

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWELFTH DAY, TUESDAY, JANUARY 29, 2002

Speaker Kreider in the Chair.

Prayer by Representative Betty Thompson.

Thank God for another day, one that you and I have never seen before.

I ask God to bless our Speaker who is the keeper of this House, and our legislators and families that we may be good and faithful servants of the people, who we represent.

God, we ask that You put Your arms around us during these tough times of budget cuts. We're not perfect, but we serve a perfect God, so continue to protect our children, senior citizens, disabled, veterans, and the people of this great state.

We ask these blessings in Your name. We shall walk together children and don't get weary. There will be a great day coming in the Promised Land. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caroline Francis, Bridgette Stephens, Ben Truesdell, James Hyatt, Karis Sims, Paul Messmer, Cole Abel, Daniel Wakefield, Adam Magee, Martha Hensel, Lucia Bourgeois, Jordan Isgriggs and James Keathley.

The Journal of the eleventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 139	-	Representatives Hendrickson and Enz
House Resolution No. 140	-	Representatives Ross and Lograsso
House Resolution No. 141	-	Representative Ross
House Resolution No. 142	-	Representative Roark
House Resolution No. 143	-	Representative Kreider
House Resolution No. 144	-	Representative George

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 10** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1655** through **HB 1676** 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 **HS HCS HBs 1037, 1188, 1074 & 1271**, 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.

## THIRD READING OF HOUSE BILL

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

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was read the third time and passed by the following vote:

AYES: 154

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	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
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	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	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
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	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: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Henderson	Hosmer	Kelly 36	Ridgeway
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VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

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	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	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	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: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Harlan	Hegeman	Henderson	Kelly 36
Linton	Schwab			

VACANCIES: 004

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1196** - Transportation

**HB 1466** - Transportation

**HB 1472** - Environment and Energy

## COMMITTEE REPORTS

**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **TOURISM CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Representative Robert Clayton  
Chairman, House Ethics Committee

From: Representative Estel Robirds

Date: January 17, 2002

Subject: Tourism Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the Missouri House Tourism Caucus.

A listing of the members of the 91<sup>st</sup> General Assembly, Second Regular Session Tourism Caucus is attached.

<u>District</u>	<u>Name</u>
4	/s/ Rex Barnett
6	/s/ Randall Relford
9	/s/ Wes Shoemyer
10	/s/ Robert Clayton
16	/s/ Carl Bearden
17	/s/ Bruce Holt
20	/s/ Danielle Moore
24	/s/ Chuck Graham
25	/s/ Vicky Riback Wilson
29	/s/ Maurice Lawson
34	/s/ Annie Reinhart
44	/s/ Jenee Lowe
48	/s/ Bill Boucher
53	/s/ Richard Franklin

55	/s/ Carson Ross
65	/s/ Derio Gambaro
77	/s/ David Reynolds
83	/s/ Barbara Fraser
85	/s/ Christopher Liese
91	/s/ Kathlyn Fares
105	/s/ Harold Selby
109	/s/ John Griesheimer
110	/s/ Francis Overschmidt
111	/s/ Jim Froelker
112	/s/ Merrill Townley
113	/s/ Bill Gratz
115	/s/ Blaine Luetkemeyer
116	/s/ Steve Henderson
117	/s/ Larry Crawford
119	/s/ Delbert Scott
120	/s/ Shannon Cooper
122	/s/ D.J. Davis
123	/s/ Ed Hartzler
125	/s/ Jerry King
127	/s/ Steve Hunter
129	/s/ Chuck Surface
131	/s/ Sam Gaskill
132	/s/ Linda Bartelsmeyer
134	/s/ Norma Champion
135	/s/ Roy Holand
141	/s/ Judy Berkstresser
143	/s/ Estel Robirds
148	/s/ Bill Ransdall
155	/s/ Patrick Naeger
156	/s/ Rod Jetton
160	/s/ Peter Myers, Sr.
144	/s/ Van Kelly
146	/s/ Beth Long
152	/s/ Wayne Crump
102	/s/ Ryan McKenna
18	/s/ Tom Dempsey
149	/s/ Bob May
153	/s/ Don Koller
145	/s/ Ken Legan
154	/s/ Mark Richardson

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1519**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.

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

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

**HCR 11**, introduced by Representative Clayton, to improve environmental quality for the benefit of the State of Missouri.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

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

**HJR 43**, introduced by Representatives Luetkenhaus and Ostmann, relating to the legislative department.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1677**, introduced by Representatives Selby, Bray and Bartelsmeyer, et al, relating to the administration of psychotropic medications to minors.

**HB 1678**, introduced by Representative Mays (50), relating to economy-rate telephone services.

**HB 1679**, introduced by Representatives Crump, Richardson, Gambaro, Foley, Haywood, O'Toole, Holt, Overschmidt and Shoemyer (9), et al, relating to horse racing and pari-mutuel wagering.

