

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 10, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Heavenly Father, thank You for the gift of life this day!

Help us to use the gift well.

We ask You to keep Your still small voice within us. Do not let us give up on things that matter. Give to these men and women of the House ability to sort out the true from the false. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Andrea Jean Baker.

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

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	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	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	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	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hohulin Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 006

Dolan	Franklin	Hollingsworth	Levin	Nordwald
Phillips				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 5 - Representative Moore
House Resolution No. 6 - Representative Behnen
House Resolution No. 7 - Representative Scott
House Resolution No. 8 - Representatives Miller and Bartelsmeyer
House Resolution No. 9 - Representative Smith
House Resolution No. 10 - Representative Willoughby
House Resolution No. 11 - Representative Griesheimer

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3 and **HCR 4** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 24 through **HJR 37** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1028 through **HB 1100**, **HB 1126** through **HB 1200**, and **HB 1202** through **HB 1404** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

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

- HJR 27** - Education-Elementary and Secondary
- HJR 28** - Judiciary
- HJR 29** - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1030** - Elections
- HB 1033** - Children, Families and Health
- HB 1036** - Judiciary
- HB 1037** - Judiciary
- HB 1038** - Motor Vehicle and Traffic Regulations
- HB 1041** - Tourism, Recreation and Cultural Affairs
- HB 1045** - Local Government and Related Matters
- HB 1047** - Civil and Administrative Law
- HB 1049** - Sportsmanship, Safety and Firearms
- HB 1050** - Motor Vehicle and Traffic Regulations
- HB 1051** - Public Safety, Law Enforcement and Veteran Affairs
- HB 1052** - Children, Families and Health
- HB 1053** - Social Services, Medicaid and the Elderly
- HB 1054** - Labor
- HB 1055** - Judiciary
- HB 1058** - Criminal Law
- HB 1059** - Criminal Law
- HB 1061** - Critical Issues, Consumer Protection and Housing
- HB 1062** - Education-Elementary and Secondary
- HB 1063** - Education-Elementary and Secondary
- HB 1064** - Civil and Administrative Law
- HB 1065** - Local Government and Related Matters
- HB 1066** - Miscellaneous Bills & Resolutions
- HB 1068** - Education-Elementary and Secondary
- HB 1069** - Labor
- HB 1070** - Local Government and Related Matters
- HB 1072** - Civil and Administrative Law
- HB 1074** - Judiciary
- HB 1075** - Motor Vehicle and Traffic Regulations
- HB 1076** - Judiciary
- HB 1077** - Civil and Administrative Law
- HB 1078** - Correctional and State Institutions
- HB 1079** - Judiciary

HB 1082 - Children, Families and Health
HB 1083 - Education-Elementary and Secondary
HB 1084 - Education-Elementary and Secondary
HB 1085 - Local Government and Related Matters
HB 1086 - Education-Higher
HB 1089 - Agriculture
HB 1090 - Professional Registration and Licensing
HB 1091 - Labor
HB 1092 - Labor
HB 1093 - Motor Vehicle and Traffic Regulations
HB 1094 - Motor Vehicle and Traffic Regulations
HB 1095 - Motor Vehicle and Traffic Regulations
HB 1096 - Education-Elementary and Secondary
HB 1097 - Children, Families and Health
HB 1098 - Civil and Administrative Law
HB 1099 - Motor Vehicle and Traffic Regulations
HB 1100 - Conservation, State Parks and Mining
HB 1126 - Education-Elementary and Secondary
HB 1127 - Civil and Administrative Law
HB 1130 - Education-Elementary and Secondary
HB 1131 - Education-Higher
HB 1132 - Local Government and Related Matters
HB 1133 - Children, Families and Health
HB 1135 - Education-Elementary and Secondary
HB 1136 - Transportation
HB 1137 - Insurance
HB 1139 - Judiciary
HB 1141 - Transportation
HB 1142 - Utilities Regulation
HB 1144 - Commerce and Economic Development
HB 1145 - Transportation
HB 1147 - Local Government and Related Matters
HB 1148 - Local Government and Related Matters
HB 1149 - Environment and Energy
HB 1150 - Ways and Means
HB 1151 - Civil and Administrative Law
HB 1153 - Judiciary
HB 1154 - Civil and Administrative Law
HB 1155 - Motor Vehicle and Traffic Regulations
HB 1156 - Transportation
HB 1157 - Social Services, Medicaid and the Elderly
HB 1158 - Public Safety, Law Enforcement and Veteran Affairs
HB 1159 - Motor Vehicle and Traffic Regulations
HB 1171 - Labor
HB 1172 - Ways and Means

