

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

NINETEENTH DAY, MONDAY, FEBRUARY 11, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly God, decisions made in grace rather than in selfishness, out of a goal of service and not for dominance, seem to ring more true to Your wise and compassionate plan. We request Your continued presence in this Chamber today and all this week, God, that our representatives may center these deliberations, judgements, and votes with just such motive and toward such a goal.

So may Your spirit live here and continue to enliven the people of Missouri with life, love, and happiness. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as corrected by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	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
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	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: 002

Hohulin Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Berkstresser	Clayton	Crowell	Gaskill
Hagan-Harrell	Hickey	Shields		

VACANCIES: 004

RESOLUTION

Representative Bonner, et al, offered House Resolution No. 278.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 271

and

House Resolution No. 272	-	Representative Burcham
House Resolution No. 273	-	Representative Hosmer
House Resolution No. 274	-	Representative Thompson
House Resolution No. 275	-	Representative Gratz
House Resolution No. 276	-	Representatives Byrd and Fares
House Resolution No. 277	-	Representative Franklin

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 46 and **HJR 47** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1104 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1836 through **HB 1865** were read the second time.

SECOND READING OF SENATE BILL

SS #2 SB 650 was read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1134, 1100 & 1559, relating to the Conservation Commission, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HBs 1134, 1100 & 1559** was adopted.

On motion of Representative Relford, **HCS HBs 1134, 1100 & 1559** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 32, relating to school district bond elections, was taken up by Representative Barry.

Representative Marble offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 32, Page 1, Line 4, by adding after the word “**rejection**,” the following:

“**By a four-sevenths majority**,”.

Representative Marble moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Purgason offered **House Amendment No. 2**.

Representative Carnahan raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Joint Resolution No. 32, Page 2, Article VI, Section 26(b), Line 9, by inserting after the word “**majority**” on said line the following:

“**of the registered voters in such district**”.

Representative Purgason moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Barry, **HJR 32** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 150 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1101 - Budget

HB 1105 - Budget

HB 1106 - Budget

HB 1107 - Budget

HB 1109 - Budget

HB 1110 - Budget

HB 1111 - Budget

HB 1114 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1533 - Critical Issues, Consumer Protection and Housing

HB 1652 - Children, Families and Health

HB 1765 - Ways and Means

HB 1797 - Ways and Means

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 1151 (Consent)**, 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.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 48, introduced by Representatives Murphy, Townley, Selby, Hendrickson, Troupe, Merideth, Shoemaker (8), Hegeman, Froelker, Enz, King, Myers, Luetkemeyer, Gaskill, Gratz, Seigfreid, Purgason and St. Onge, relating to the limitation of power of the general assembly.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

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

HB 1102, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education 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 and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2002 and ending June 30, 2003.

HB 1103, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein 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 1108, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, 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 1112, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, 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 1120, introduced by Representative Green (73), to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

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

HB 1866, introduced by Representatives Fares, Hanaway, Shoemaker (8), Ostmann, Villa, Dolan and Reid, relating to senior citizens property tax relief.

HB 1867, introduced by Representative Griesheimer, relating to special license plates.

HB 1868, introduced by Representatives Barry, Holt and Fraser, et al, relating to the creation of a regional taxicab commission.

HB 1869, introduced by Representatives Barry, Hanaway, Hosmer, Selby, Holt, Luetkenhaus, Hendrickson and Dempsey, et al, relating to peace officer residency requirements.

HB 1870, introduced by Representative Barry, relating to newborn screening data.

HB 1871, introduced by Representative Barry, relating to collaborative practice arrangements.

HB 1872, introduced by Representative Hosmer, relating to watercraft regulations.

HB 1873, introduced by Representative Shoemyer (9), relating to the state board of pharmacy.

HB 1874, introduced by Representatives Crawford and Relford, relating to nuisances.

HB 1875, introduced by Representative Mays (50), relating to utility rates determined by the public service commission.

HB 1876, introduced by Representative Kelly (27), relating to state-owned or leased facilities.

HB 1877, introduced by Representatives Foley, Graham and O'Toole, for the sole purpose of establishing and funding the schools of the future fund.

