

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTH DAY, THURSDAY, JANUARY 17, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Heavenly Father, we bow before You in thanksgiving for the gifts that are ours. Help these Your servants, the men and women of the House, and their staff, to make good use of the gifts that You give.

And we ask You to keep Your still, small voice within us. Do not let us give up on the things that matter. Give to these who lead our state the 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 Journal of the fifth day was approved as corrected by the following vote:

AYES: 147

Abel	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	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Enz	Fares	Farnen
Foley	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
Holt	Hoppe	Hosmer	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	Miller	Monaco	Moore	Murphy
Myers	Naeger	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
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt

Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hohulin	Hunter	Lograsso
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Champion	Dempsey	Dolan	Hollingsworth
Levin	McKenna	Merideth	Nordwald	Surface

VACANCIES: 003

## **RESOLUTION**

Representatives Boykins, Wagner, Wright, Luetkemeyer, Cunningham, Behnen, Liese, Riback Wilson (25) and Harding offered House Resolution No. 51.

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

House Resolution No. 46	-	Representative Fraser
House Resolution No. 47	-	Representative Ross
House Resolution No. 48	-	Representative Treadway
House Resolution No. 49	-	Representative Smith
House Resolution No. 50	-	Representative Harding
House Resolution No. 52	-	Representative Richardson
House Resolution No. 53	-	Representative Vogel

## **SECOND READING OF HOUSE BILLS**

**HB 1473** through **HB 1504** were read the second time.

## **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

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

**HCR 3** - Correctional and State Institutions  
**HCR 4** - Miscellaneous Bills & Resolutions  
**HCR 5** - Miscellaneous Bills & Resolutions  
**HCR 6** - Miscellaneous Bills & Resolutions  
**HCR 7** - Miscellaneous Bills & Resolutions

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

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

- HJR 31** - Transportation
- HJR 32** - Education-Elementary and Secondary
- HJR 33** - Miscellaneous Bills & Resolutions
- HJR 34** - Miscellaneous Bills & Resolutions
- HJR 35** - Miscellaneous Bills & Resolutions

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1161** - Criminal Law
- HB 1198** - Children, Families and Health
- HB 1203** - Transportation
- HB 1204** - Motor Vehicle and Traffic Regulations
- HB 1205** - Motor Vehicle and Traffic Regulations
- HB 1207** - Local Government and Related Matters
- HB 1208** - Children, Families and Health
- HB 1209** - Municipal Corporations
- HB 1211** - Criminal Law
- HB 1213** - Local Government and Related Matters
- HB 1214** - Motor Vehicle and Traffic Regulations
- HB 1215** - Insurance
- HB 1216** - Children, Families and Health
- HB 1217** - Children, Families and Health
- HB 1218** - Education-Elementary and Secondary
- HB 1219** - Insurance
- HB 1223** - Retirement
- HB 1225** - Criminal Law
- HB 1227** - Criminal Law
- HB 1231** - Children, Families and Health
- HB 1233** - Tourism, Recreation and Cultural Affairs
- HB 1234** - Local Government and Related Matters
- HB 1237** - Ways and Means
- HB 1239** - Social Services, Medicaid and the Elderly
- HB 1240** - Agriculture
- HB 1242** - Motor Vehicle and Traffic Regulations
- HB 1243** - Civil and Administrative Law
- HB 1244** - Judiciary
- HB 1245** - Criminal Law
- HB 1246** - Education-Elementary and Secondary
- HB 1247** - Insurance

