

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Around us, God, we see extremes of materialism, egotism, and pride glaring at the selflessness and humility of so many of the good people of the state of Missouri. Aid our representatives today to help all of us become even better citizens.

May the laws they enact or attempt to enact build a society of unity and not separate people into warring camps. This session tries to move forward with Your blessing in a spirit of real progress. 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: Vanyah Moore, Alexandria Martin and Michael Wingo.

The Journal of the twenty-third day was approved as printed.

RESOLUTION

Representative Ladd Baker offered House Resolution No. 341.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 333 - Representative Hunter
House Resolution No. 334 - Representative Hunter, et al
House Resolution No. 335 - Representative Enz
House Resolution No. 336
through
House Resolution No. 338 - Representatives Lograsso and Ross
House Resolution No. 339 - Representative Lowe
House Resolution No. 340 - Representative Farnen
House Resolution No. 342 - Representative Wilson (42)

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 22 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 51 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1963 through **HB 1972** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 656, SB 749, SCS SB 776, SCS SB 804, SB 813 and **SB 893** 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 1398** and **HCS HB 1451**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1425, relating to health records, was taken up by Representative Smith.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 50, by adding after the word "**law**" the phrase "**, or a court order**".

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 53, by inserting immediately after the word "damages" on said line the following:

"in an amount not to exceed three hundred thousand dollars for any one person and two million dollars for all claims arising out of a single occurrence"; and

Further amend House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 54, by inserting immediately before the word "**equitable**" on said line the words "**may be subject to further**".

On motion of Representative Bowman, **House Amendment No. 2** was adopted.

Representative Clayton assumed the Chair.

On motion of Representative Smith, **HCS HB 1425, as amended**, was adopted.

On motion of Representative Smith, **HCS HB 1425, as amended**, was ordered perfected and printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

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	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	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	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 000

PRESENT: 004

Lograsso	Reynolds	Van Zandt	Wright
----------	----------	-----------	--------

ABSENT WITH LEAVE: 004

Hagan-Harrell

Liese

Ridgeway

Scott

VACANCIES: 004

PERFECTION OF HOUSE BILL

HB 1634, relating to land trusts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1634** was ordered perfected and printed.

HOUSE RESOLUTIONS

HR 26, relating to use of chamber, was taken up by Representative Gratz.

On motion of Representative Gratz, **HR 26** was adopted.

HR 124, relating to use of chamber, was taken up by Representative Harding.

On motion of Representative Harding, **HR 124** was adopted.

HR 136, relating to use of chamber, was taken up by Representative Harlan.

On motion of Representative Harlan, **HR 136** was adopted.

HR 137, relating to use of chamber, was taken up by Representative Williams.

On motion of Representative Williams, **HR 137** was adopted.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1398 - Fiscal Review and Government Reform (Fiscal Note)

HB 1152 - Civil and Administrative Law

HB 1410 - Social Services, Medicaid and the Elderly

HB 1763 - Motor Vehicle and Traffic Regulations

HB 1898 - Social Services, Medicaid and the Elderly

COMMITTEE REPORTS

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1472**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS #2 SB 650**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1432**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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 1515**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1202**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1765**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 52, introduced by Representative Bartle, relating to the department of transportation.

HJR 53, introduced by Representative Bartle, relating to regular sessions of the general assembly.

HJR 54, introduced by Representative Bartle, relating to the number of members of the general assembly.

INTRODUCTION OF HOUSE BILLS

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

HB 1973, introduced by Representative Bowman, relating to economics and personal finance education.

HB 1974, introduced by Representatives Bowman, Villa, O'Toole, Wagner and Graham, et al, relating to restrictions on child labor.

HB 1975, introduced by Representatives Hosmer, May (149), Shelton, Hilgemann and Troupe, et al, relating to electronic creation and retrieval of birth and death records.

HB 1976, introduced by Representative Bartle, relating to removal of customers from electronic mail message lists.

HB 1977, introduced by Representative Bartle, relating to the crime of stalking.

HB 1978, introduced by Representative Bartle, relating to assessed valuation for school purposes.

HB 1979, introduced by Representative Bartle, for the purpose of repealing provisions of law declared to be unconstitutional.

HB 1980, introduced by Representative Bartle, relating to capital improvement funds for elementary and secondary schools.

HB 1981, introduced by Representatives Shields and Hegeman, relating to campaign committees.

HB 1982, introduced by Representative Richardson, relating to travel expenses for assessors in certain counties.

HB 1983, introduced by Representative Ladd Baker, relating to earned income disregards for temporary assistance benefits.

HB 1984, introduced by Representative Froelker, relating to a sales tax exemption for motor vehicles.

