

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

TWENTY-THIRD DAY, MONDAY, FEBRUARY 18, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Father, You have given all peoples one common origin. Your will is to gather us as one family to Yourself. We are grateful for the Presidents of our United States who have worked for that unity. Fill the hearts of these representatives with the fire of desire to ensure justice for all our brothers and sisters.

Help us all share the good things You give us, most especially integrity, honor, and equality for every human being, an end to division, and our state's society built on mutual care and peace. 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: Ashley Stees, Taylor Mann, Mary Ann Bradshaw, Katie Jane Bradshaw, Renee Michelle Peters, Breanna Duso, Kieria Drexler and Michelle Redinger.

The Journal of the twenty-second day was approved as corrected by the following vote:

AYES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares

Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Clayton	Dolan	Hagan-Harrell	Hoppe
Johnson 61	Nordwald	Ridgeway	Skaggs	

VACANCIES: 004

RESOLUTION

Representative Crawford offered House Resolution No. 318.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 317 - Representative Rizzo
 House Resolution No. 319 - Representative Gambaro
 House Resolution No. 320 - Representative Boykins, et al
 House Resolution No. 321 - Representative Kreider
 House Resolution No. 322 - Representative Luetkemeyer
 House Resolution No. 323
 and
 House Resolution No. 324 - Representatives Surface and Burton
 House Resolution No. 325 - Representatives Ross and Crawford
 House Resolution No. 326 - Representative Smith
 House Resolution No. 327 - Representative Boucher
 House Resolution No. 328 - Representative Barnett
 House Resolution No. 329
 and
 House Resolution No. 330 - Representative Mayer
 House Resolution No. 331 - Representative Koller
 House Resolution No. 332 - Representatives Murphy, Enz and Hendrickson

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 17 through **HCR 21** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1933 through **HB 1962** were read the second time.

SECOND READING OF SENATE BILLS

SB 695, **SB 702** and **SB 896** 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 **HCS HB 1711**, 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 BILLS

HCS HB 1398, relating to World War II medals, was taken up by Representative Ward.

On motion of Representative Ward, **HCS HB 1398** was adopted.

On motion of Representative Ward, **HCS HB 1398** was ordered perfected and printed.

HCS HB 1451, relating to the board of public buildings, was taken up by Representative Abel.

On motion of Representative Abel, **HCS HB 1451** was adopted.

On motion of Representative Abel, **HCS HB 1451** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 25 - Critical Issues, Consumer Protection and Housing

HJR 47 - Utilities Regulation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1711 - Fiscal Review and Government Reform (Fiscal Note)

HB 1802 - Civil and Administrative Law

HB 1820 - Tourism, Recreation and Cultural Affairs

HB 1849 - Correctional and State Institutions
HB 1865 - Utilities Regulation
HB 1906 - Fiscal Review and Government Reform
HB 1932 - Labor
HB 1944 - Sportsmanship, Safety and Firearms

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 22, introduced by Representative Bearden, relating to memorializing the Congress of the United States to pass a constitutional amendment to the Constitution of the United States to allow for voluntary school prayer and the protection of public religious speech.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 51, introduced by Representatives Whorton, Kreider, Hampton, Berkowitz, Barnitz, Shoemyer (9) and Koller, relating to the right to hunt, fish, and harvest game.

INTRODUCTION OF HOUSE BILLS

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

HB 1963, introduced by Representative Gambaro, relating to assistance for at-risk students in public schools.

HB 1964, introduced by Representative Gambaro, relating to the selling of real estate.

HB 1965, introduced by Representative Cunningham, relating to contractor qualifications.

HB 1966, introduced by Representatives Froelker and Moore, et al, relating to income taxation.

HB 1967, introduced by Representatives Monaco, Shoemyer (9) and Rizzo, et al, relating to the poultry producer protection act.

HB 1968, introduced by Representative Riback Wilson (25), relating to eviction notice provisions for manufactured or mobile home land lease communities.

HB 1969, introduced by Representative Reid, relating to special license plates.

HB 1970, introduced by Representatives Townley, Long, Berkstresser, Robirds, Fraser, Griesheimer and Ladd Baker, et al, relating to health insurance coverage for mastectomy prosthetic devices.

HB 1971, introduced by Representatives Seigfreid, Shoemyer (9) and Copenhaver, relating to public retirement systems.

HB 1972, introduced by Representatives Kelley (47), Ballard, Bartle, Phillips and Ladd Baker, et al, relating to the authority of the gaming commission to authorize new types of wagering.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 656**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to the interpretation of insurance materials, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 749**, entitled:

An act to repeal sections 21.250 and 116.050, RSMo, relating to powers of the general assembly, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 776**, entitled:

To repeal section 166.415, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 804**, entitled:

An act to authorize the conveyance of certain property interests to the city of Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 813**, entitled:

An act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to appropriations for community college district maintenance funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 893**, entitled:

An act to repeal section 376.307, RSMo, relating to life insurance company investments, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Williams has been appointed a member of the Children, Families and Health Committee.

