

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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ELEVENTH DAY, MONDAY, JANUARY 28, 2002

Speaker Kreider in the Chair.

Prayer by Representative Phil Willoughby.

Almighty God, just as the Psalmist gazed toward Heaven and declared the glory of Your creation, so we look to You for guidance and inspiration as we exercise our stewardship over Your creation.

Throughout the week ahead, as we perform the important task of being representatives, we ask You to give us understanding in our deliberations, wisdom in our decisions, and kindness in our demeanor.

We thank You for allowing us to be public servants.

In Your blessed and Holy name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed.

## RESOLUTIONS

Representative Harlan offered House Resolution No. 136.

Representative Williams offered House Resolution No. 137.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 129

through

House Resolution No. 131 - Representative Naeger

House Resolution No. 132 - Representatives Merideth and Britt

House Resolution No. 133 - Representative Crawford

House Resolution No. 134 - Representative Kreider

House Resolution No. 135 - Representative Ridgeway

House Resolution No. 138 - Representative Hilgemann

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 42** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1617** through **HB 1654** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1338**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## PERFECTION OF HOUSE BILL

**HCS HBs 1037, 1188, 1074 & 1271**, relating to statute of limitations, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS HBs 1037, 1188, 1074 & 1271**.

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was ordered perfected and printed.

## THIRD READING OF HOUSE BILL

**HB 1338**, relating to teacher licenses, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1338** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	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
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 010

Bartelsmeyer	Burcham	Burton	Crump	Green 15
Hickey	Hoppe	Kelly 36	Reid	Walton

VACANCIES: 004

Speaker Kreider declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1424** - Education-Higher

**HB 1654** - Social Services, Medicaid and the Elderly

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

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

**HCR 10**, introduced by Representatives O'Connor and Reid, relating to the Hazelwood Ford Assembly Plant.

## INTRODUCTION OF HOUSE BILLS

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

**HB 1655**, introduced by Representative Troupe, relating to high interest home loans.

**HB 1656**, introduced by Representatives Wright, Roark, Champion and Holand, relating to sexual offenses.

**HB 1657**, introduced by Representative Cunningham, relating to property tax appeals.

**HB 1658**, introduced by Representatives Hunter, Kelly (36), Phillips, Mayer, Shoemaker (8), Secrest and Holt, et al, relating to registration of offenders.

**HB 1659**, introduced by Representatives Kelly (27), Williams, Riback Wilson (25), Harding, Ostmann, Crowell and Graham, et al, relating to surcharges.

**HB 1660**, introduced by Representative Cunningham, relating to property taxation.

**HB 1661**, introduced by Representative Cunningham, relating to deductibility of individual and corporate federal income taxes.

**HB 1662**, introduced by Representative Rizzo, relating to investment funds service corporations.

**HB 1663**, introduced by Representative Seigfreid, relating to gubernatorial inaugural committees.

**HB 1664**, introduced by Representative Bray, relating to disabled person license plates.

**HB 1665**, introduced by Representatives Holt and Luetkenhaus, et al, relating to municipal court costs.

**HB 1666**, introduced by Representatives Holt and Dolan, et al, relating to reciting the Pledge of Allegiance in public schools.

**HB 1667**, introduced by Representative Holt, et al, relating to health insurance coverage for hearing aids.

**HB 1668**, introduced by Representatives Holt, Luetkenhaus and Dolan, et al, relating to Emergency Personnel Appreciation Day.

**HB 1669**, introduced by Representatives Holt, Dempsey and Green (15), et al, relating to real and personal property assessment.

**HB 1670**, introduced by Representatives Holt and Luetkenhaus, et al, relating to voter information lists.

**HB 1671**, introduced by Representatives Johnson (90) and Kreider, relating to private investigators.

**HB 1672**, introduced by Representatives Gambaro, Myers, Ransdall, Green (73), Shoemyer (9), Hilgemann, Whorton, Villa, Hegeman, Fraser and McKenna, et al, relating to income tax revenues from nonresidents.

**HB 1673**, introduced by Representative Koller, relating to a memorial highway.

**HB 1674**, introduced by Representatives O'Toole and Dempsey, relating to public retirement plans.

**HB 1675**, introduced by Representative Scheve, relating to noncompetition clauses for broadcasting industry employees.

**HB 1676**, introduced by Representatives Wagner, Luetkemeyer and Liese, relating to financial services.

### **LETTER OF RESIGNATION**

January 25, 2002

Speaker Jim Kreider:  
Missouri House of Representatives  
State Capitol Building  
201 Capitol Ave.  
Room 308  
Jefferson City, MO 65101

Dear Mr. Speaker:

Please accept my letter of resignation as State Representative of the 82<sup>nd</sup> District effective 4:15 p.m., Monday, January 28, 2002. It has been a privilege and an honor to serve my neighbors and the state of Missouri for the last seven plus years.

