

Journal of the Senate

FIRST REGULAR SESSION

SEVENTEENTH DAY—WEDNESDAY, JANUARY 31, 2001

The Senate met pursuant to adjournment.

Steelman Stoll Westfall Wiggins
Yeckel—33

President Maxwell in the Chair.

Absent with leave—Senators—None

Reverend Carl Gauck offered the following prayer:

Vacancies—1

“My days are swifter than a runner; they flee away...” (Job 9:25)

The Lieutenant Governor was present.

Lord God, Heavenly King, it is unmistakable by the calendar that a month comes to a close and time is rushing on. We have much that has yet to be done and the number of days decrease. We need Your help to see what is truly important and what must be completed. Help us to use our time and energy wisely and to set about the study and discipline needed to put forth our best efforts and legislation that is truly helpful. Guide our steps and keep us on the path that is most efficient in keeping with Your will. In Your gracious Name we pray. Amen.

RESOLUTIONS

Senator Caskey offered Senate Resolution No. 122, regarding Mary K. Regot, Holts Summit, which was adopted.

Senator Staples offered Senate Resolution No. 123, regarding Miss Jackie Jones, Bismarck, which was adopted.

Senator Sims offered Senate Resolution No. 124, regarding Nicholas “Nick” Baer, St. Louis, which was adopted.

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.

INTRODUCTION OF BILLS

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

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

SB 388—By Caskey.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to certain hospital records.

Present—Senators

Bentley	Bland	Carter	Caskey
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples

SB 389—By Scott.

An Act to amend chapter 104, RSMo, by adding thereto two new sections relating to certain retirement systems.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House may take up Senate Substitute for Senate Concurrent Resolution No. 2 relating to recommendations of the Citizens' Commission on Compensation for Elected Officials in its morning session on Wednesday, January 31, 2001, and requests the Senate, in view of the deadline imposed by Article XIII, Section 3 of the Missouri Constitution, to take into account the possibility of House action on the resolution and the possibility of the need for further Senate action on the resolution in scheduling the Senate's business for Wednesday, January 31, 2001.

Senator Kenney moved that the Senate instruct the House of Representatives that the Senate may take up any House action on Senate Substitute for Senate Concurrent Resolution No. 2 relating to recommendations of the Citizens' Commission on Compensation for Elected Officials in its afternoon session on Wednesday, January 31, 2001, and requests the House, in view of the deadline imposed by Article XIII, Section 3 of the Missouri Constitution, to take into account the possibility of Senate action in response to the House action on the resolution and the possibility of the need for further House action on the resolution in scheduling the House's business for Wednesday, January 31, 2001, which motion prevailed.

INTRODUCTION OF BILLS

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

SB 390—By Rohrbach and Johnson.

An Act to repeal sections 9.010, 36.350, 104.601 and 104.1021, RSMo 2000, relating to state employee benefits, and to enact in lieu thereof four new sections relating to the same subject.

SB 391—By Rohrbach.

An Act to repeal section 376.383, RSMo 2000, relating to reimbursement for health care services, and to enact in lieu thereof two new sections

relating to the same subject.

On motion of Senator Kenney, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Maxwell.

Senator Kenney announced that photographers from the Associated Press, the House of Representatives and family members had been given permission to take pictures and use flash in the Senate Chamber today.

MESSAGES FROM THE SECRETARY OF STATE

The President laid before the Senate the following communications from the Secretary of State, which were read:

TO THE SECRETARY OF THE SENATE

Ms. Terry Spieler
Jefferson City, MO

Madam:

I, Matt Blunt, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 12th Senatorial District in the State of Missouri, on the 24th day of January, 2001, as provided by law, the following named person was elected to the office of State Senate, 12th Senatorial District as shown by the election results certified to this office by the election authorities of the 12th Senatorial District.

Name	Office
David G. Klindt 32559 East 280th Avenue Bethany, MO 64424	State Senator 12th Senatorial District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 31st day of January, 2001.

