

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIRST DAY—WEDNESDAY, FEBRUARY 7, 2001

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those who counsel peace have joy.” (Proverbs 12:20)

Almighty God, You counsel us to be advocates for peace among the people of this state and in this chamber. Help us to know the peace that passes all human understanding and to show it in how we live, speak and act with one another. 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.

Senator Kenney announced that photographers from KOMU-TV, the St. Louis Post-Dispatch and the Associated Press were given permission to take pictures and use flash in the Senate Chamber today.

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

Present—Senators

Bentley	Bland	Carter	Caskey
Cauthorn	Childers	DePasco	Dougherty
Foster	Gibbons	Goode	Gross
House	Jacob	Johnson	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	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 Foster offered Senate Resolution No. 152, regarding Gene Bess, Poplar Bluff, which was adopted.

Senator Bentley offered Senate Resolution No. 153, regarding the birth of Eleanor Poirot Bentley, which was adopted.

Senator Childers offered Senate Resolution No. 154, regarding Hurley High School’s Spring Creek Flavorings and Spices, which was adopted.

Senator Kenney offered Senate Resolution No. 155, regarding Torpedoman’s Mate First Class DeWayne Keith Roberson, Waukegan, Illinois, which was adopted.

Senator Kenney offered Senate Resolution No. 156, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Henry Harris, Kansas City, which was adopted.

Senator Kenney offered Senate Resolution No. 157, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Roy Martin, Lee’s Summit, which was adopted.

Senator Kenney offered Senate Resolution No. 158, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Hubert Sebolt, Blue Springs, which was adopted.

Senator Kenney offered Senate Resolution No. 159, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. John Homan, Lee’s Summit, which was adopted.

Senator Kenney offered Senate Resolution No. 160, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lawrence Srader, Independence, which was adopted.

Senator Kenney offered Senate Resolution No. 161, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lloyd Briggs, Independence, which was adopted.

Senator Stoll offered Senate Resolution No. 162, regarding Lone Dell Elementary School, Arnold, which was adopted.

Senator Stoll offered Senate Resolution No. 163, regarding Festus High School Transitions Program, which was adopted.

Senator Kinder moved that **SR 151** be taken up for adoption, which motion prevailed.

On motion of Senator Kinder, **SR 151** was adopted by the following vote:

YEAS—Senators

Bentley	Carter	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Scott
Sims	Singleton	Staples	Steelman
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Bland	Schneider	Stoll—3
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Absent with leave—Senators—None

INTRODUCTION OF BILLS

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

SB 434—By Sims.

An Act to repeal sections 191.211 and 191.411,

RSMo 2000, relating to funding for department of health programs, and to enact in lieu thereof three new sections relating to the same subject.

SB 435—By Goode.

An Act to repeal section 643.315, RSMo 2000, relating to emission requirements for historic vehicles, and to enact in lieu thereof one new section relating to the same subject.

SB 436—By Goode.

An Act to repeal sections 302.177 and 302.735, RSMo 2000, relating to the issuance of driver’s licenses, and to enact in lieu thereof two new sections relating to the same subject.

SB 437—By Gross.

An Act to amend chapter 508, RSMo, by adding thereto one new section relating to venue.

SJR 14—By Gibbons.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 29, 30(a), 30(b), 30(c), 31 and 32 of article IV of the Constitution of Missouri relating to highways and transportation commission, and adopting six new sections in lieu thereof relating to the same subject.

Senator Klarich assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Rohrbach moved that **SB 86** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Rohrbach offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 86, Page 3, Section 64.170, Line 59, by inserting after all of said line the following:

“64.180. 1. The county commission of any county which shall exercise the authority granted under the provisions of sections 64.170 to 64.200 shall appoint a building commission consisting of five members, residents and taxpayers of the county, one of whom shall be a member of the county commission, to be selected by the county commission. The members of the commission shall

serve without compensation for a term of two years. The term of the county commission member shall not extend beyond the tenure of his office.

2. Said commission shall prepare a building and electrical code of regulations under the powers granted herein, which shall be submitted to the county commission for adoption. Such code of regulations shall be in accord with standards prescribed by recognized inspection and testing laboratories and agencies.

3. Before the adoption of such code of regulations, the **county** commission shall hold at least three public hearings thereon, fifteen days' notice of the time and place of which shall be published in at least two newspapers having general circulation within the county and notice of such hearings shall also be posted at least fifteen days in advance thereof in four conspicuous places in the county. The regulations adopted shall be applicable to the unincorporated territory of the county, except as otherwise provided herein, and may from time to time be amended by the county commission after hearings are held and notice given, as prescribed herein. The county commission is authorized to employ and pay the personnel necessary to enforce the regulations adopted.

4. Counties adopting the International Building Code, International Residential Code, International Electrical Code and International Plumbing Code, 2000 editions, and later editions or amendments thereof shall be in compliance with subsection 2 of this section.”; and

Further amend the title and enacting clause accordingly.