The following members' presence was noted: Berkstresser and Skaggs.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, February 19, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-second Day, Thursday, February 14, 2002, pages 281 and 282, roll call, by showing Representatives Boykins, Cierpiot, Johnson (90), Kelley (47) and Walton voting "aye" rather than "absent with leave".

Pages 284 and 285, roll call, by showing Representative Liese voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1429, HB 1837

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 19, 2002, 6:00 p.m. Hearing Room 1.
Mark-up.
To be considered - HB 1108, HB 1109

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 19, 2002. Hearing Room 7 upon adjournment.
Mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2002. Hearing Room 7 upon adjournment.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 19, 2002. Hearing Room 6 upon adjournment.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.

Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 19, 2002. Hearing Room 5 upon adjournment.

Mark-up continued.

Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 20, 2002. Hearing Room 5 upon adjournment.

Mark-up continued.

Department of Natural Resources and Department of Insurance. AMENDED.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 19, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 19, 2002. Hearing Room 3 fifteen minutes after morning adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 7.

Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 7.

Mark-up.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1231, HB 1923

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow. AMENDED.

To be considered - HB 1555, HB 1621, HB 1693, HB 1768, HB 1780

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 6. AMENDED.

To be considered - HB 1556, HB 1662, HJR 48

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 19, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow. Department of Corrections Overview.

To be considered - HB 1565

CRIMINAL LAW

Wednesday, February 20, 2002, 8:00 p.m. Hearing Room 7.

Executive Session.

To be considered - HB 1029, HB 1299, HB 1302, HB 1577, HB 1587, HB 1722, HB 1756

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on: HB 1392, HB 1625, HB 1817

To be considered - HB 1200, HB 1783, HB 1784

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 1.

Hearing and Executive Session on HCS HB 1150, 1237, 1327

To be considered - HB 1615, HB 1906, HJR 45

INSURANCE

Tuesday, February 19, 2002. Hearing Room 4.

Hearing to begin at noon or upon morning adjournment.

To be considered - HB 1446, HB 1473, HB 1518, HB 1567, HB 1568, Executive Session - HB 1215,

Executive Session - HB 1446, Executive Session - HB 1468

JUDICIARY

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1516, HB 1537, HB 1578, HB 1642, HB 1675

Executive Session - HB 1076, Executive Session - SB 650

LABOR

Tuesday, February 19, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1091, HB 1092, HB 1318

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1514, HB 1580, HB 1630, HB 1650, HB 1687, HB 1705, HB 1769, HB 1807

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, February 19, 2002, 2:30 p.m. House Lounge.

Executive Session may follow.

To be considered - HB 1717, HB 1877, HCR 15, HR 150, HR 278

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1496, HB 1679

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1310, HB 1478, HB 1534, HB 1550, HB 1624, HB 1714, HB 1778,

Executive Session - HB 1075, Executive Session - HB 1095, Executive Session - HB 1099,

Executive Session - HB 1155, Executive Session - HB 1265, Executive Session - HB 1308

MUNICIPAL CORPORATIONS

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1649, HB 1773

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2002, 5:00 p.m. Hearing Room 5.

To be considered - HB 1313, HB 1409, HB 1505, HB 1517, HB 1528, HB 1600, HB 1616, HB 1643,

HB 1644, HB 1671, HB 1682, HB 1689, HB 1706, HB 1787, HB 1796

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 19, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1515, HB 1581, HB 1668

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, February 20, 2002. Hearing Room 1 upon adjournment.

Executive Session will follow.

To be considered - HB 1680, HB 1944

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 6.

URBAN AFFAIRS

Tuesday, February 19, 2002. Side gallery upon adjournment.

Executive Session.

To be considered - HB 1488

UTILITIES REGULATION

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1865, HJR 47

WAYS AND MEANS

Tuesday, February 19, 2002. Hearing Room 2 upon adjournment. AMENDED.

To be considered - HB 1048, HB 1057, HB 1060, HB 1087, HB 1230, HB 1235, HB 1325, HB 1358, HB 1431, HB 1467, HB 1511, HB 1575, HB 1576, HB 1618, HB 1657, HB 1660, HB 1798, HB 1912, HJR 38, HJR 42

HOUSE CALENDAR

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2002

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 22

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 51

HOUSE BILLS FOR SECOND READING

HB 1963 through HB 1972

HOUSE BILLS FOR PERFECTION

- 1 HB 1498 - Johnson (90)
- 2 HCS HB 1425 - Smith
- 3 HCS HB 1461 & 1470 - Seigfreid
- 4 HB 1634 - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(02-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32 - Barry

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1150, 1237 & 1327, (Fiscal Review, 2-14-02) - Bray
- 2 HCS HB 1711, E.C. (Fiscal Review 2-18-02) - Graham

SENATE BILLS FOR SECOND READING

- 1 SCS SB 656
- 2 SB 749
- 3 SCS SB 776
- 4 SCS SB 804
- 5 SB 813
- 6 SB 893

HOUSE RESOLUTIONS

- 1 HR 26, (2-13-02, Pg. 273) - Gratz
- 2 HR 124, (2-13-02, Pg. 273) - Harding
- 3 HR 136, (2-13-02, Pg. 274) - Harlan
- 4 HR 137, (2-13-02, Pgs. 273 & 274) - Williams