HB 1878, introduced by Representatives Roark, Crowell, Rector, Cunningham, Bartle, Froelker, Kelly (36), Jetton, Bartelsmeyer, Shoemaker (8), Moore, Phillips, Bearden, Holand, Hunter, Myers, Reinhart, Behnen, Cierpiot, Enz, Kelley (47), Berkstresser, Dempsey, Quinn, Wright, Kelly (144) and Crawford, relating to covenant marriage.

HB 1879, introduced by Representative O'Toole, relating to firefighter's retirement and relief systems.

HB 1880, introduced by Representative O'Toole, relating to firefighter's retirement and relief systems.

HB 1881, introduced by Representative Rizzo, relating to drivers' licenses for certain individuals.

HB 1882, introduced by Representative Luetkenhaus, relating to emergencies in fire protection districts.

HB 1883, introduced by Representative Froelker, relating to collection of property taxes.

HB 1884, introduced by Representative Froelker, relating to real estate tax payments.

HB 1885, introduced by Representative Froelker, relating to the issuance of birth certificates for stillborns.

HB 1886, introduced by Representatives Rizzo, Boucher, Gambaro, Hanaway, Scheve, Skaggs and Curls, et al, relating to municipal economic authorities.

HB 1887, introduced by Representatives Ladd Baker and Hosmer, relating to in-home services for the elderly.

HB 1888, introduced by Representatives Barnitz, Legan, Abel, Bearden, Liese, Merideth and Jolly, et al, relating to use of pawnshop databases for law enforcement purposes.

HB 1889, introduced by Representatives Foley, Hanaway, Scheve, O'Toole, Treadway, Bonner, Gambaro, Rizzo, Bowman and Thompson, et al, relating to the sports center redevelopment authority act.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 40**.

SENATE CONCURRENT RESOLUTION NO. 40

WHEREAS, there are more than 33,000 jobs in the motor vehicle and equipment manufacturing industry in Missouri; and

WHEREAS, the most recent figures for complete employment and wage data reveal a contribution of more than one and three-quarter billion dollars to the Missouri economy; and

WHEREAS, the state of Missouri has enjoyed a long-term partnership and mutually supportive relationship with Ford Motor Company; and

WHEREAS, this relationship began in 1907 with the opening of a sales and stock operation in St. Louis, the opening of a Ford plant in 1911 in Kansas City followed by the establishment of a Ford Model T plant in St. Louis in 1914; and

WHEREAS, the state of Missouri has long recognized the need for keeping Fords' work force as skilled and productive as possible and thus over the past decade has provided more than twenty-four million dollars in job training funds for the company in Missouri; and

WHEREAS, for more than 40 years, St. Louis had been one of the principal manufacturing satellites of Ford Motor Company; and

WHEREAS, St. Louis holds the distinction as the only metropolitan area outside Michigan with plants from all of the Big Three automakers; and

WHEREAS, Ford Motor Company has announced it will close its plant in Hazelwood by the middle of this decade, eliminating 2,640 jobs; and

WHEREAS, workers at the Hazelwood plant generate an annual payroll of approximately \$165 million; and

WHEREAS, industry analysts rate the Explorer, made in Hazelwood, as the nation's top-selling sport utility vehicle; and

WHEREAS, reports by Harbour & Associates, Inc., of Troy, Michigan, which list Hazelwood as the fourth most efficient auto plant in the nation; and

WHEREAS, an auto plant has a substantial ripple effect on the surrounding economy, including the plant's need for parts and services, each Ford job supports three and a half other jobs in the area, pumping approximately \$2.6 billion, directly and indirectly, into the St. Louis economy each year:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, support the assembly by the Governor of the Task Force on the Ford-Hazelwood Retention and direct the Task Force to immediately develop and execute a strategic plan to obtain the continued occupation and operation of the Hazelwood Ford Assembly Plant by Ford Motor Company; and

BE IT FURTHER RESOLVED that we most strongly urge the owners, executives and board of directors of Ford Motor Company to rescind their decision and work with the State of Missouri to find a mutually beneficial alternative to the closing of the Hazelwood plant; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the owners, executives and board of directors of Ford Motor Company.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Bray has been appointed a member of the Ways and Means Committee.

The following member's presence was noted: Hickey.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 12, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighteenth Day, Thursday, February 7, 2002, pages 220 and 221, roll call, by showing Representative Curls voting "aye" rather than "absent with leave".

