

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

SIXTEENTH DAY, TUESDAY, FEBRUARY 5, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God, You create us in such a range of diversity. Yet our bodies have such similar needs, as do our souls. Continue to invite us to co-create, with You, a new and even better order. Help our judgement know that each human person can fit into the harmony and prosperity of the social fabric of our state.

We count on Your presence again today in all the rooms of our state Capitol here, and perhaps more significantly in those accommodations within the minds and hearts of these representatives. May they have great wisdom, inner direction, and the courage of their convictions. 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: Cam Branson, Eric Eubank, Erika White, Ryan White, Kayla Henderson, Bryce Sullens, Brooke Sullens, Erin Rademan, Jordan Imhoff, Morgan Nacy, Kayla Sappington, Kylie Werner, Heather Werner, Leslie Werner, Jessica Champlain, Anthony Lombardo, Hannah Valeu, Robert Lofton, Brian Neumann, Tyler Neumann, Taylor Kusmanoff and Kayla Capuano.

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

AYES: 153

Abel	Baker	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	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	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	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	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	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: 004

Hohulin	Hunter	Lograsso	Shoemaker
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PRESENT: 000

ABSENT WITH LEAVE: 002

Hollingsworth	Long
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VACANCIES: 004

RESOLUTION

House Resolution No. 161 was taken up by Representative Boykins and read.

HOUSE RESOLUTION NO. 161

WHEREAS, the members of the Missouri House of Representatives hold in high esteem those Show-Me State residents who have admirably utilized their artistic abilities and their community-oriented vision to spark a heightened sense of awareness in students for the importance of education and preparation for the future; and

WHEREAS, the St. Lunatics rap group of St. Louis is composed of Nelly, Ali, Kyjuan, Murphy Lee, and Slo-Down; and

WHEREAS, increasingly known locally and throughout the state advocating the importance of education, the St. Lunatics have entered the fray for educational excellence by challenging Missouri students to prepare for and to take the state's MAP exams which are intended to measure successful academic performance at all teaching levels and in all school districts; and

WHEREAS, the five St. Lunatics have courageously agreed to play a game of basketball against the team of any school where a large percentage of the students have taken the required MAP exams; and

WHEREAS, this tremendously successful ploy on the part of the nationally famous and much beloved St. Louis hip-hop group is coupled with area school district requirements that only students who have taken MAP tests are allowed into extracurricular athletic contests as either participants or observers; and

WHEREAS, St. Lunatics' achievements as advocates of education are second only to the cultural and commercial successes the group has enjoyed with their single, "Gimme What Ya Got"; their debut disc, Free City, with its immediately popular recordings of "Midwest Swing", "Groovin Tonight", and "Let Me In Now"; and Nelly's multi-platinum debut, Country Grammar, which featured contributions by St. Lunatics colleagues, the Teamsters, Lil' Wayne, and Cedric the Entertainer:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the significant efforts undertaken by the members of St. Lunatics to improve the percentage of students taking the state's MAP academic performance tests and to convey to each of the rappers our heartiest congratulations for the effectiveness of their student challenge and our sincerest best wishes for success on the basketball court against area varsity teams; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of the St. Lunatics rap group and its members' role as true advocates of education in Missouri.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 167 - Representative Burton
House Resolution No. 168 - Representative Selby
House Resolution No. 169 - Representative Kreider
House Resolution No. 170
and
House Resolution No. 171 - Representative Fares
House Resolution No. 172 - Representative Hendrickson
House Resolution No. 173 - Representative Thompson
House Resolution No. 174 - Representative Hosmer
House Resolution No. 175 - Representative Smith

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1101, HB 1106, HB 1111 and HB 1114 were read the second time.

SECOND READING OF HOUSE BILLS

HB 1775 through **HB 1787** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1154, relating to juvenile court, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 1154** was adopted.

On motion of Representative Smith, **HCS HB 1154** was ordered perfected and printed.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 14, introduced by Representative Townley, et al, relating to the crime of unlawful genetic engineering of humans.

HCR 15, introduced by Representative O'Toole, et al, urging Congress to enact Senate Bill 1838, the "Pension Protection and Diversification Act of 2001".

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

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

HB 1107, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Department of Insurance, and Department of Labor and Industrial Relations, 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 1109, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections 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 1110, introduced by Representative Green (73), relating to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Senior Rx Program 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.

INTRODUCTION OF HOUSE BILLS

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

HB 1788, introduced by Representatives Ross, O'Connor and Barnett, relating to special license plates.

HB 1789, introduced by Representatives Ross, O'Connor and Barnett, relating to special license plates.