My personal responsibilities have grown to a point where I am unable to meet the high standards that I have set for myself since entering this office in 1995.

My resignation now will allow the Governor to call for a special election at the earliest possible date, hence minimizing the time my constituents will be without an elected representative.

It has been a tremendous life-changing experience to serve in the Missouri House of Representatives.

Sincerely,

/s/ David L. Levin

## WITHDRAWAL OF HOUSE BILL

January 25, 2002

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

Dear Mr. Speaker:

I would like to have **HB 1484** withdrawn.

Thank you.

Sincerely,

/s/ Rick Johnson

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

## ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, January 29, 2002.

## COMMITTEE MEETINGS

### AGRICULTURE

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 7.

Sub-committee meetings to follow.

To be considered - HB 1240, HB 1348

### AGRICULTURE - SUBCOMMITTEE NUMBER FOUR

Tuesday, January 29, 2002, 8:30 a.m. Room 200A.

### AGRICULTURE - SUBCOMMITTEE NUMBER ONE

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 7.

### AGRICULTURE - SUBCOMMITTEE NUMBER THREE

Tuesday, January 29, 2002, 8:00 a.m. Room 408.

Expanding access to capital for business creation and expansion.

### AGRICULTURE - SUBCOMMITTEE NUMBER TWO

Tuesday, January 29, 2002, 2:45 p.m. Room B-22.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, January 30, 2002, 11:00 a.m. Hearing Room 1.  
Homeland Security overview. Task Force 1 presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 29, 2002. Hearing Room 1 upon adjournment.  
Department of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 1.  
Department of Elementary and Secondary Education.  
Public testimony.

APPROPRIATIONS - EDUCATION

Thursday, January 31, 2002. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.  
Continuation of Colleges, Universities, Community Colleges.  
Public testimony.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.  
Mark-up session.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Department of Revenue, Office of Administration.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 29, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Health, Senior Services.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 30, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 31, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 4, 2002, 1:30 pm. Hearing Room 6.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 29, 2002. Hearing Room 5 upon adjournment. AMENDED.  
Departments of Insurance, Economic Development, Labor & Industrial Relations  
Governor's recommendations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 30, 2002. Hearing Room 5 upon adjournment. AMENDED.  
Department of Natural Resources  
Governor's recommendations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 29, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services public testimony.

APPROPRIATIONS - TRANSPORTATION

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7.

APPROPRIATIONS - TRANSPORTATION

Wednesday, January 30, 2002, 8:30 a.m. Hearing Room 7.  
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APPROPRIATIONS - TRANSPORTATION

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 7.

MoDOT's budget.

Public testimony February 5, 6 and 7.

BUDGET

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 3.

Presentation on the audit of Missouri's State Tax Credit Programs.

BUDGET

Thursday, January 31, 2002. Hearing Room 3 upon adjournment.

Presentation by Private Sector Commission. CANCELLED.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 4. AMENDED.

To be considered - HB 1033, HB 1216

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1064, HB 1243, HB 1257, HB 1279

CRIMINAL LAW

Wednesday, January 30, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1211, HB 1227, HB 1245, HB 1256, HB 1498

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 3.

To be considered - HB 1130, HB 1246, HB 1287, HJR 32

ETHICS

Tuesday, January 29, 2002. Side gallery upon morning adjournment.

Consideration Tourism Caucus.

Additions Freshman Caucus.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 4.

Review of Oversight reports.

JUDICIARY

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1036, HB 1076, HB 1264, HJR 28

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1213, HB 1234, HB 1261, HB 1286, HB 1357

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, January 30, 2002, 8:45 a.m. Hearing Room 6.

To be considered - HCR 5, HCR 7, HJR 34, HJR 35

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1075, HB 1093, HB 1094, HB 1095, HB 1099, HB 1204, HB 1205, HB 1265, HB 1272, SB 727

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

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1258, HB 1519

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, January 29, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1156, HB 1157

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

To be considered - HB 1156, HB 1157, HB 1479

**HOUSE CALENDAR**

TWELFTH DAY, TUESDAY, JANUARY 29, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 10

**HOUSE BILLS FOR SECOND READING**

HB 1655 through HB 1676

**HOUSE BILLS FOR THIRD READING**

1 HS HB 1399, E.C., (Fiscal Review 1-24-02) - Ransdall

2 HS HCS HB 1037, 1188, 1074 & 1271, E.C. - Hosmer