

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

NINETEENTH DAY, THURSDAY, FEBRUARY 1, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Gracious God, we begin a new month today. It may be the shortest month of the year, but it is one which will make many demands on these representatives. Give them the gift of deep leadership this day and this month. Offer them the power of that profound sense of responsibility, which leads by justice, indeed, but also by compassion.

May they have the stick-to-it-iveness that will handle not only the ideas, but also the details. And, perhaps most importantly, give them joy and delight in their work, the deep happiness which erupts from the inner knowledge that we do Your work and build Your world. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as corrected by the following vote:

AYES:152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge

Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 007

Kelley 47	Long	Nordwald	Ostmann	Patek
Scott	Surface			

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 204 - Representative Townley
House Resolution No. 205 - Representative Relford
House Resolution No. 206 - Representative Mayer
House Resolution No. 207 - Representative Miller
House Resolution No. 208
and
House Resolution No. 209 - Representative Harding
House Resolution No. 210 - Representative Barry
House Resolution No. 211
through
House Resolution No. 216 - Representative Crowell
House Resolution No. 217 - Representative Riback Wilson (25), et al
House Resolution No. 218 - Representative Berkowitz
House Resolution No. 219 - Representative Marsh, et al

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 13 and **HCR 14** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 589 through **HB 611** were read the second time.

HOUSE RESOLUTION

HR 182, with House Committee Amendment No. 1, relating to the Committee on Ethics Rules of Procedure, was taken up by Representative Clayton.

On motion of Representative Clayton, **House Committee Amendment No. 1** was adopted.

On motion of Representative Clayton, **HR 182, as amended**, was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Murphy Selby

PRESENT: 000

ABSENT WITH LEAVE: 007

Kelley 47	Long	Nordwald	Patek	Ransdall
Scott	Surface			

VACANCIES: 003

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

- HR 102** - Miscellaneous Bills & Resolutions
- HR 109** - Rules, Joint Rules, and Bills Perfected and Printed
- HR 152** - Miscellaneous Bills & Resolutions
- HR 186** - Miscellaneous Bills & Resolutions
- HR 200** - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 4** - Critical Issues, Consumer Protection and Housing
- HCR 5** - Utilities Regulation
- HCR 6** - Conservation, State Parks and Mining
- HCR 10** - Education-Elementary and Secondary
- HCR 12** - Utilities Regulation
- HCR 13** - Agriculture
- HCR 14** - Retirement

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 10** - Fiscal Review and Government Reform
- HJR 11** - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 68** - Criminal Law
- HB 86** - Miscellaneous Bills & Resolutions
- HB 190** - Miscellaneous Bills & Resolutions
- HB 265** - Criminal Law
- HB 301** - Elections
- HB 303** - Local Government and Related Matters
- HB 304** - Local Government and Related Matters
- HB 305** - Education-Elementary and Secondary
- HB 306** - Agriculture
- HB 307** - Agriculture
- HB 308** - Agriculture
- HB 309** - Fiscal Review and Government Reform

- HB 312** - Transportation
- HB 313** - Miscellaneous Bills & Resolutions
- HB 314** - Professional Registration and Licensing
- HB 315** - Fiscal Review and Government Reform
- HB 316** - Local Government and Related Matters
- HB 317** - Children, Families and Health
- HB 318** - Retirement
- HB 319** - Ways and Means
- HB 320** - Public Safety, Law Enforcement and Veteran Affairs
- HB 321** - Urban Affairs
- HB 323** - Conservation, State Parks and Mining
- HB 324** - Criminal Law
- HB 325** - Education-Elementary and Secondary
- HB 326** - Education-Elementary and Secondary
- HB 327** - Commerce and Economic Development
- HB 329** - Social Services, Medicaid and the Elderly
- HB 331** - Judiciary
- HB 332** - Commerce and Economic Development
- HB 333** - Motor Vehicle and Traffic Regulations
- HB 334** - Education-Elementary and Secondary
- HB 336** - Judiciary
- HB 337** - Criminal Law
- HB 338** - Municipal Corporations
- HB 339** - Children, Families and Health
- HB 340** - Local Government and Related Matters
- HB 341** - Insurance
- HB 342** - Judiciary
- HB 343** - Critical Issues, Consumer Protection and Housing
- HB 344** - Ways and Means
- HB 345** - Social Services, Medicaid and the Elderly
- HB 346** - Correctional and State Institutions
- HB 347** - Correctional and State Institutions
- HB 348** - Banks and Financial Institutions
- HB 349** - Criminal Law
- HB 350** - Commerce and Economic Development
- HB 351** - Education-Higher
- HB 352** - Education-Elementary and Secondary
- HB 353** - Civil and Administrative Law
- HB 354** - Criminal Law
- HB 355** - Children, Families and Health
- HB 356** - Utilities Regulation
- HB 357** - Critical Issues, Consumer Protection and Housing
- HB 359** - Ways and Means
- HB 360** - Banks and Financial Institutions
- HB 361** - Correctional and State Institutions