HB 1790, introduced by Representatives Reid, Holt, Phillips, Davis, Luetkenhaus, Hunter, Merideth, Reinhart, George, Gambaro, Gaskill, Hendrickson, Enz, Hartzler, Treadway, Quinn, Cooper, Kelley (47), Murphy, Bearden, Liese, Shoemyer (9), Mayer, Portwood, Rector, O'Connor, Wagner, Linton, Richardson, Secrest, Naeger, Griesheimer, Nordwald, Scott, Legan, Bland, Wright and Shoemaker (8), relating to the crime of unlawful genetic engineering of humans.

HB 1791, introduced by Representative Luetkenhaus, relating to health carrier network adequacy.

HB 1792, introduced by Representative Luetkenhaus, relating to certification procedures of certain health carriers.

HB 1793, introduced by Representative Shields, relating to school funds.

HB 1794, introduced by Representatives Legan, Barnitz, Black, Berkowitz, Myers, King and Richardson, relating to animal research and production facilities.

HB 1795, introduced by Representatives Berkowitz, Overschmidt and Smith, to authorize the conveyance of property owned by the state and controlled by the department of natural resources.

HB 1796, introduced by Representative Crump, relating to the nurse licensure compact.

HB 1797, introduced by Representatives Hilgemann, Scheve, Bray and Van Zandt, relating to investment policy of the state treasurer.

HB 1798, introduced by Representatives Hilgemann, Scheve, Abel, Bray and Van Zandt, relating to senior citizen homestead deferral of taxes.

HB 1799, introduced by Representatives Burton, Thompson, Shields, Walton, Troupe, Bowman, Kelly (27), Fraser, Surface, Haywood, Hunter and Gaskill, relating to names of state colleges.

HB 1800, introduced by Representatives Secrest, Hanaway, Scott, St. Onge, Ross, Bartle, Hunter, Burton, Marble and Behnen, et al, relating to workers' compensation.

HB 1801, introduced by Representatives Gambaro, Moore, Froelker, Richardson, Kelley (47) and Crawford, et al, relating to the prohibition of interference with the free exercise of religion absent a compelling state interest.

HB 1802, introduced by Representatives Smith and Hosmer, relating to administrative hearing procedures.

HB 1803, introduced by Representative Green (73), relating to the credit union commission.

HB 1804, introduced by Representatives Harding, Jolly, Boucher, Lowe, Bray, Copenhaver, Curls, Wilson (42) and Sanders Brooks, et al, relating to merchandising practices.

HB 1805, introduced by Representatives Ransdall, Berkstresser and Graham, relating to casket retailers.

HB 1806, introduced by Representatives Shelton, Koller and Foley, relating to the transportation of hazardous materials through highway tunnels.

HB 1807, introduced by Representative Hoppe, relating to sewer districts.

HB 1808, introduced by Representative Holand, relating to the state board of registration for the healing arts.

HB 1809, introduced by Representatives Sanders Brooks, Wilson (42), Bland, Villa and Shelton, et al, relating to recall elections for certain school board members.

HB 1810, introduced by Representatives Holt, Luetkenhaus, Dempsey and Dolan, et al, relating to grants from the department of natural resources for recycling.

The following member's presence was noted: Long.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 6, 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

Wednesday, February 6, 2002, 5:30 p.m. Hearing Room 1.

Public Safety and the Department of Corrections.

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

Wednesday, February 6, 2002. Hearing Room 7 upon adjournment.
Secretary of State, Treasurer, Auditor and Attorney General.

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, February 6, 2002. Hearing Room 5 upon adjournment.
Mark-up.
Department of Natural Resources. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 6, 2002. Hearing Room 3 upon adjournment.
Department of Social Services.

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

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

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

CRIMINAL LAW

Wednesday, February 6, 2002, 8:00 p.m. Hearing Room 7. AMENDED.
To be considered - HB 1161, HB 1225, HB 1298, HB 1299, HB 1302, HB 1312, HB 1329, HB 1331,
HB 1489

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Wednesday, February 6, 2002, 9:00 a.m. Hearing Room 4.

Executive Session.

EDUCATION - HIGHER

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

Possible Executive Session.

To be considered - HB 1086, HB 1131, HB 1351, HB 1406, HB 1441, HB 1477, HB 1491

MISCELLANEOUS BILLS AND RESOLUTIONS

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

Executive Session to follow.

To be considered - HB 1311, HB 1421, HB 1432, HB 1451, HCR 4, HCR 6

PROFESSIONAL REGISTRATION AND LICENSING

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

To be considered - HB 1090, HB 1255, HB 1378, HB 1723

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

HOUSE CALENDAR

SEVENTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2002

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

1 HCR 14

2 HCR 15

HOUSE BILLS FOR SECOND READING

HB 1788 through HB 1810

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 1107
- 2 HB 1109
- 3 HB 1110

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