

# Journal of the Senate

FIRST REGULAR SESSION

FIFTEENTH DAY—MONDAY, FEBRUARY 1, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

Gracious and heavenly Father: Sometimes as we make our way through the mire of resolutions we feel we are in the fog we drove through to get here this day. So we pray, help and guide us as You did in bringing us safely here and direct our minds and hearts so as to make decisions and cast our votes as in keeping with Your will for us. 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 28, 1999, was read and approved.

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	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

Absent with leave—Senators—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Kenney offered Senate Resolution No. 177, regarding MAC Enterprises, Kansas City, which was adopted.

Senator House offered Senate Resolution No. 178, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. James Aubuchon, St. Charles, which was adopted.

Senator Rohrbach offered Senate Resolution No. 179, regarding the Ninetieth Birthday of Marvin Lee Allee, McGirk, which was adopted.

Senator Banks offered Senate Resolution No. 180, regarding Mid.Tec Corporation of St. Louis, which was adopted.

Senator Wiggins offered Senate Resolution No. 181, regarding the death of Dr. Floyd C. Atwell, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 182, regarding the death of Dixie Don Hanson, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 183, regarding the death of Anne Lenaghan Dolan, Kansas City, which was adopted.

Senator Flotron offered Senate Resolution No. 184, regarding Robert F. "Bob" Tehan, Chesterfield, which was adopted.

Senator Bentley offered Senate Resolution No. 185, regarding the Equine Clinic, Springfield, which was adopted.

Senator Bentley offered Senate Resolution No. 186, regarding Jared Brison, Springfield, which was adopted.

Senator Kinder offered Senate Resolution No. 187, regarding Charles "Speedy" Wagoner, Cape Girardeau, which was adopted.

### REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **SB 193**, 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.

### SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 193**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### BILLS DELIVERED TO THE GOVERNOR

**SB 193**, 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.

Senator Mathewson assumed the Chair.

### INTRODUCTION OF BILLS

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

**SB 379**—By Banks.

An Act to repeal sections 192.650, 192.653 and 192.655, RSMo 1994, relating to a cancer information reporting system, and to enact in lieu thereof three new sections relating to the same subject.

**SB 380**—By Scott.

An Act to repeal sections 144.010 and 144.030,

RSMo Supp. 1998, relating to sales tax exemptions, and to enact in lieu thereof two new sections relating to the same subject.

**SB 381**—By Stoll.

An Act to repeal section 144.030, RSMo Supp. 1998, relating to exemptions from state and local sales and use taxes, and to enact in lieu thereof one new section relating to the same subject.

**SB 382**—By Wiggins and Bland.

An Act to amend chapter 253, RSMo, by adding thereto one new section relating to state historic sites, with an emergency clause.

**SB 383**—By Wiggins.

An Act to repeal sections 409.303, 409.305, 409.402, 409.408, 409.410, 409.412 and 409.823, RSMo 1994, and sections 409.201, 409.202, 409.204, 409.401, 409.406, 409.407 and 409.415, RSMo Supp. 1998, relating to the regulation of securities, and to enact in lieu thereof fourteen new sections relating to the same subject.

**SB 384**—By Howard.

An Act to repeal section 217.262, RSMo Supp. 1998, relating to the department of corrections, and to enact in lieu thereof one new section relating to the same subject.

**SB 385**—By Yeckel.

An Act to repeal sections 160.534 and 164.303, RSMo Supp. 1998, relating to gambling moneys for schools, and to enact in lieu thereof three new sections relating to the same subject.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

OFFICE OF THE GOVERNOR  
State of Missouri  
Jefferson City, Missouri  
February 1, 1999

TO THE SENATE OF THE 90th GENERAL ASSEMBLY  
OF THE STATE OF MISSOURI:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on September 30, 1998 for your advice and consent:

Jeanette E. Griffin, 4500 South Lone Pine, Springfield, Greene County, Missouri 65804, as a public member of the State Board of Barber Examiners, for a term ending September 1, 2002, and until her successor is duly appointed and qualified; vice, Benjamin Dennison, term expired.

Respectfully submitted,  
 MEL CARNAHAN  
 Governor

President Pro Tem Quick moved that the Senate return the above appointment to the Governor, pursuant to his request, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Senator Quick, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Bruce B. Waugh, as a member of the Kansas City Board of Election Commissioners;

Also,

Deborah Ann Jantsch, as a member of the State Board of Health;

Also,

Juanita Chambers, as a member of the Minority Environmental Literacy Advisory Committee;

Also,

Barbara Gulick, as a member of the Committee for 911 Service Oversight;

Also,

Leslie F. Bond, Sr., M.D., as a member of the St. Louis City Board of Police Commissioners;

Also,

Edward M. Roth, as a member of the St. Louis City Board of Police Commissioners;

Also,

Barbara J. Dunning, as a member of the Missouri Board of Pharmacy;

Also,

Gary F. Sobocinski, R.Ph., as a member of the State Board of Pharmacy;

Also,

Daniel J. Betzler, as a member of the State Board of Certification of Interpreters;

Also,

Norma B. Clayton, as a member of the Linn State Technical College Board of Regents;

Also,

Deborah A. Kerr, Linda R. Bohrer and Wanda T. Terrell, as members of the Missouri Head Injury Advisory Council;