Pages 221 and 222, roll call, by showing Representative Jetton voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 1.

Public testimony.

Department of Corrections.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 5.

Mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 12, 2002, 6:00 p.m. Hearing Room 4.

Mark-up. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 13, 2002. Hearing Room 7 upon adjournment.

Mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 13, 2002, 6:00 p.m. Hearing Room 6.

Mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 14, 2002. Hearing Room 7 upon adjournment.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 12, 2002. Hearing Room 6 upon adjournment.

Mark-ups. AMENDED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 13, 2002. Hearing Room 6 upon adjournment.

Possible Executive Session. AMENDED.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 12, 2002. Hearing Room 5 upon adjournment.

Mark-up Department of Economic Development, Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 13, 2002. Hearing Room 5 upon adjournment.

Mark-up Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 12, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 13, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1104

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow.

To be considered - HB 1337, HB 1501, HB 1503, HB 1676

BUDGET

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 3.

Possible Executive Session to follow.

To be considered - HB 1115, HB 1711

BUDGET

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 3.

Executive Session on previously heard bills.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1303, HB 1444, HB 1481

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1195, HB 1523, HB 1579

CRIMINAL LAW

Wednesday, February 13, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1430, HB 1433, HB 1447, HB 1483, HB 1490

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on HB 1625.

To be considered - HB 1267, HB 1817

ELECTIONS

Tuesday, February 12, 2002, 7:30 p.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1492, HB 1494, HB 1495

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1306, HB 1404

INSURANCE

Tuesday, February 12, 2002, 12:00 p.m. Hearing Room 7. Amended.

To be considered - HB 1219, HB 1396, HB 1446, HB 1468, HB 1473, HB 1502,

Executive Session - HB 1215, Executive Session - HB 1375, Executive Session - HB 1381

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, February 13, 2002, 2:00 p.m. Hearing Room 2.

JUDICIARY

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1428, HB 1656, HB 1749, Executive Session - HB 1055,

Executive Session - HB 1139, Executive Session - HB 1434, Executive Session - HJR 28

LABOR

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1427, Executive Session - HB 1069, Executive Session - HB 1403,

Executive Session - HB 1592

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow. AMENDED.

To be considered - HB 1073, HB 1132, HB 1207, HB 1544, HB 1563, HB 1634, HB 1635, HB 1636

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 13, 2002, 8:00 a.m. Hearing Room 6. AMENDED.

To be considered - HB 1066, HB 1350, HB 1393, HB 1588, HB 1627,

HR 26, HR 124, HR 136, HR 137

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may or may not follow.

To be considered - HB 1155, HB 1214, HB 1411, HB 1412, HB 1416, HB 1688

MUNICIPAL CORPORATIONS

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1194, HB 1209

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

Staff from the MO Veterans Homes will address this committee.

To be considered - HB 1613

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 12, 2002, 8:00 p.m. Hearing Room 6. AMENDED.

Executive Session may follow.

To be considered - HB 1384, HB 1469, HB 1485

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, February 13, 2002. Hearing Room 7 upon adjournment.

Executive Session may follow.

To be considered - HB 1435, HB 1589, HB 1729

URBAN AFFAIRS

Tuesday, February 12, 2002, 4:00 p.m. Hearing Room 1.

To be considered - HB 1488

UTILITIES REGULATION

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1482, HB 1500

WAYS AND MEANS

Tuesday, February 12, 2002, 1:00 p.m. House Lounge. AMENDED.

To be considered - HB 1554, HB 1582, HB 1672, HB 1765

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 18, 2002, 8:00 pm. Hearing Room 6.

To be considered - HB 1273, HB 1274, HB 1275, HB 1276, HB 1277, HB 1280, HB 1546

HOUSE CALENDAR

TWENTIETH DAY, TUESDAY, FEBRUARY 12, 2002

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 48

HOUSE BILLS FOR SECOND READING

HB 1866 through HB 1889

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 1102
- 2 HB 1103
- 3 HB 1108
- 4 HB 1112
- 5 HB 1120

HOUSE BILL FOR PERFECTION

HCS HB 1150, 1237 & 1327 - Bray

HOUSE BILL FOR THIRD READING - CONSENT

HB 1151 - Smith

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 40