HB 1985, introduced by Representatives Gratz and Legan, relating to legislative intent.

HB 1986, introduced by Representatives Hosmer, Farnen, Williams, Britt, Riback Wilson (25), Haywood, Harlan and Champion, relating to certain institutions of higher education.

HB 1987, introduced by Representatives O'Connor, Hickey, George, O'Toole, McKenna and Holt, et al, relating to nurse-to-patient staff ratios.

HB 1988, introduced by Representatives Kelly (144), Kreider, Robirds and Marsh, et al, relating to the establishment of an official state horse.

HB 1989, introduced by Representative Shoemyer (9), relating to prosecuting attorney retirement.

HB 1990, introduced by Representative Green (15), relating to the issuance of a death certificate for stillborn babies.

HB 1991, introduced by Representatives Naeger, Cunningham, Phillips and Hunter, et al, relating to the transportation of pupils to all schools.

HB 1992, introduced by Representative Hendrickson, relating to submission of bond issues to the voters.

HB 1993, introduced by Representatives Copenhaver, Clayton, Wilson (42) and Black, et al, relating to early childhood education incentives.

HB 1994, introduced by Representatives Hosmer, Marsh, Kreider, Ransdall, Berkstresser, Scott, Villa, Barnitz and Green (73), et al, relating to the name of a certain public institution of higher education.

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 645**, entitled:

An act to repeal section 221.425, RSMo, relating to authorizing a sales tax for regional jail districts, and to enact in lieu thereof two new sections relating to the same subject, with an expiration date for a certain section.

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 798**, entitled:

An act to repeal section 301.453, RSMo, relating to congressional license plates, and to enact in lieu thereof one new section 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 **SB 891**, entitled:

An act to repeal section 238.207, RSMo, relating to transportation development districts, 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 CHANGES

The Speaker submitted the following Committee changes:

Representative Barnitz is no longer a member of the Commerce and Economic Development Committee.

Representative Kelly (36) has been appointed a member of the Commerce and Economic Development Committee.

The following members' presence was noted: Scott and Ridgeway.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 20, 2002.

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

Wednesday, February 20, 2002, 6:00 p.m. Hearing Room 1.

Mark-up.

To be considered - HB 1108, HB 1109

APPROPRIATIONS - GENERAL ADMINISTRATION

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

Mark-up. AMENDED.

Executive Session to follow.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.
Mark-up.

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

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 3.
Department of Social Services

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 20, 2002. Hearing Room 3 fifteen minutes after adjournment.
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, 8:00 a.m. Hearing Room 7.
Mark-up. AMENDED.
Discussion of MODOT's purchase of alternative fuel vehicles.

BUDGET

Wednesday, February 20, 2002, 3:30 p.m. Hearing Room 3.
Presentation by Governor's Office on Government Restructuring.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 1. AMENDED #2.
Executive Session may follow on House Bills 1047,1064,1072, 1098, 1077,
1127, 1187, 1195, 1279,1243,1579
To be considered - HB 1555, HB 1621, HB 1693, HB 1768, HB 1780

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 - HIGHER

Wednesday, February 20, 2002, 3:00 p.m. House Lounge. AMENDED.
Executive Session on any bills heard by the committee as of this date.

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

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

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. AMENDED #2.
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

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.

TRANSPORTATION

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 6.
To be considered - HB 1145, HB 1353, HB 1507, HB 1508, HB 1894, HB 1918

UTILITIES REGULATION

Wednesday, February 20, 2002, 8:30 a.m. House Lounge.
Executive Session may follow. AMENDED.
To be considered - HB 1865, HJR 47

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 25, 2002. Hearing Room 6 upon adjournment.
Executive Session may be held.
To be considered - HB 1275, HB 1276, HB 1277, HB 1742, HB 1800

HOUSE CALENDAR

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2002

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 52 through HJR 54

HOUSE BILLS FOR SECOND READING

HB 1973 through HB 1994

HOUSE BILLS FOR PERFECTION

- 1 HB 1498 - Johnson (90)
- 2 HCS HB 1461 & 1470 - Seigfreid
- 3 HCS HB 1472 - Whorton
- 4 HB 1432 - Foley
- 5 HB 1672 - Gambaro
- 6 HCS HB 1202 - Smith
- 7 HCS HB 1765 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(2-18-02)

- 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
- 3 HCS HB 1398, E.C. (Fiscal Review 2-19-02) - Ward
- 4 HCS HB 1451 - Abel

SENATE BILLS FOR SECOND READING

- 1 SCS SB 645
- 2 SB 798
- 3 SB 891

SENATE BILL FOR THIRD READING

HCS SS#2 SB 650, E.C. - Monaco