

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTEENTH DAY, MONDAY, FEBRUARY 4, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Lord, we are distressed that our St. Louis Rams did not come home victors, despite their bravest of efforts. As important as that game might be to our state's self-esteem, remind us that life is more than sport. Confer a blessing on these representatives. Aid them to continue on the playing field of elective office following the rules of fair-play and self-respect. Keep their minds and hearts on the many goal posts - liberty, personal dignity, life, democracy, justice, and so forth.

So may all the state of Missouri and its many citizens be winners today and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	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	Surface
Thompson	Townley	Treadway	Troupe	Villa

Vogel  
Williams  
Mr. Speaker

Wagner  
Willoughby

Walton  
Wilson 25

Ward  
Wilson 42

Whorton  
Wright

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins  
Hickey  
O'Toole

Carnahan  
Hollingsworth  
Van Zandt

Clayton  
Hoppe

Crump  
Long

Graham  
Nordwald

VACANCIES: 004

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

House Resolution No. 164   -   Representative Selby  
House Resolution No. 165   -   Representative Mayer  
House Resolution No. 166   -   Representative Ross

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

**HCR 13** was read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 45** was read the second time.

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

**HB 1743** through **HB 1774** were read the second time.

### **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 1115** was read the second time.

### **REFERRAL OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was referred to the Committee indicated:

**HB 1115**   -   Budget

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1530** - Local Government and Related Matters  
**HB 1570** - Transportation  
**HB 1577** - Criminal Law  
**HB 1676** - Banks and Financial Institutions  
**HB 1723** - Professional Registration and Licensing  
**HB 1745** - Transportation

## **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 **SCS SBs 727 & 703**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

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

**HB 1101**, introduced by Representative Green (73), to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1106**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1111**, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1114**, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Elementary and Secondary Education, Department of Transportation, Department of Mental Health, Department of Health and Senior Services, and Department of Social Services, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri beginning July 1, 2002 and ending June 30, 2003.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1775**, introduced by Representatives Shoemaker (8), Behnen, Quinn, Relford, Clayton, Dolan and Myers, et al, relating to transportation.

**HB 1776**, introduced by Representative Harlan, relating to county recorders of deeds.

**HB 1777**, introduced by Representatives Johnson (61) and Legan, relating to public order.

**HB 1778**, introduced by Representative Monaco, relating to special license plates.

**HB 1779**, introduced by Representative Green (73), relating to special license plates.

**HB 1780**, introduced by Representative Green (73), relating to federal national medical support notice requirements.

**HB 1781**, introduced by Representatives Green (73) and Ladd Baker, relating to the nursing facility reimbursement allowance.

**HB 1782**, introduced by Representative Shoemyer (9), relating to rural water grants.

**HB 1783**, introduced by Representatives Lowe and Moore, et al, relating to the deaf and hard of hearing.

**HB 1784**, introduced by Representatives Lowe, Moore and George, et al, relating to American Sign Language.

**HB 1785**, introduced by Representatives Liese and Hanaway, relating to income tax exemption for qualified education savings.

**HB 1786**, introduced by Representative Liese, relating to licensing requirements for certain motor vehicles.

**HB 1787**, introduced by Representative Treadway, relating to the inspections of funeral establishments.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Hendrickson has been appointed a member of the Civil and Administrative Law Committee.

### **WITHDRAWAL OF HOUSE BILL**

February 4, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HB 1583** (relating to special license plates) be withdrawn today.

Thank you for your kind attention to this request.

Sincerely,

/s/ Ralph A. Monaco  
Representative  
District 49

The following members' presence was noted: Hickey, Nordwald, O'Toole and Hoppe.

### **ADJOURNMENT**

On motion of Representative Berkowitz, the House adjourned until 10:00 a.m., Tuesday, February 5, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 7.

To be considered - HB 1439, HB 1459, Executive Session - HB 1240, Executive Session - HB 1348

#### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Wednesday, February 6, 2002, 8:00 a.m. Hearing Room 1.

Representative from the Department of Agriculture.

Grant funding and use of present programs.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 5, 2002, 5:30 p.m. Hearing Room 1.

Department of Public Safety.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.

University of MO, Southeast MO, MO Southern, Community Colleges.

Public testimony. AMENDED.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002, 1:00 p.m. Hearing Room 1.

School Foundation Formula.

To be considered - HB 1711

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 7.

Judiciary, Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2002, 6:00 p.m. House Lounge.