Also,

Annetta St. Clair, as a member of the Well Installation Board;

Also,

Greg N. Johnston, as the Small Business Ombudsman;

Also,

Arthur A. Bante and Janet B. Anderson, R.N., as members of the Missouri State Board of Nursing;

Also,

E. Maxine Thompson, as a public member and Rodney L. Beard, as a member of the Missouri Dental Board;

Also,

William V. Turner, as a member of the Missouri Development Finance Board;

Also,

Lynn A. Harmon, as a member of the Board of Trustees of the Public School Retirement System of Missouri;

Also,

Judy M. Phillips, as a member of the Missouri Board of Occupational Therapy;

Also,

Terry Edward Carlisle, as a member of the Advisory Commission for Registered Physician Assistants;

Also,

John T. Witherspoon, as a member of the Safe Drinking Water Commission;

Also,

Dennis M. Cory, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists.

Senator Quick requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Quick moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

#### COMMITTEE APPOINTMENTS

President Pro Tem Quick submitted the following committee appointments:

Joint Committee on Administrative Rules: Senators Maxwell-Chair, Howard, Schneider, Ehlmann and Klarich.

Also,

Joint Committee on Capital Improvements and Leases Oversight: Senators Goode-Chair, Wiggins, Howard, Mueller and Rohrbach.

Also,

Joint Committee on Corrections: Senators Staples-Chair, Clay, DePasco, Mueller, Rohrbach and Westfall.

Also,

Joint Committee on Economic Development Policy and Planning: Senators Howard-Chair, Clay, Johnson, Westfall and Yeckel.

Also,

Joint Committee on Gaming and Wagering: Senators Jacob-Chair, DePasco, Scott, Kenney and Klarich.

Also,

Joint Committee on Health Care Policy and Planning: Senators Banks-Chair, Howard, Wiggins, Kinder and Sims.

Also,

Joint Committee on Legislative Research: Senators Wiggins-Chair, Caskey, DePasco, Goode, Stoll, Bentley, Childers, Flotron, Mueller and Rohrbach.

Also,

Joint Committee on Public Employee Retirement: Senators Scott-Chair, DePasco, Johnson, Rohrbach, Russell and Westfall.

Also,

Joint Committee on Transportation Oversight: Senators Staples-Chair, DePasco, Mathewson, Scott, Graves, Russell and Westfall.

Also,

Joint Committee on Wetlands: Senators Howard-Chair, Bland, Stoll, Steelman and Yeckel.

#### SECOND READING OF SENATE BILLS

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

**SB 346**—Elections, Veterans' Affairs and Corrections.

#### SENATE BILLS FOR PERFECTION

Senator Caskey moved that **SB 291**, with **SCA 1**, be taken up for perfection, which motion prevailed.

**SCA 1** was taken up.

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

President Wilson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Wiggins assumed the Chair.

On motion of Senator Caskey, **SB 291**, as amended, was declared perfected and ordered printed.

#### RESOLUTIONS

Senator Jacob offered Senate Resolution No. 188, regarding Mattie Belle Landing, Rocheport, which was adopted.

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

SENATE CALENDAR

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SIXTEENTH DAY—TUESDAY, FEBRUARY 2, 1999

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 303-Flotron	SB 353-Goode
SB 325-Stoll	SB 354-Childers
SB 326-Goode	SB 355-Maxwell
SB 327-Kinder	SB 356-Maxwell
SB 328-Clay, et al	SB 357-Klarich
SB 329-Jacob	SB 358-Stoll
SB 330-Rohrbach, et al	SB 359-Mueller, et al
SB 331-Maxwell	SB 360-Maxwell
SB 332-House	SB 361-Westfall
SB 333-Staples and Mathewson	SB 362-Westfall
SB 334-Mathewson	SB 363-Bentley
SB 335-Caskey	SB 364-Ehlmann
SB 336-Caskey	SB 365-Ehlmann
SB 337-Howard	SB 366-House
SB 338-Howard and Sims	SB 367-Kenney
SB 339-Howard and Sims	SB 368-Clay
SB 340-Russell	SB 369-Sims
SB 341-Russell	SB 370-Flotron, et al
SB 342-Schneider	SB 371-Flotron, et al
SB 343-Schneider	SB 372-Graves
SB 344-Schneider, et al	SB 373-DePasco and Jacob
SB 345-Johnson	SB 374-Mathewson
SB 347-House	SB 375-Mathewson, et al
SB 348-Wiggins	SB 376-Howard
SB 349-Graves	SB 377-Howard
SB 350-Clay and Scott	SB 378-Bland and Banks
SB 351-Johnson and Russell	SB 379-Banks
SB 352-Staples	SB 380-Scott
	SB 381-Stoll
	SB 382-Wiggins and Bland

SB 383-Wiggins  
SB 384-Howard  
SB 385-Yeckel

SJR 21-Mathewson  
SJR 22-Howard  
SJR 23-Mathewson, et al

SENATE BILLS FOR PERFECTION

SBs 295 & 46 -Schneider, et al,  
with SCS

Unofficial  
BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HCRs 6 & 7 (Staples),  
with SA 1, as amended & SA 2  
(Senate refuses to recede and  
requests House grant conference)

Journal

RESOLUTIONS

SCR 9-Mueller

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