(Seal)

Matt Blunt
Secretary of State

Daniel S. Ross
Executive Deputy Secretary of State

Also,

TO THE SECRETARY OF THE SENATE

Ms. Terry Spieler
Jefferson City, MO

Madam:

I, Matt Blunt, Secretary of State of the State of Missouri,

hereby certify that at the Special Election held in the 4th Senatorial District in the State of Missouri, on the 24th day of January, 2001, as provided by law, the following named person was elected to the office of State Senate, 4th Senatorial District as shown by the election results certified to this office by the election authority of the 4th Senatorial District.

Name	Office
Patrick Dougherty 4031 Parker St. Louis, MO 63116	State Senator 4th Senatorial District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 31st day of January, 2001.

(Seal)

Matt Blunt
Secretary of State

Daniel S. Ross
Executive Deputy Secretary of State

Senator Klindt was escorted to the dais and received his oath of office from the Honorable Duane Benton.

Senator Dougherty was escorted to the dais and received his oath of office from the Honorable Ronnie White.

On motion of Senator Kenney, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Maxwell.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **HCS** for **SS** for **SCR 2** and has taken up and passed **HCS** for **SS** for **SCR 2**.

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 2

Rejecting the recommendation of the Citizen's Commission on Compensation for Elected Officials.

WHEREAS, the voters of Missouri approved a constitutional amendment in 1994 which created a commission charged with setting the amount of compensation paid to statewide elected officials, legislators and judges; and

WHEREAS, the General Assembly may disapprove the recommendation by a concurrent resolution approved by both the Senate and the House before February 1, 2001:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that the recommendations of the Missouri Citizen's Commission on Compensation for Elected Officials be disapproved; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

PRIVILEGED MOTIONS

Senator Singleton moved that **SS** for **SCR 2**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

Senator Singleton moved that **HCS** for **SS** for **SCR 2** be adopted.

Senator Jacob offered a substitute motion that the Senate refuse to concur in **HCS** for **SS** for **SCR 2** and request the House to recede from its position and failing to do so grant the Senate a conference thereon, which motion prevailed.

INTRODUCTION OF BILLS

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

SB 392—By Kenney and DePasco.

An Act to repeal section 135.230, RSMo 2000, relating to tax credits for new business facilities within enterprise zones, and to enact in lieu thereof one new section relating to the same subject.

SB 393—By Sims.

An Act to repeal section 332.072, RSMo 2000, relating to dental care, and to enact in lieu thereof one new section relating to the same subject.

SB 394—By Bentley.

An Act to authorize the conveyance of certain property between the board of governors of Southwest Missouri State University and the Southwest Missouri Ecumenical Center.

SB 395—By Carter, Yeckel, Childers, Sims, Schneider, Bentley, Stoll, Wiggins, Goode,

Singleton, Bland, Westfall, Mathewson, Dougherty and House.

An Act to repeal sections 198.530, 354.603, 354.618, 376.383, 376.406, 376.893, 376.1350, 376.1361, 376.1367, 376.1400 and 376.1403, RSMo 2000, relating to protection for health care consumers, and to enact in lieu thereof sixteen new sections relating to the same subject.

RESOLUTIONS

Senator Bland offered Senate Resolution No. 125, regarding the death of Richard Charles Robinson, Sr., Kansas City, which was adopted.

Senators Scott, Carter and Dougherty offered Senate Resolution No. 126, regarding Officer D'Mitri Cole, St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Bentley introduced to the Senate, Jill Geary and Alex Lewis, Springfield.

Senator Westfall introduced to the Senate, Marilyn Mammen, Lamar.

Senator Bland introduced to the Senate, Dwayne Crompton and Freda Crompton, Kansas City.

Senator Kinder introduced to the Senate, Lloyd Smith, Sikeston.

On behalf of Senator Bland and himself, Senator Kenney introduced to the Senate, representatives of Missouri Charter School Day at the Capitol; and Katrina Parvin, Santino Williams and Stacy Spitton were made honorary pages.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Hal Williamson, M.D., Columbia.

