

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRD DAY, MONDAY, JANUARY 14, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Heavenly Father, the first full week of this session begins today. The wheels of legislation begin to spin slowly but surely. Help to make our work this week a reflection of the beauty, truth, goodness, justice, and peace which You have placed so deeply within each of our hearts.

If we begin with You in body, mind, and soul, perhaps the laws passed here will more earnestly mirror You, who are justice and peace itself. On this Monday, guide and direct us all. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Hohulin                      Lograsso                      Wright

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 016

Bartelsmeyer	Cierpiot	Dolan	Gambaro	Haywood
Hollingsworth	Hoppe	Kelly 144	Kelly 36	Levin
Mayer	Miller	Secrest	Shields	Troupe
Van Zandt				

VACANCIES: 003

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 12 - Representative Shoemaker (8)  
House Resolution No. 13 - Representative Abel  
House Resolution No. 14 - Representative Seigfreid  
House Resolution No. 15  
    through  
House Resolution No. 19 - Representative Reinhart  
House Resolution No. 20 - Representative Green (73)  
House Resolution No. 21 - Representative Berkowitz

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 5** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1405** through **HB 1438** were read the second time.

Former Representative Coleman assumed the Chair.

Speaker Kreider resumed the Chair.

### **ESCORT COMMITTEES**

The Speaker appointed the following Committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber for Joint Session at 10:30 a.m., Tuesday, January 15, 2002: Representatives Barnitz, Curls, Daus, Harding, Gratz, Liese, Hendrickson, Naeger, Reid and Barnett.

The Speaker appointed the following Committee to escort Chief Justice of the Supreme Court of the State of Missouri, The Honorable Stephen Limbaugh, to the dais in Joint Session at 10:30 a.m., Tuesday, January 15, 2002: Representatives Carnahan, Harlan, Johnson (61), Mays (50), Monaco, Whorton, Gaskill, Marble, Bartelsmeyer and Levin.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1202** - Ways and Means

**HB 1399** - Public Safety, Law Enforcement and Veteran Affairs

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

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

**HCR 6**, introduced by Representative Jetton, et al, relating to the September 11, 2001, attacks against the United States.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1439**, introduced by Representatives Myers, Behnen, Davis, Robirds, Shoemyer (9), Moore, Legan, Berkowitz and Mayer, et al, relating to tax credits for contributions to agricultural commodity development.

**HB 1440**, introduced by Representatives Riback Wilson (25), Harlan, Naeger, Kreider, Ladd Baker, Barry, Graham, Harding, Hilgemann, Kelly (27), Troupe and Van Zandt, relating to insurance coverage for mental health.

**HB 1441**, introduced by Representative Harlan, relating to the Missouri higher education savings program.

**HB 1442**, introduced by Representative Relford, relating to a memorial highway.

**HB 1443**, introduced by Representatives Barry, Hanaway, Hosmer and Portwood, et al, relating to the Safe Place for Newborns Act.

**HB 1444**, introduced by Representative Smith, relating to the licensure of homes for children.

**HB 1445**, introduced by Representative Smith, relating to security systems for public buildings.

**HB 1446**, introduced by Representative Luetkenhaus, relating to exclusions from certain insurance definitions.

**HB 1447**, introduced by Representative Luetkenhaus, relating to bail bonds.

**HB 1448**, introduced by Representative Kelly (27), relating to drivers' licenses.

**HB 1449**, introduced by Representatives Reid, Barry, Secrest, Holt, Bland, Bowman, Cooper, Enz, Bearden, Moore, Bartelsmeyer, Myers, Portwood, Selby, Dempsey, Townley, Scott, Mayer, Wright, Naeger, Liese, Gambaro, Merideth, Shoemyer (9), King, Marble, Villa, Purgason, O'Connor, Green (73), Bonner, Hoppe, Berkowitz, Richardson, Linton, Ballard, Reinhart, Boatright, Schwab, Barnitz, Ross, Hegeman, Hohulin, Lograsso, Shields, Quinn, Cunningham, Crowell and Kelly (144), et al, relating to human cloning.