HB 1173 - Labor
HB 1174 - Ways and Means
HB 1175 - Municipal Corporations
HB 1176 - Municipal Corporations
HB 1178 - Ways and Means
HB 1179 - Judiciary
HB 1180 - Ways and Means
HB 1184 - Civil and Administrative Law
HB 1185 - Local Government and Related Matters
HB 1187 - Civil and Administrative Law
HB 1188 - Judiciary
HB 1191 - Education-Elementary and Secondary
HB 1192 - Children, Families and Health
HB 1194 - Municipal Corporations
HB 1195 - Civil and Administrative Law
HB 1197 - Local Government and Related Matters
HB 1199 - Education-Elementary and Secondary
HB 1200 - Education-Elementary and Secondary
HB 1226 - Children, Families and Health
HB 1269 - Children, Families and Health
HB 1271 - Judiciary
HB 1386 - Motor Vehicle and Traffic Regulations

COMMITTEE REPORT

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1386** and **HB 1038**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 5, introduced by Representative Reynolds, to urge the Governor to establish by executive order an annual "Deaf Awareness Week" to be held in September of each year.

INTRODUCTION OF HOUSE BILLS

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

HB 1405, introduced by Representative Burton, relating to road districts.

HB 1406, introduced by Representative Barnett, relating to the board of regents of Northwest Missouri State University.

HB 1407, introduced by Representatives Riback Wilson (25), Berkowitz, Boucher, Bray, Farnen, Fraser, Froelker, Harding, Harlan, Hosmer, Kelly (27), Ostmann, Reynolds, Scheve, Skaggs and Walton, et al, relating solely to the creation of an earned income tax credit.

HB 1408, introduced by Representatives Purgason, Bearden, Crawford and Bartelsmeyer, et al, relating to concealable weapons.

HB 1409, introduced by Representative Campbell, relating to design-build contracts.

HB 1410, introduced by Representative Campbell, relating to family workers.

HB 1411, introduced by Representative Skaggs, relating to a Hearing Impaired Kids Endowment Fund, Inc., license plate.

HB 1412, introduced by Representatives Skaggs and Hosmer, relating to special license plates.

HB 1413, introduced by Representative Burcham, to authorize the conveyance of property owned by the state in the County of St. Francois to the St. Francois County Habitat for Humanity.

HB 1414, introduced by Representative Treadway, relating to exemptions for licensed professions.

HB 1415, introduced by Representative Koller, for the sole purpose of providing sales tax exemptions for admission fees for hunting and fees for sales of feed and equipment used for production of certain domestically raised pheasants, partridges, and quail.

HB 1416, introduced by Representative Koller, relating to applications for a driver's license.

HB 1417, introduced by Representative Legan, relating to the repossession of motor vehicles on behalf of a financial institution.

HB 1418, introduced by Representatives Relford, Ballard, Ransdall, Davis, Barnitz, Seigfreid and May (149), et al, relating to state parks.

HB 1419, introduced by Representative Shields, relating to donations to schools.

HB 1420, introduced by Representative Shields, relating to non-profit-corporations that provide dental services.

HB 1421, introduced by Representatives McKenna, Abel and Wagner, relating to appropriations for community college district maintenance funds.

HB 1422, introduced by Representatives Gratz, Crump, Kreider, Green (73), Barry, Merideth, Skaggs, Boucher, Thompson and Whorton, et al, relating to price gouging during emergencies.

HB 1423, introduced by Representatives Gratz, Kreider, Champion, Green (73), Thompson, Whorton, Skaggs, Boucher and Barry, et al, relating to the Missouri sunset act.

HB 1424, introduced by Representatives Smith and Kreider, relating to tuition increases at public institutions of higher education.

HB 1425, introduced by Representative Smith, relating to nonpublic personal health information.

HB 1426, introduced by Representative Davis, relating to public retirement systems.

HB 1427, introduced by Representatives Hosmer, Marsh, Murphy and Lowe, et al, relating to oversight of public privatization contracts.

HB 1428, introduced by Representative Hosmer, relating to small claims court.

HB 1429, introduced by Representatives Shoemyer (9), Myers, Berkowitz, Copenhaver, Whorton, Merideth, Kreider, Britt and Mayer, et al, relating to the seed availability and competition act.

HB 1430, introduced by Representative Burton, relating to resisting or interfering with detention or stop of a vehicle.

HB 1431, introduced by Representative Scheve, relating to the assessment of real property.

HB 1432, introduced by Representatives Foley and Hanaway, et al, relating to emergency communications system districts.

HB 1433, introduced by Representatives Monaco, Kelly (36), Bonner and Burton, et al, relating to resisting or interfering with detention or stop of a vehicle.