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

Senator Rohrbach offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 86, Page 3, Section 64.170, Line 59, after the word “No.” the following: **“Such issue shall not be submitted to the voters more often than once every five years.”**

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

On motion of Senator Rohrbach, **SB 86**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Kinder offered Senate Resolution No. 164, regarding Anna Eleanor Roosevelt, which was adopted.

Senator Wiggins offered Senate Resolution No. 165, regarding the death of Rebecca Gerken, Kansas City, which was adopted.

SECOND READING OF SENATE BILLS

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

SB 391—Insurance and Housing.

SB 392—Ways and Means.

SB 393—Public Health and Welfare.

SB 394—Local Government and Economic Development.

SB 395—Insurance and Housing.

SB 396—Transportation.

SB 397—Insurance and Housing.

SB 398—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 400—Commerce and Environment.

SB 401—Financial and Governmental Organization, Veterans' Affairs and Elections.

SB 402—Ways and Means.

INTRODUCTION OF BILLS

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

SB 438—By Bentley and Stoll.

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to salary supplements for nationally-certified teachers.

SB 439—By Gibbons and Yeckel.

An Act to repeal sections 571.015 and 571.030, RSMo 2000, relating to firearm crimes,

and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

SB 440—By DePasco.

An Act to repeal section 570.120, RSMo 2000, relating to stealing and related offenses, and to enact in lieu thereof one new section relating to the same subject.

CONCURRENT RESOLUTIONS

Senator Mathewson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

WHEREAS, growing numbers of underinsured Missourians, an increasingly price-driven health care marketplace, and continued growth in enrollment of Medicaid beneficiaries are having critical implications for the future soundness of Missouri's health care safety net that serves a large portion of low-income and uninsured Missourians; and

WHEREAS, despite the nation's robust economy, certain populations in the state of Missouri continue to remain outside the medical and economic mainstream, having little or no access to stable health care coverage; and

WHEREAS, these populations include uninsured citizens of Missouri, low-income underinsured individuals, Medicaid beneficiaries, and patients with special health care needs who rely on safety providers for their care; and

WHEREAS, institutions and physicians in the state of Missouri that have a high level of demonstrated commitment to caring for the uninsured and underserved patients of Missouri are experiencing serious financial problems due to that commitment; and

WHEREAS, these providers in the state include ConnectCare in St. Louis, Truman Medical Centers in Kansas City and University of Missouri Health Care in Columbia, the only state-owned acute care facility serving the state's rural population, comprise Missouri's health care safety net; and

WHEREAS, the number of financially vulnerable people in the state is growing, the direct and indirect subsidies that have helped finance uncompensated care are eroding, and the rapid growth of Medicaid managed care are having significant adverse effects:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish a Joint Interim Committee to study the current funding system for safety net providers and develop legislative and budgetary policy that will ensure appropriate compensation as well as preserve the long-term viability of Missouri's safety net providers in recognition of the critical contribution these health care programs have made to the welfare of Missouri's citizens.

RE-REFERRALS

President Pro Tem Kinder re-referred **SB 369** to the Committee on Commerce and Environment.

President Pro Tem Kinder re-referred **SB 373** to the Committee on Ways and Means.

COMMUNICATIONS

President Pro Tem Kinder submitted the following:

February 6, 2001

The Honorable Larry Rohrbach
Missouri Senate
State Capitol
Jefferson City, MO 65101

Dear Senator Rohrbach:

Please be advised that I hereby appoint you to serve as Chairman of the Joint Committee on Legislative Research (Chapter 23.010, RSMo).

If I can be of any assistance please do not hesitate to contact me.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

February 6, 2001

The Honorable John T. Russell
Missouri Senate
State Capitol
Jefferson City, MO 65101

Dear Senator Russell:

Please be advised that I am hereby appointing you to serve on the Joint Committee on Legislative Research (Chapter 23.010, RSMo).

If I can be of any assistance please do not hesitate to contact me.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

February 6, 2001

The Honorable Michael Gibbons
Missouri Senate
State Capitol
Jefferson City, MO 65101

Dear Senator Gibbons:

Please be advised that I am hereby appointing you to serve on the Joint Committee on Legislative Research (Chapter 23.010, RSMo).

If I can be of any assistance please do not hesitate to contact me.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

February 6, 2001

The Honorable Marvin Singleton
Missouri Senate
State Capitol
Jefferson City, MO 65101

Dear Senator Singleton:

Please be advised that I am hereby appointing you to serve on the Joint Committee on Legislative Research (Chapter 23.010, RSMo).

If I can be of any assistance please do not hesitate to contact me.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Kenney introduced to the Senate, Marcia J. Northrup and her daughter, Megan Roepe, Lee’s Summit; and Megan was made an honorary page.

