

Point of Personal Privilege

Mr. President: I rise today to speak on a point of personal privilege.

After serving in the Missouri House for 14 years, I experienced partisanship in that chamber in the Majority. Working many times with the Minority, I watched and listened to their frustrations in the Minority; whether it was with motions to end debate, or the speaker or his stand-in on the dais avoiding a representative who was attempting to be recognized. Many times the Minority members would speak of their desire to be elected to the Senate, for over there, partisanship was secondary to the civil discourse on public policy. Yet when the GOP took control of the House, I watched as their partisanship and their actions toward the Minority seemed just as strong when stopping debate. So the House remained just as divisive, no matter which party was in control.

Therefore, after taking a well needed two year hiatus from elected office, I was honored to be returned to the State Capitol by the people of North County St. Louis, as their state senator. As a Freshman Senator, I was required to attend a two day seminar on the inner workings of the Senate.

During this training, we spent several hours on the procedures, protocol and traditions of the Senate.

Later that day we listened to former Senators Goode and Melton speak to us about traditions, unwritten rules, and the non use of the so called Previous Question. Sen. Melton, who served for 24 years in the Senate, all in the Minority, strongly stated that the PQ should not be used. He stated that all senators had an equal voice, that the Minority view always needed to be heard. He stated just as the GOP did not have the PQ used against them, while in the Minority, now that they were in the Majority, they should not use that motion—because someday they might find themselves once again in the Minority.

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Which brings me to my action today. You may have noticed that I voted against the re-election of our President Pro-Temp. I did not take this action as a result of personal animosity or as some sort of political partisan statement. It was with a heavy heart that I cast that negative vote because I believe he and the Majority Leadership have failed in one of their most important tasks—maintaining professional decorum during Senate debate and business.

I recall the pro-tem's speech during last year's opening week. He made references to avoiding "rabid partisanship", and the hope that "the great issues would be debated openly and vigorously."

He pledged "a commitment to civility and character and reputation of the Missouri Senate", and he asked that Democrats work with him "to protect Senate tradition."

Wonderful words spoiled by contradicting actions.

I reviewed that speech carefully and the pro-tem's focus was on five issues: healthcare, eminent domain, education foundation formula, protecting our children, and energy supply. There was not a mention of the screaming emergency which was to rear its head and dominate so much of our time – photo IDs for voters.

Did the problems later cited suddenly arise during the session? Did our election integrity suddenly go 'Code Red' halfway through the session and demand a quick fix? History will show that the GOP's ill-conceived, draconian plan was skewered by our Supreme Court. With all the brilliant legal minds in the Republican Caucus, not one of them anticipated the folly of their heavy-handed proposal? Why wasn't this great issue debated openly and vigorously by someone other than Democrats? The entire GOP Caucus marched in lockstep with their Leadership as they led them over the proverbial 'Cliff of Foolishness.' And the road to the edge of that cliff was anything but in keeping with the esteemed Senate traditions.

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Not to mention the problems with the issue brought forward by the Supreme Court--the questions of fiscal impact and the failure to listen to our County Clerks, especially, Rep. Deeken, Republican of Cole County, who served as County Clerk for twelve years. The main thrust of your actions was to deprive voters, especially those voters, Tom Brokaw calls 'the greatest generation', of the sacred right to vote. I personally pleaded with the sponsor to wait until 2008, giving the county clerks' time to implement the provisions, but the issue was all about depriving voters, so a U.S. senator could get re-elected. When it became clear that the Democrats wanted clarifications and changes and improvements to this bill, the Majority did something that had not been done in the Missouri Senate in 110 years – they forced a pure partisan Previous Question.

What a great moment in Senate history. And while senators' ghosts from both parties may have been moaning in agony at this historic breach, the Majority leaders must have realized that they had set a new threshold for disregard of Senate tradition. **Their words of civility were spiked by their action of intolerance.**

The Senator from Buchanan had great words for us a year ago. He praised the importance of unwritten rules and noted that his party “wanted to end that lack of respect,” and “make this the Senate that it used to be.” He was proud that they had gone the entire 2005 session without moving the Previous Question, and I wondered then what was so great about having avoided that motion for one session, especially since they had been in power only a handful of years. Still, I applauded his words.

“We owe it to ourselves to abide by the unwritten rules,” he said, “but more than ourselves we owe it to the state.” He stressed that we are where free and fair debate rules -- where time stands still. We are the Upper Chamber and we need to act accordingly. Noble words, inspiring words – later tomahawked by partisan actions.