**HB 1680**, introduced by Representatives Hampton, Holt, Ransdall, Crump, Wagner, Clayton, Lograsso, Barnitz, Whorton, Ward and Luetkenhaus, et al, relating to rights of political subdivisions.

**HB 1681**, introduced by Representatives Reid, Cunningham, Linton, Enz, Holand, Troupe, Cierpiot, Boucher, Quinn and Shoemaker (8), et al, relating to phonics instruction.

**HB 1682**, introduced by Representative Treadway, relating to the practice of dentistry.

**HB 1683**, introduced by Representatives Williams, Bray, Ostmann, Hosmer, Boucher, Fraser and Ladd Baker, et al, relating to seat belts.

**HB 1684**, introduced by Representatives Luetkenhaus and Ostmann, relating to gambling admission fees.

**HB 1685**, introduced by Representatives Luetkenhaus and Ostmann, relating to transportation funding.

**HB 1686**, introduced by Representatives Lowe, Riback Wilson (25), Harding, Kelley (47) and Curls, et al, relating to boating while intoxicated.

**HB 1687**, introduced by Representatives Relford and Hoppe, relating to contracts for public water and sewer supply.

**HB 1688**, introduced by Representatives O'Connor, Naeger and Ross, et al, relating to the sale of motor vehicles and vessels.

**HB 1689**, introduced by Representative Treadway, relating to professional licensing requirements.

**HB 1690**, introduced by Representative Smith, relating to hazardous waste management.

**HB 1691**, introduced by Representatives Curls, Mays (50), Williams, Hollingsworth, Bland, Hoppe and Thompson, et al, relating to telephone service for prison inmates.

**HB 1692**, introduced by Representatives Overschmidt, Koller and Hoppe, relating to liquor sales by the drink in a convention trade area.

**HB 1693**, introduced by Representative Shields, relating to closed records.

**HB 1694**, introduced by Representatives Selby, Shoemyer (9) and Kreider, relating to metabolic and genetic diseases.

**HB 1695**, introduced by Representatives Selby, Shoemyer (9) and Kreider, relating to health insurance coverage for maple syrup urine disease.

**HB 1696**, introduced by Representatives Bowman, Thompson and O'Connor, relating to motor vehicle agency fees.

**HB 1697**, introduced by Representative Hosmer, relating to rent and possession suits.

**HB 1698**, introduced by Representative Hosmer, relating to practice and procedure in civil cases originally filed before associate judges.

**HB 1699**, introduced by Representatives Hosmer, Kreider and Marsh, relating to the protection of certain children.

**HB 1700**, introduced by Representatives Hosmer, Jolly, Britt, Marsh and Boucher, et al, relating to DNA evidence.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Shoemaker (8) has been appointed a member of the Appropriations-Transportation Committee and the Ways and Means Committee.

### WITHDRAWAL OF HOUSE BILLS

January 15, 2002

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

Dear Mr. Speaker:

This letter is to request that **HB 1175**, relating to acquisition of property for airports, and **HB 1176**, relating to airport noise studies, be withdrawn.

Thank you for your consideration of this request.

/s/ John J. Hickey  
State Representative

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January 29, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol Building

Dear Mr. Speaker:

I would like to request that **House Bill 1493**, introduced by me, be withdrawn from consideration.

Thank you.

Sincerely,

/s/ Jim Seigfreid

The following member's presence was noted: Henderson.

### ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, January 30, 2002.



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

Correct House Journal, Eleventh Day, Monday, January 28, 2002, page 143, line 13, by deleting all of said line and inserting in lieu thereof the following:

The following members' presence was noted: Hickey, Reid and Green (15).

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

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

Subcommittee meetings to follow.

To be considered - HB 1240, HB 1348

#### **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**

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.

Coordinating Board for Higher Education.

Truman, Lincoln, Harris-Stowe, North Central, SMSU, SEMO, MO Western, MO Southern, Linn State.

AMENDED.

#### **APPROPRIATIONS - EDUCATION**

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.

Continuation of Colleges, Universities, Community Colleges.

University of MO Public testimony. AMENDED.

#### **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

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

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

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

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

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

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

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

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

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

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

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

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

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

APPROPRIATIONS - TRANSPORTATION

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

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.

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

COMMERCE AND ECONOMIC DEVELOPMENT

Thursday, January 31, 2002, 9:00 a.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 1143

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 - HIGHER

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 5.  
To be considered - HB 1321, HB 1351, HB 1424

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, January 31, 2002, 9:30 a.m. Side gallery.  
To be considered - HB 1399

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 4.  
Review of Oversight reports.

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

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**

THIRTEENTH DAY, WEDNESDAY, JANUARY 30, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 11

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 43

**HOUSE BILLS FOR SECOND READING**

HB 1677 through HB 1700

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

1     HB 1519 - Boucher

2     HB 1192 - Harding

**HOUSE BILLS FOR THIRD READING**

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