HB 363 - Fiscal Review and Government Reform
HB 364 - Ways and Means
HB 365 - Children, Families and Health
HB 366 - Ways and Means
HB 368 - Public Safety, Law Enforcement and Veteran Affairs
HB 369 - Criminal Law
HB 372 - Criminal Law
HB 373 - Criminal Law
HB 374 - Conservation, State Parks and Mining
HB 375 - Ways and Means
HB 376 - Local Government and Related Matters
HB 377 - Retirement
HB 378 - Criminal Law
HB 380 - Local Government and Related Matters
HB 381 - Local Government and Related Matters
HB 382 - Local Government and Related Matters
HB 383 - Judiciary
HB 384 - Children, Families and Health
HB 385 - Retirement
HB 386 - Retirement
HB 387 - Commerce and Economic Development
HB 388 - Ways and Means
HB 389 - Ways and Means
HB 390 - Ways and Means
HB 391 - Fiscal Review and Government Reform
HB 392 - Social Services, Medicaid and the Elderly
HB 393 - Professional Registration and Licensing
HB 394 - Municipal Corporations
HB 395 - Retirement
HB 396 - Professional Registration and Licensing
HB 397 - Commerce and Economic Development
HB 398 - Local Government and Related Matters
HB 399 - Civil and Administrative Law
HB 400 - Professional Registration and Licensing
HB 421 - Local Government and Related Matters
HB 512 - Social Services, Medicaid and the Elderly

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 215 - Commerce and Economic Development

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 15, introduced by Representative Ostmann, et al, creating a Joint Interim Committee to study suicide prevention.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 612, introduced by Representatives Ladd Baker and Graham, relating to the community first act.

HB 613, introduced by Representative Luetkenhaus, relating to weed control.

HB 614, introduced by Representative Rizzo, relating to vehicular commerce.

HB 615, introduced by Representative Koller, relating to the law enforcement local sales tax.

HB 616, introduced by Representatives Relford, Merideth and Ballard, relating to restrictions on the use of land owned, leased or managed by the conservation commission.

HB 617, introduced by Representatives Gambaro, Foley, Hilgemann and Kennedy, et al, relating to tax credits for community improvement.

HB 618, introduced by Representative Froelker, relating to boundary changes by ambulance districts.

HB 619, introduced by Representative Froelker, relating to gaming activities.

HB 620, introduced by Representative Froelker, relating to reducing medical errors.

HB 621, introduced by Representatives Gratz and Vogel, relating to creating the Missouri state penitentiary redevelopment commission.

HB 622, introduced by Representative Villa, relating to vacation, holidays and off-duty time for members of the police force.

HB 623, introduced by Representative Kreider, relating to transportation bonding.

HB 624, introduced by Representative Villa, relating to taxation for band funds in certain municipalities.

HB 625, introduced by Representatives Treadway and Froelker, relating to national teacher certification incentives.

HB 626, introduced by Representative Hosmer, relating to marriage licenses.

HB 627, introduced by Representative Hendrickson, relating to presidential electors.

HB 628, introduced by Representatives Hendrickson and Murphy, et al, relating to sales tax exemptions.

HB 629, introduced by Representative Boucher, relating to motor vehicle registration tabs.

HB 630, introduced by Representative Riback Wilson (25), relating to the division of mental retardation and developmental disabilities.

HB 631, introduced by Representative Johnson (90), relating to licensure of dietitians.

HB 632, introduced by Representative Ostmann, relating to the invasion of privacy.

HB 633, introduced by Representative Boucher, relating to durable power of attorney.

HB 634, introduced by Representative Scheve, relating to noncompetition clauses for broadcasting industry employees.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCR 2**, and requests the House recede from its position and failing to do so, grant the Senate a conference thereon.