Governor, Lt. Governor, Treasurer.

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

Tuesday, February 5, 2002. Hearing Room 5. CANCELLED.

Mark-up.

Department of Economic Development and the Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 6, 2002. Hearing Room 5 upon adjournment.

Mark-up.

Department of Natural Resources. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 5, 2002. Hearing Room 3 upon adjournment.

Department of Social Services. Public testimony.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 6, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 5, 2002. Hearing Room 7 upon morning adjournment.

Public testimony.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 7.

Public testimony.

APPROPRIATIONS - TRANSPORTATION

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

Public testimony.

BUDGET

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 3.

To be considered - HB 1115

BUDGET

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 3.

Presentation by Private Sector Commission to report on Missouri budgetary process.

BUDGET

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 3.

To be considered - HB 1115

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 4.

Executive Session will follow.

To be considered - HB 1082, HB 1198, HB 1208

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1425, HB 1445

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 6.

To be considered - HB 1370, HB 1376, HB 1377, HB 1395

CONSERVATION, STATE PARKS AND MINING

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 1. AMENDED.

Executive Session may follow.

To be considered - HB 1100, HB 1134, HB 1418, HB 1559

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 5, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow. AMENDED.

To be considered - HB 1078, HB 1594, HCR 3

CRIMINAL LAW

Wednesday, February 6, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1161, HB 1225, HB 1298, HB 1299, HB 1302, HB 1312, HB 1329, HB 1331

EDUCATION - ELEMENTARY AND SECONDARY

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

Executive Session may follow on HJR 32.

To be considered - HB 1356, HB 1392, HB 1625

EDUCATION - HIGHER

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 5.

Possible Executive Session.

To be considered - HB 1086, HB 1351, HB 1406, HB 1441, HB 1477, HB 1491

ELECTIONS

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 5. AMENDED.

Executive Session will follow.

To be considered - HB 1326, HB 1328, HB 1332, HB 1342

INSURANCE

Tuesday, February 5, 2002, 5:00 p.m. HEARING RM. 5

To be considered - HB 1215, HB 1289, HB 1293, HB 1304, HB 1375, HB 1381

JUDICIARY

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

To be considered - HB 1055, HB 1139, HB 1244, HB 1434



LABOR

Tuesday, February 5, 2002, 5:30 p.m. Hearing Room 3. AMENDED.  
To be considered - HB 1403, HB 1592, Executive Session - HB 1054

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow. AMENDED.  
To be considered - HB 1476, HB 1530, HB 1532

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 6.  
To be considered - HB 1311, HB 1421, HB 1432, HB 1451, HCR 4, HCR 6

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 1.  
To be considered - HB 1159, HB 1242, HB 1307, HB 1308, HB 1320, HB 1343, HB 1391, HB 1397

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 6, 2002, 5:00 p.m. Hearing Room 5.  
To be considered - HB 1090, HB 1255, HB 1313, HB 1378

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow. AMENDED.  
To be considered - HB 1398

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 6. AMENDED.  
To be considered - HB 1309, HB 1360, HB 1362, HB 1374, HB 1654, Executive Session - HB 1479

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, February 6, 2002. Upon morning adjournment. Hearing Room 4.  
To be considered - HB 1344

SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL

Wednesday, February 6, 2002, 1:15 p.m. Senator Rohrbach's Office - Room 221.  
Closed meeting within the meaning of Chapter 610, RSMo.

TRANSPORTATION

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 6.  
To be considered - HB 1389, HB 1570, HB 1584

UTILITIES REGULATION

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 5. AMENDED.  
To be considered - HB 1388, HB 1402

**WAYS AND MEANS**

Tuesday, February 5, 2002. Hearing Room 2 upon morning adjournment.

Executive Session prior to hearing.

To be considered - HB 1178, HB 1180, HB 1372

**HOUSE CALENDAR**

SIXTEENTH DAY, TUESDAY, FEBRUARY 5, 2002

**HOUSE BILLS FOR SECOND READING**

HB 1775 through HB 1787

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1     HB 1101
- 2     HB 1106
- 3     HB 1111
- 4     HB 1114

**HOUSE BILL FOR PERFECTION**

HCS HB 1154 - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

- 1     HB 1519 - Boucher
- 2     HB 1192 - Harding

(February 4, 2002)

HB 1151 - Smith

**SENATE BILL FOR THIRD READING**

SCS SB 727 & 703, E.C. - O'Connor