Senator Kinder introduced to the Senate, Phil Bartolotta and George Gunter, Kansas City; Jack Climer, Springfield; Greg Hoderock, Union; Kelly Waymon, Dittmer; Dave Meyer and Karl Sigler, Blue Springs; Pat Shelley, Oak Grove; Brett Walker, Gladstone; Bill Dickerson and Ernie Gibson, Farmington; and Tim Weir, St. Louis.

Senator Gross introduced to the Senate, Mike Dubois, St. Charles.

Senator Bentley introduced to the Senate, Mel Thompson, Springfield.

Senator Klindt introduced to the Senate, Sandra, Juanita, John, Dan, Randy, Karen, Ashton and Landon Klindt, Ann and Mike Murray, Brook Epple, Ronda, Caleb, Gabe and Hannah Riekhof and John Baker, family and friends from Bethany and Jefferson City; and Caleb, Gabe, Ashton, Landon and Hannah were made honorary pages.

Senator Dougherty introduced to the Senate, Bev, Bridget, Elizabeth and Erica Dougherty, Dana McFarlane, Governor Bob Holden, State Treasurer Nancy Farmer, Brad Schmidt, Judge Andrew Jackson Higgins, Bill Siedhoff, Steve Mahfood, Steve Price, Mary Ann Coletti, former State Senator Al Mueller and Representatives Ralph Monaco, Lana Baker, Derio Gambaro, Bill Boucher, Jim Foley and Russ Carnahan, family and friends from St. Louis and Jefferson City.

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

SENATE CALENDAR

EIGHTEENTH DAY—THURSDAY, FEBRUARY 1, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 321-Westfall
SB 322-Gross and Gibbons

SB 323-Childers, et al
SB 324-Childers

SB 325-Foster, et al
SB 326-Bland, et al
SB 327-Yeckel and Carter
SB 328-Yeckel and DePasco
SB 330-Jacob, et al
SB 331-DePasco, et al
SB 332-Westfall
SB 333-DePasco
SB 334-Kinder
SB 335-Kinder
SB 336-Caskey and House
SB 337-House and Kinder
SB 338-House
SB 339-Stoll and Childers
SB 340-Stoll and Childers
SB 341-Jacob
SB 342-Jacob
SB 343-Scott
SB 344-Rohrbach and Jacob
SB 345-House
SB 346-Caskey
SB 347-Caskey
SB 348-Sims
SB 349-Sims, et al
SB 350-Sims
SB 351-Singleton and
 Scott
SB 352-Johnson
SB 353-Johnson
SB 354-Johnson and Scott
SB 355-Steelman
SB 356-Schneider
SB 357-Schneider
SB 358-Schneider
SB 359-Schneider
SB 360-Schneider
SB 361-Bentley
SB 362-House, et al
SB 363-Scott
SB 364-Jacob
SB 365-Steelman
SB 366-House
SB 367-Steelman
SB 368-Childers
SB 369-Steelman and Stoll
SB 370-Caskey and Goode
SB 371-Scott
SB 372-Gibbons
SB 373-Gibbons and Yeckel
SB 374-Steelman
SB 375-Steelman
SB 376-Childers
SB 377-Singleton
SB 378-Singleton
SB 379-Singleton
SB 380-House
SB 381-Klarich
SB 382-Yeckel and Stoll
SB 383-Johnson
SB 384-House
SB 385-Mathewson
SB 386-Singleton
SB 387-Goode, et al
SB 388-Caskey
SB 389-Scott
SB 390-Rohrbach and
 Johnson
SB 391-Rohrbach
SB 392-Kenney and DePasco
SB 393-Sims
SB 394-Bentley
SB 395-Carter, et al
SJR 10-Quick
SJR 11-Yeckel
SJR 12-Singleton, et al

SENATE BILLS FOR PERFECTION

SB 256-Caskey

RESOLUTIONS

SR 58-Singleton

Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS
(Senate requests House
recede or grant conference)

Unofficial

Journal

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