COMMITTEE ASSIGNMENTS

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Campbell, Marsha - Chair

Britt, Phillip

Byrd, Richard

Ridgeway, Luann

Williams, Deleta

JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

Ford, Louis - Chair

Hegeman, Daniel

Hosmer, Craig

Luetkemeyer, Blaine

JOINT COMMITTEE ON CORRECTIONAL INSTITUTIONS

Hampton, Mark - Chair

Black, Lanie
Burcham, Tom
Kelly, Glenda
Moore, Danie
Relford, Randall

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Clayton, Robert - Chair

Crowell, Jason
Green, Timothy
Hanaway, Catherine
Legan, Ken
Relford, Randall
Shelton, O.L.
Skaggs, Bill
Townley, Merrill

JOINT COMMITTEE ON TRANSPORTATION

Koller, Don - Chair

Bartle, Matt
Bray, Joan
Crawford, Larry
Hollingsworth, Katherine
Ostmann, Cindy
Wiggins, Gary

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Gambaro, Derio - Chair

Behnen, Robert
Bowman, John
Champion, Norma
Ransdall, Bill

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Davis, D. J. - Chair

Dempsey, Tom
Hagan-Harrell, Mary
Murphy, Jim
O'Toole, James
Reid, Mike

JOINT COMMITTEE ON WETLANDS

Meredith, Denny - Chair

Barnitz, Frank
Mayer, Robert
Richardson, Mark
Wiggins, Gary

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Scheve is no longer a member of the Appropriations-Social Services Committee.

Representative Van Zandt is no longer a member of the Appropriations-Social Services Committee.

Representative Campbell has been appointed a member of the Appropriations-Social Services Committee.

Representative Foley has been appointed a member of the Appropriations-Social Services Committee.

Representative Van Zandt has been appointed a member of the Appropriations-Health and Mental Health Committee.

Representative Gambaro has been appointed vice-chair of the Miscellaneous Bills & Resolutions Committee.

WITHDRAWAL OF HOUSE BILLS

January 31, 2001

Mr. Ted Wedel
Chief Clerk
House Post Office
Jefferson City, MO 65101

Dear Ted:

Information that has come to me during the last few days has brought me to the decision to withdraw from consideration **HB 367** which I filed recently. Thank you for your assistance in this matter.

Sincerely,

/s/ Norma Champion

February 1, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House Of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **House Bill 586**, relating to the department of labor and industrial relations, be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Wes Wagner

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 pm., Monday, February 5, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighteenth Day, Wednesday, January 31, 2001, page 267, roll call, by showing Representatives Hickey, Hollingsworth and Wright voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 1.
House Bill 2.

APPROPRIATIONS - EDUCATION

Tuesday, February 6, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.
Coordinating Board of Higher Education.

APPROPRIATIONS - EDUCATION

Wednesday, February 7, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.

APPROPRIATIONS - EDUCATION

Thursday, February 8, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 7.
Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 6, 2001. Hearing Room 7 upon adjournment.
Public Debt and Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001. Hearing Room 7 upon adjournment.
Public Defender, Judiciary and Attorney General.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 2001, 12:00 pm. Hearing Room 5.
Department of Agriculture, Department of Conservation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.
Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.
Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 6, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 7, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 8, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Monday, February 5, 2001, 1:00 pm.
Leave from guard station to MoDOT Materials Laboratory and MoDOT Multi-Modal Unit.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 6, 2001, 8:00 am. Hearing Room 7.
Presentation by Department of Transportation.

BUDGET

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.
Possible Executive Session to follow.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 4.
Public testimony from Citizens for Missouri's Children.
To be considered - HB 73, HB 87, HB 279

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 167, HB 236, HB 237, HB 241, HB 246, HB 262, HB 270

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 224, HB 254, HB 287

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 5, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 88, HB 294, HB 328

EDUCATION - HIGHER

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 166, HB 218

ELECTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 5.

To be considered - HB 247, HB 281, HB 282, HB 297

JUDICIARY

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 5.

To be considered - HB 53, HB 76, HB 141, HB 183

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 52, HB 69, HB 84, HB 140, HB 195, HB 280

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 6, 2001, 8:00 am. Hearing Room 6.

Executive Session may Follow.

To be considered - HB 163, HB 203, HB 207, HB 244, HB 253

SUBCOMMITTEE ON SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Monday, February 5, 2001. Hearing Room 4 upon adjournment.

TANF time limits.

TRANSPORTATION

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 70, HB 202, HB 204

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

HOUSE CALENDAR

TWENTIETH DAY, MONDAY, FEBRUARY 5, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 15

HOUSE BILLS FOR SECOND READING

HB 612 through HB 634