**HB 1450**, introduced by Representatives Marble and Hickey, relating to retainage clauses for public contracts.

**HB 1451**, introduced by Representatives Kreider, Crump, Foley, Green (73), Green (15), Barry, Berkowitz, Abel, Campbell and Boucher, et al, relating to the addition of members of the general assembly to the Missouri board of public buildings.

**HB 1452**, introduced by Representatives Curls, Lowe, Walton, Bland, Haywood and Sanders Brooks, et al, relating to the regulation of check-cashing businesses.

**HB 1453**, introduced by Representative Hosmer, relating to public retirement systems.

**HB 1454**, introduced by Representative Johnson (90), relating to child support liens on bank accounts.

**HB 1455**, introduced by Representative O'Toole, relating to public retirement systems.

## **LETTER OF RESIGNATION**

January 14, 2002

Speaker Jim Kreider  
Room 308  
State Capitol

Dear Speaker Kreider:

Today I submit my letter of resignation as State Representative of the 63<sup>rd</sup> District effective 12 noon. I leave this illustrious post to allow the Governor to call a special election that may coincide with other necessary special election dates.

As Vice-Chair of the House Elections Committee, as well as the Interim Committee on Election Reform and Ballot Access, I am privy to the concerns of election officials in regard to special elections. Each special election held in the City of St. Louis costs the State of Missouri approximately \$120,000. As elections will be held to fill the seats of former Reps. Harry Kennedy and Louis Ford, I hope that my resignation will result in substantial cost savings. It is important to me that government demonstrates to its citizens that we care about every aspect of their lives. Saving money is a good starting point.

I have enjoyed and appreciated the opportunity to serve the people of the 63<sup>rd</sup> District and to share the awesome lawmaking responsibilities entrusted to my colleagues and me. Thank you for your leadership.

Live Long and Prosper,

/s/ Maida J. Coleman

### **WITHDRAWAL OF HOUSE BILL**

January 14, 2002

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

Dear Mr. Speaker:

I request that **HB 1229** (relating to offenses against the person) be withdrawn.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Thank you.

Respectfully yours,

/s/ Rick Johnson

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

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 15, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Second Day, Thursday, January 10, 2002, page 39, line 41, by deleting all of said line.

Page 40, line 40, by deleting all of said line and inserting in lieu thereof the following:

**HB 1155** - Social Services, Medicaid and the Elderly

## **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**

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 - HEALTH AND MENTAL HEALTH**

Tuesday, January 15, 2002, 12:30 pm. Hearing Room 6.

Department of Health, Mental Health and Senior Services

Focus on Health and Senior Services

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, January 16, 2002, 11:00 am. or upon adjournment.

Department of Health, Mental Health and Senior Services

Focus on Health and Senior Services

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 17, 2002, 11:00 am. or upon adjournment.

Department of Health, Mental Health & Senior Services

Focus on Tobacco and Prescription Drugs

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 16, 2002, 1:00 pm. Hearing Room 5.

Departments of Economic Development and Revenue

Testimony regarding non-resident athlete and entertainer tax.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 pm. Hearing Room 5.

Departments of Agriculture and Conservation

Hearing on Governor's recommendations

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.

Department of Economic Development, Department of Labor & Industrial Relations

Governor's recommendations

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.

Department of Natural Resources, Department of Insurance

Governor's recommendations

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

BUDGET

Thursday, January 17, 2002, 8:30 . Hearing Room 3.

Presentation on the State of Missouri's Public Debt

EDUCATION - HIGHER

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 5.

Possible Executive Session

To be considered - HB 1086, HB 1131

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, January 17, 2002. Upon Adjournment, Senate Lounge.

For the purpose of electing a committee chairperson and vice-chairperson

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 the 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**

FOURTH DAY, TUESDAY, JANUARY 15, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 6

**HOUSE BILLS FOR SECOND READING**

HB 1439 through HB 1455

**HOUSE BILL FOR PERFECTION**

HCS HB 1386 & 1038 - O'Connor