**HB 1248** - Judiciary  
**HB 1249** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1250** - Judiciary  
**HB 1251** - Ways and Means  
**HB 1254** - Banks and Financial Institutions  
**HB 1255** - Professional Registration and Licensing  
**HB 1256** - Criminal Law  
**HB 1257** - Civil and Administrative Law  
**HB 1258** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1261** - Local Government and Related Matters  
**HB 1263** - Children, Families and Health  
**HB 1264** - Judiciary  
**HB 1265** - Motor Vehicle and Traffic Regulations  
**HB 1266** - Education-Elementary and Secondary  
**HB 1267** - Education-Elementary and Secondary  
**HB 1270** - Transportation  
**HB 1272** - Motor Vehicle and Traffic Regulations  
**HB 1273** - Workers Compensation and Employment Security  
**HB 1274** - Workers Compensation and Employment Security  
**HB 1275** - Workers Compensation and Employment Security  
**HB 1276** - Workers Compensation and Employment Security  
**HB 1277** - Workers Compensation and Employment Security  
**HB 1279** - Civil and Administrative Law  
**HB 1280** - Workers Compensation and Employment Security  
**HB 1282** - Judiciary  
**HB 1286** - Local Government and Related Matters  
**HB 1287** - Education-Elementary and Secondary  
**HB 1288** - Municipal Corporations  
**HB 1289** - Insurance  
**HB 1290** - Correctional and State Institutions  
**HB 1292** - Correctional and State Institutions  
**HB 1293** - Insurance  
**HB 1294** - Critical Issues, Consumer Protection and Housing  
**HB 1295** - Professional Registration and Licensing  
**HB 1297** - Correctional and State Institutions  
**HB 1298** - Criminal Law  
**HB 1299** - Criminal Law  
**HB 1423** - Miscellaneous Bills & Resolutions  
**HB 1440** - Critical Issues, Consumer Protection and Housing  
**HB 1443** - Children, Families and Health  
**HB 1461** - Elections  
**HB 1498** - Criminal Law

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

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

**HCR 8**, introduced by Representative Myers, to designate "Menfro soil" as the official state soil of Missouri.

**HCR 9**, introduced by Representative Gratz, to urge Congress to redesign the ambulance fee schedule for Medicare reimbursement to take into consideration current actual cost data and support of advanced life support emergency medical services.

## **INTRODUCTION OF HOUSE BILLS**

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

**HB 1505**, introduced by Representative Treadway, relating to real estate licenses.

**HB 1506**, introduced by Representatives Merideth, Kelly (27) and Gaskill, relating to aviation improvement.

**HB 1507**, introduced by Representative Koller, relating to motor vehicles.

**HB 1508**, introduced by Representative Koller, relating to highway beautification.

**HB 1509**, introduced by Representatives Rizzo and Curls, relating to police retirement systems.

**HB 1510**, introduced by Representative Rizzo, relating to police employees' retirement systems.

**HB 1511**, introduced by Representatives Fares, Green (73), Ostmann, Villa, Scheve, Murphy, Williams, Portwood, Bearden, Dolan, Hilgemann and Moore, et al, relating to the taxation of property.

**HB 1512**, introduced by Representatives Johnson (61), Franklin, Shelton, Gambaro, Boykins, Hilgemann, Daus, Walton and Carnahan, et al, relating to national teacher certification incentives.

**HB 1513**, introduced by Representative Burton, relating to disincorporation of road districts.

**HB 1514**, introduced by Representative Burton, relating to collection of personal property taxes.

**HB 1515**, introduced by Representative Burton, relating to the awarding of honorary high school diplomas to certain civilian prisoners of war and veterans.

**HB 1516**, introduced by Representatives Hosmer and Kreider, relating to noncompetition agreements.

**HB 1517**, introduced by Representative Treadway, relating to public accountants.

**HB 1518**, introduced by Representative Luetkenhaus, relating to life insurance company investments.

**HB 1519**, introduced by Representatives Boucher, Kreider and Hosmer, relating to the designation of patriots day.

**HB 1520**, introduced by Representatives Reid, Holt, O'Connor, Bowman, Merideth, Hosmer, Byrd, Levin, Boucher, Hanaway, Moore, Dempsey, Reinhart, Jetton, Mayer, Bearden, Barnett, Miller, Richardson, Phillips, Hendrickson, Champion, Wright, Hartzler, Shoemaker (8), Rector, Luetkemeyer, Secrest, Cunningham, Crowell, Long, Murphy, Portwood, Cooper, Bartelsmeyer, Ostmann, Gambaro, Shoemyer (9), Froelker, Davis, Hampton, Selby, Ransdall, George, Haywood, Ross, St. Onge and Berkstresser, relating to a joint committee on terrorism, bioterrorism, and homeland security.

**HB 1521**, introduced by Representative Shields, relating to gambling moneys for schools.

**HB 1522**, introduced by Representatives Bearden and Luetkenhaus, relating to higher education funding.

**HB 1523**, introduced by Representatives Kelly (27), Lowe, Carnahan, Wilson (42) and Troupe, relating to crime victims' compensation.

**HB 1524**, introduced by Representative O'Toole, relating to public retirement systems.

**HB 1525**, introduced by Representatives O'Toole and Foley, relating to gaming activities.

**HB 1526**, introduced by Representative Bartle, relating to victim's rights.

**HB 1527**, introduced by Representative Graham, relating to the board of curators of the University of Missouri.

**HB 1528**, introduced by Representatives Treadway, Holand, Foley, Hegeman, Johnson (90) and Dolan, et al, relating to physician assistants.