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Since our caucus met this past November, three Republican colleagues, in discussion have brought up the issue of using the Previous Question. They have not committed one way or the other. They just brought it up as if to say "I would not vote for a PQ on this issue or that issue." My opinion is that the motion should not even be discussed – that the phrase should return to its non-existence stature in this Chamber as it was in the Democratic Majority. We must not be so shortsighted that we fail to recognize the downfall inherent in casting aside one of the most sacred traditions of our body.

I have tried to work within the Rules which you have hailed as tradition. Many of you have stated that the Previous Question should not be used to kill legislation but rather to forge compromise. I along with other senators, stayed awake for two nights in February till 4AM working on such a compromise. We came to an agreement--not only an agreement among senators but outside interest groups as well. On the third evening I was awake till 11PM with the sponsor and the interest groups working on the final details. We had an agreement among senators. Handshakes were made. Our solemn words were given and received.

One senator from the Majority who disagreed with the compromise threatened a filibuster. The sponsor then backed off the agreement and all that was negotiated in good faith was thrust aside. Solemn words, good faith agreements and handshakes were broken. In the meantime a bill similar to the original was passed in the House and pushed in the Senate. Out of respect to my fellow senators, I alerted the president pro-tem of several Rules and instead of causing embarrassment in this Upper Chamber, the issue was laid over.

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To sit and speak of compromise and tradition, my experience has been tarnished by the actions of the Majority leadership. In the Minority as many of our colleagues in the House know, you need help from members in the Majority to pass initiatives. Out of all my proposals, some I might add which are part of the Majority's agenda, the one embraced, was the removal of campaign contribution limits. I was your poster boy on who to blame the repeal on. The reason I did it was to increase the transparency in order to know who was funding campaigns. Your reason was easier access to special interest money.

And my concerns for the quality of leadership in the Upper Chamber do not stop there. So many of the "unwritten rules" which once stood for good will and sanctity are gone. I can recall a time when senators once refused to go into incumbents' districts to campaign against them. This was to ensure that senators would have no personal animosities when they went into session. That practice died long ago, under the GOP Minority leadership, and now we spend election years nipping and sniping and rendering working conditions strained at best. Senate tradition? Dead.

I remember last year when the Senator from Buchanan spoke on a sincere point of personal privilege which addressed the violation of the unwritten rule about incumbent senators campaigning against one another in their respective districts. He noted that if we do that "we can not prevent that action from coming back here and tainting this chamber." Both sides this election year were guilty of invading incumbents' districts with caucus funded mailers and commercials. I'd wager that the senators from the 2nd, the 8th, the 16th, the 24th and the 30th will find it difficult to forget some of the election missiles launched at them and funded by their Senate colleagues.

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Sen. Webster is one of three senators whose portraits hang in our Senate Lounge. He and Sen. Cliffy Jones represent the GOP, while Sen. Michael Kinney represents the Democrats. It was under Democratic leadership that Webster's and Jones' portraits were hung, after 28 and 24 years of service, respectively. Sen. Kinney served more than 50 years in the Senate. I ponder how those three men would regard today's Senate atmosphere. I can't believe they would be pleased. More than likely they would be appalled.

Times certainly change, but not all change is good or even necessary. That word "tradition" is gold-plated and diamond studded. It carries great weight and should be treated as more than a kiss on the Blarney Stone when entering an Irish pub.

I hope at session's end I can rise again to speak on a Point of Personal Privilege. This is truly a 'Show Me the True Senate' session. I intend to do my part. All 34 of us must come together and get us out of the quagmire in which we have sunk.

When we first are elected to office we are innocent in our beliefs and actions. Then we enter this great building and the notion of power slowly creeps into our minds. Soon enough the need for fundraising and negative ads appears and all the attacks on our colleagues in the struggle for influence and notion of power.

But someday, when we leave this building and we realize that the special interests, a lot of times, only desired our time and influence to assist their clients. Then we wish we had more strongly pursued some of the ideas close to our hearts--the issues we originally believed in when we were first elected.

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I believe that as long as certain traditions of good government are kept alive and renewed by future generations of men and women, elected to serve in this Upper Chamber, maybe, just maybe, government will be “for the people, by the people and of the people”, as President Lincoln so eloquently expressed. We owe it to the people we serve and those who have served in this historic chamber before us to protect and preserve these noble principles.