russell

SB 144-Russell

SB 145-Russell

SB 146-Goode

SB 147-Goode

SB 148-Childers

SB 149-Childers

SB 150-Childers

SB 151-Childers

SB 152-Childers

SB 153-Childers

SB 154-Childers

SB 155-Kinder

SB 156-Schneider, et al

SB 157-Flotron and Kenney

SB 158-Singleton and
Schneider

SB 159-House

SB 160-Maxwell

SB 161-Maxwell

SB 162-Maxwell

SB 163-House

SB 164-Kenney

SB 165-Steelman

SB 166-Kinder

SB 167-Westfall

SB 168-Ehlmann

SB 169-Maxwell

SB 170-Schneider

SB 171-Maxwell

SB 172-Goode

SB 173-Jacob

SB 174-Quick

SB 175-Rohrbach

SB 176-Rohrbach

SB 177-DePasco

SB 178-Maxwell

SB 179-Goode

SB 180-Johnson

SB 181-Maxwell

SB 182-Westfall
SB 183-Staples
SB 184-Staples
SB 185-Goode
SB 186-Kenney
SB 187-Kenney
SB 188-House
SB 189-House
SB 190-House
SB 191-House
SB 192-Wiggins
SB 193-Wiggins
SB 194-Singleton
SB 195-Rohrbach
SB 196-DePasco
SB 197-DePasco
SB 198-House
SB 199-Scott
SB 200-Rohrbach
SB 201-Childers
SB 202-Childers
SB 203-Wiggins
SB 204-Rohrbach
SB 205-Westfall and
 Staples
SB 206-Childers
SB 207-Klarich and
 Wiggins
SB 208-House
SB 209-Goode, et al
SB 210-Howard
SB 211-Howard

SB 212-Jacob
SB 213-Scott
SB 214-Mathewson
SB 215-Mathewson
SB 216-Wiggins
SB 217-Wiggins
SB 218-Caskey
SB 219-Caskey
SB 220-Caskey
SB 221-House
SB 222-Clay
SB 223-Bland
SJR 1-Schneider
SJR 2-Schneider
SJR 3-Schneider
SJR 4-Banks
SJR 5-Goode, et al
SJR 6-Goode, et al
SJR 7-Goode
SJR 8-Maxwell
SJR 9-Klarich, et al
SJR 10-Yeckel
SJR 11-Goode and Yeckel
SJR 12-Kinder and
 Steelman
SJR 13-Ehlmann
SJR 14-House
SJR 15-Klarich
SJR 16-Schneider
SJR 17-Mueller
SJR 18-Wiggins

RESOLUTIONS

To Be Referred

SR 5-Quick
SCR 1-Clay

SCR 2-Goode, et al