**HB 1529**, introduced by Representative Hegeman, relating to public retirement systems.

**HB 1530**, introduced by Representative Hoppe, relating to liquor control.

**HB 1531**, introduced by Representative Hoppe, relating to the provision of emergency services.

**HB 1532**, introduced by Representative Hoppe, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions.

**HB 1533**, introduced by Representatives Portwood, Monaco, Naeger, Bartle, Scheve, Rizzo, Kelly (27), Enz, Cunningham and Reinhart, et al, relating to health insurance coverage for chiropractic care.

**HB 1534**, introduced by Representative Clayton, relating to Clutch's law.

**HB 1535**, introduced by Representatives Clayton and Shoemyer (9), relating to the designation of highway 15 as the flower road.

**HB 1536**, introduced by Representative Clayton, relating to sexual offenses.

**HB 1537**, introduced by Representative Clayton, relating to administration of small estates.

**HB 1538**, introduced by Representative Clayton, relating to the retirement system for prosecuting and circuit attorneys.

**HB 1539**, introduced by Representative Clayton, relating to drivers' licenses.

**HB 1540**, introduced by Representative Bartle, relating to the telemarketing no-call list.

**HB 1541**, introduced by Representative Bray, relating to tax exemptions.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Berkowitz is no longer Vice-chair of the Social Services, Medicaid and the Elderly Committee.

Representative Daus has been appointed Vice-chair of the Social Services, Medicaid and the Elderly Committee.

### **WITHDRAWAL OF HOUSE BILLS**

January 16, 2002

Mr. Ted Wedel, Chief Clerk  
House of Representatives  
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **HB 1186** be withdrawn. Thank you for your attention to this matter.

Cordially,

/s/ W. Craig Hosmer  
State Representative  
District 138

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DATE:            January 17, 2002  
TO:              Speaker Kreider  
FROM:           Representative Gary Burton  
SUBJECT:       Withdraw HB 1405

Please withdraw **House Bill 1405**. An updated version of this bill has since been filed. Thank you for your assistance.

The following member's presence was noted: Nordwald.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 21, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Fifth Day, Wednesday, January 16, 2002, page 74, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Tuesday, January 22, 2002, 1:00 p.m. Hearing Room 1.

#### **AGRICULTURE**

Wednesday, January 23, 2002, 3:00 p.m. Hearing Room 7.  
Public testimony.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 22, 2002, 2:00 p.m. Hearing Room 1.  
Presentation on foundation formula funding.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 7.  
Office of Administration, Public Debt, Public Defender and Judiciary.  
CANCELLED.



APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

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

Department of Agriculture, Department of 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.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 22, 2002. Hearing Room 3 upon adjournment.

Department of Social Services  
Update; projections on Medicaid and federal mandates.

BUDGET

Monday, January 21, 2002, 1:00 p.m. Hearing Room 3.

Presentation and discussion of private sector reports on Missouri state expenditures.

BUDGET

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.

Presentation by Commission reporting on Missouri's budgetary process.

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, January 22, 2002, 3:00 p.m. House Lounge.

To be considered - HB 1143, HB 1144

CONSERVATION, STATE PARKS AND MINING

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

EDUCATION - ELEMENTARY AND SECONDARY

Monday, January 21, 2002, 3:30 p.m. Hearing Room 5.

To be considered - Executive Session - HB 1062, Executive Session - HB 1063,  
Executive Session - HB 1338

ELECTIONS

Tuesday, January 22, 2002, 7:30 p.m. Hearing Room 5.

To be considered - HB 1030, HB 1461

**JUDICIARY**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 5.  
To be considered - HB 1037, HB 1074, HB 1188, HB 1271

**LABOR**

Tuesday, January 22, 2002, 8:00 p.m. Hearing Room 3.  
To be considered - HB 1054, HB 1069

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1045, HB 1065, HB 1070, HB 1085, HB 1147, HB 1148, HB 1185

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 8:45 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1051, HB 1158, HB 1399

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 5:00 p.m. Senate Lounge.  
Joint meeting with House and Senate Veterans Committee members.

**HOUSE CALENDAR**

SEVENTH DAY, MONDAY, JANUARY 21, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 8 and HCR 9

**HOUSE BILLS FOR SECOND READING**

HB 1505 through HB 1541