Senator Kinder introduced to the Senate, Kevin Dixon, Robyn Wren, Marge Sullivan, Stacy Taylor, Shawn Seabaugh, Becky Tallent and LeVar Sinks, Cape Girardeau and Scott Counties; Curtis Mullins, Tyrone Benson and Atrina Mitchell, St. Louis; and Leslie Gregory, Bridget Middleton, Cathy Bell and Sherri Clark, Pemiscot County.

Senator Singleton introduced to the Senate, Ken Rhuens, Joplin.

Senator Russell introduced to the Senate, students from the Waynesville Technical Culinary Academy, Waynesville.

Senator Yeckel introduced to the Senate, Steve

Doerr, Paul Harrell, Greg Wilson, Doug Funk, Dan Steslar, Gary Floyd, Dan Iannicola, Michael Beasley, John Cary, Jere Hochman, Mark Stockwell, Linda Henke, Diana Stewart, Cynthia Fields, Steve McIntosh, Don Miloy, Leroy Winkle, Gordon Pace, Mike Mason and Stan Johnson, Superintendents and Representatives from school districts around the state.

Senator Caskey introduced to the Senate, the Physician of the Day, Dr. Curtis W. Long, M.D., Butler.

Senator Gross introduced to the Senate, Carol Angelbeck, St. Charles County.

Senator Loudon introduced to the Senate, Dr. Jere Hochman, Michael Beasley, Diana Stewart and Mark Stockwell, Chesterfield.

Senator Childers introduced to the Senate, Larry Curnes and staff from Omar Gibson Vo-Tech School.

Senator Kinder introduced to the Senate, Anna Eleanor Roosevelt, Chicago, Illinois.

Senator Sims introduced to the Senate, Representatives and Volunteers from Citizens for Missouri’s Children, the March of Dimes, Maternal and Child Health Coalition of Greater Kansas City, the Missouri Chapter of American Academy of Pediatrics and Kansas City Partnerships for Children.

Senator Steelman introduced to the Senate, Krita Hordecke and Kathy, Jordan and Tyler Robertson, Homeschoolers from Gasconade and Franklin Counties; and Jordan and Tyler were made honorary pages.

Senator Bland introduced to the Senate, Al and Debra Payne, Kansas City.

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

SENATE CALENDAR

TWENTY-SECOND DAY—THURSDAY, FEBRUARY 8, 2001

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 403-Kenney, et al
SB 404-DePasco

SB 405-Singleton
SB 406-Westfall

SB 407-Dougherty	SB 425-Loudon, et al
SB 408-Dougherty	SB 426-Loudon and Bland
SB 409-Dougherty	SB 427-Loudon
SB 410-Dougherty, et al	SB 428-Loudon
SB 411-Dougherty and Sims	SB 429-Dougherty and Bentley
SB 412-Dougherty	SB 430-Dougherty
SB 413-Scott	SB 431-Goode and Cauthorn
SB 414-Childers and Stoll	SB 432-Stoll and Steelman
SB 415-House	SB 433-Kinder and Gross
SB 416-Stoll	SB 434-Sims
SB 417-Schneider	SB 435-Goode
SB 418-Schneider	SB 436-Goode
SB 419-Sims	SB 437-Gross
SB 420-Klarich	SB 438-Bentley and Stoll
SB 421-Gross	SB 439-Gibbons and Yeckel
SB 422-Steelman	SB 440-DePasco
SB 423-Yeckel	SJR 14-Gibbons
SB 424-Jacob, et al	

THIRD READING OF SENATE BILLS

SB 256-Caskey

SENATE BILLS FOR PERFECTION

SB 123-Kinder	SB 14-Mathewson
SB 32-Kinder, with SCA 1	SB 12-Russell
SBs 44 & 59-Bentley, with SCS	SB 128-Childers

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 36-Westfall, et al, with SCS and SA 1 (pending)	SBs 46 & 47-Bentley, with SCS (pending)
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CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 41-Kenney, et al, with SCS	SB 110-Gross
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SB 151-Childers, with SCS
SB 178-Schneider and
Rohrbach, with SCS
SB 13-Russell, with SCS
SB 111-Gross
SB 142-Childers
SB 143-Childers
SB 66-Gibbons, with SCS

SB 87-Rohrbach
SB 25-Johnson
SB 236-Sims, with SCS
SB 58-Stoll
SB 7-Scott
SB 72-Loudon
SB 125-Bentley
SB 197-Johnson, with SCS

Unofficial

Reported 2/6

SB 207-Klarich

SBs 26 & 126-Johnson,
with SCS

RESOLUTIONS

Journal

To be Referred

SR 58-Singleton

SCR 14-Mathewson

Reported from Committee

SCR 3-Gross, et al
SCR 5-Klarich, with SCS
SCR 6-Stoll and Loudon

SCR 8-Caskey
SCR 10-Staples

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Requests to Recede or Grant Conference

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

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