HB 1434, introduced by Representatives Monaco, Green (73), Hickey, O'Connor, O'Toole and Bonner, relating to torts and action for damages.

HB 1435, introduced by Representatives Crawford, Moore, Behnen, Cooper, Burcham, Hunter, Purgason, Dolan, Gaskill, Marble, Luetkemeyer, Schwab, Robirds, Bartelsmeyer, Kelly (144), Ostmann, Shoemaker (8), Bearden, Henderson, King, Berkstresser, Kelly (36), Phillips, Gratz, Boatright, Holand, Legan, Portwood, Hohulin, Crump, Townley, Rector and Whorton, relating to concealable weapons.

HB 1436, introduced by Representative Crawford, relating to probation services.

HB 1437, introduced by Representatives Crawford, Moore, Behnen, Cooper, Burcham, Hunter, Portwood, Dolan, Purgason, Gaskill, Marble, Luetkemeyer, Schwab, Robirds, Bartelsmeyer, Kelly (144), Hegeman, Ostmann, Boatright, Reinhart, Surface, Dempsey, Bearden, Henderson, King, Berkstresser, Kelly (36), Holand, Gratz, Phillips, Legan, Ross, Hohulin, Barnitz, Crump, Townley and Rector, relating to the preemption of the regulation of firearms.

HB 1438, introduced by Representative O'Connor, relating to business franchises.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Johnson (61) is no longer a member of the Education-Higher Committee.

Representative Hickey is no longer Chair of the Labor Committee, but will remain a member of the Labor Committee.

Representative George is no longer Vice-chair of the Labor Committee, but has been appointed Chair of the Labor Committee.

Representative Johnson (61) has been appointed a member of the Budget Committee.

Representative Sanders Brooks has been appointed a member of the Education-Higher Committee.

Representative Green (73) has been appointed a member of the Joint Committee on Capital Improvements and Leases Oversight.

Representative Wilson (42) has been appointed Chair of the Joint Committee on Capital Improvements and Leases Oversight.

Representative Hilgemann has been appointed Chair of the Ways and Means Committee.

Representative Willoughby has been appointed Vice-chair of the Utilities Regulation Committee.

LETTER OF RESIGNATION

January 9, 2002

The Honorable Jim Kreider
Speaker of the House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I am resigning my position as state representative for the 58th legislative district effective January 10, 2002 at 5 p.m. I have greatly enjoyed serving the citizens of the 58th district and the State of Missouri for the past 20 years. I have a deep respect for the Missouri House of Representatives and its members and will miss the many friends I have known. I leave the Missouri General Assembly knowing that the citizens of our State are well represented. It has been an honor to serve in the House of Representatives.

Sincerely,

/s/ Representative Louis H. Ford
District 58

The following members' presence was noted: Nordwald and Hickey.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 14, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, January 9, 2002, pages 6 and 7, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Black, Jetton and Linton voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representatives Crawford, Myers and O'Connor voting "aye" rather than "absent with leave".

Page 10, roll call, by showing Representatives Hosmer, Jetton, Miller, Murphy and O'Connor voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 7.

Testimony from L. Mohler, Department of Agriculture; Dr. T. Payne, University of Missouri.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 14, 2002, 12:00 pm. Hearing Room 7.

Organizational meeting. Budget address by Brian Long, elected officials.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 15, 2002, 12:00 pm. Hearing Room 7.

Elected Officials, Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 16, 2002, 12:00 pm. Hearing Room 7.
Department of Revenue, Public Debt - Office of Administration.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 16, 2002, 2:00 pm. Hearing Room 5.
Departments of Economic Development and Revenue.
Testimony regarding non-resident athlete & entertainer tax.

BUDGET

Monday, January 14, 2002, 2:00 pm. Hearing Room 3.
Presentation by Department of Economic Development on Tax Credits.

BUDGET

Tuesday, January 15, 2002, 8:30 am. Hearing Room 3.
Budget overview by the Office of Budget and Planning.

BUDGET

Wednesday, January 16, 2002, 8:30 am. Hearing Room 3.
Presentation by Missouri Consolidated Healthcare.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, January 15, 2002, 9:30 am. Hearing Room 4.
Committee's report to the General Assembly. Election of new chairman.
Executive Session to follow.

LABOR

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.
Informational seminar with Director of Division of Employment Security regarding
unemployment compensation fund

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.
Informational seminar on Employment Security.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 14, 2002

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 5

HOUSE BILLS FOR SECOND READING

HB 1405 through HB 1438

HOUSE BILL FOR PERFECTION

HCS HB 1386 & 1038 - O'Connor