

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

The men and women gathered here, God of freedom and democracy, represent a broad spectrum of opinion and interest from across the state. Encourage these elected officials and our citizenry to be even more informed of all sides of issues and motivated to create and support helpful legislation.

In education, for example, open up for us ways to find the mental, emotional, and physical resources to keep all, from young to old, on the path to more knowledge and understanding. In social concerns, physical upkeep of our state's roads and buildings, in sensible respect in conserving our natural resources, and in so many areas of vital interest, grant this House the wisdom and fortitude to move ahead in those concerns which must be confronted if we are to grow as a state society.

We are now about midpoint in this session. We trust You for guidance and strength. 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: Drew Vines, Samantha Snyder, Eric Berry, Alisa Richardson, Steven Harris, Lauren Kliethermes, Matt Newman, Leann Botkin, Rachel Dorson, Chris Bartholomew and Josh Perkins.

The Journal of the thirty-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 700 - Representative Smith
House Resolution No. 701
and
House Resolution No. 702 - Representative Hanaway
House Resolution No. 703 - Representatives Hanaway and Fares
House Resolution No. 704
and
House Resolution No. 705 - Representative Gratz
House Resolution No. 706 - Representative Moore
House Resolution No. 707 - Representative Black
House Resolution No. 708 - Representative Shields

House Resolution No. 709

and

House Resolution No. 710 - Representative Graham
House Resolution No. 711 - Representative Kelley (47), et al
House Resolution No. 712 - Representative Cierpiot
House Resolution No. 713 - Representative Davis
House Resolution No. 714 - Representative Bearden

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 30 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2136 through **HB 2142** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 834, SB 941 and **SB 1094** 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 1403** and **HCS HB 1817**, 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 - APPROPRIATIONS

HCS HB 1115, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1115, Page 8, Section 15.215, Line 4, by inserting after said line the following:

“Section 15.220. There is transferred out of the State Treasury, chargeable to various funds, such amounts as are necessary for allocation of costs to other funds in support of the state's central services, to the General Revenue Fund

From Uncompensated Care Fund	\$2,525,210
From Mental Health Interagency Payments Fund	34,315
From Department of Health Interagency Payments Fund	8,318
From Pharmacy Rebates Fund	534,646
From Third Party Liability Collections Fund	89,728

From Marguerite Ross Barnett Scholarship Fund	2,349
From Utilicare Stabilization Fund	3,387
From Intergovernmental Transfer Fund	12,347
From Division of Family Services Donations Fund	188
From Child Support Enforcement Collections Fund	306,257
From Missouri Technology Investment Fund	16,654
From Missouri Water Development Fund	2,167
From General Revenue Reimbursements Fund	231,285
From Missouri Humanities Council Trust Fund	441
From Post Closure Fund	251
From Motorcycle Safety Trust Fund	25
From Hearing Instrument Specialist Fund	651
From School District Bonds Fund	895
From Compulsive Gamblers Fund	769
From Missouri Capital Access Program Fund	813
From Missouri Crime Prevention Information and Programming Fund	125
From Missouri Housing Trust Fund	41,498
From Treasurer's Information Fund	23
From State Committee of Interpreters Fund	204
From Elevator Safety Fund	530
From Residential Mortgage Licensing Fund	2,179
From Missouri Arts Council Trust Fund	24,357
From Board of Geologist Registration Fund	817
From Missouri Commission for the Deaf Board of Certification of Interpreters Fund	610
From Gaming Commission Bingo Fund	148
From Secretary of State's Technology Trust Fund Account	21,734
From Missouri Air Emission Reduction Fund	16,106
From Missouri National Guard Training Site Fund	3,198
From Statewide Court Automation Fund	53,373
From Nursing Facility Quality of Care Fund	34,582
From Missouri Student Grant Program Gift Fund	131
From Division of Tourism Supplemental Revenue Fund	60,297
From Health Initiatives Fund	322,921
From Health Access Incentive Fund	16,327
From Mental Health Housing Trust Fund	2
From Family Support Loan Program Fund	722
From Business Extension Service Team Fund	4,720
From Peace Officers Standards and Training Commission Fund	12,272
From Independent Living Center Fund	1,967
From Gaming Commission Fund	576,473
From Outstanding Schools Trust Fund	1,804,444
From Mental Health Earnings Fund	18,577
From Grade Crossing Safety Account Fund	11,517
From Animal Health Laboratory Fee Fund	3,855
From Mammography Fund	1,566
From Animal Care Reserve Fund	6,741
From Division of Aging Elderly Home Delivered Meals Trust Fund	586
From Highway Patrol Inspection Fund	7,835
From Missouri Public Health Services Fund	18,267
From Livestock Brands Fund	187
From Veterans' Commission Capital Improvement Trust Fund	74,793
From Commodity Council Merchandising Fund	1,319
From Single-Purpose Animal Facilities Loan Program Fund	1,898
From State Fair Fees Fund	37,054

From Agricultural Product Utilization Grant Fund	1,286
From State Parks Earnings Fund	82,110
From State Parks Revolving Fund	21
From Natural Resources Revolving Services Fund	12,071
From Historic Preservation Revolving Fund	3,792
From Missouri Veterans' Homes Fund	618,232
From Department of Natural Resources Cost Allocation Fund	87,658
From State Facility Maintenance and Operation Fund	188,708
From Office of Administration Revolving Administrative Trust Fund	531,550
From Working Capital Revolving Fund	304,966
From Central Check Mailing Service Revolving Fund	585
From House of Representatives Revolving Fund	239
From Supreme Court Publications Revolving Fund	650
From Adjutant General Revolving Fund	931
From Senate Revolving Fund	237
From Inmate Revolving Fund	49,303
From Department of Social Services Administrative Trust Fund	16,429
From Statutory Revision Fund	5,881
From Department of Economic Development Administrative Fund	18,576
From Division of Credit Unions Fund	16,762
From Division of Savings and Loan Supervision Fund	325
From Division of Finance Fund	105,591
From Insurance Examiners Fund	107,846
From Natural Resources Protection Fund	251
From Deaf Relay Service and Equipment Distribution Program Fund	50,625
From Real Estate Appraisers Fund	2,583
From Endowed Care Cemetery Audit Fund	1,244
From Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund	7,545
From Department of Insurance Dedicated Fund	148,679
From International Promotions Revolving Fund	1,590
From Solid Waste Management Fund-Scrap Tire Subaccount	24,471
From Solid Waste Management Fund	101,632
From Missouri Qualified Fuel Ethanol Producer Incentive Fund	15,172
From Aquaculture Marketing Development Fund	97
From Clinical Social Workers Fund	2,370
From Metallic Minerals Waste Management Fund	1,487
From Landscape Architectural Council Fund	279
From Local Records Preservation Fund	27,125
From Veterans' Trust Fund	387
From State Committee of Psychologists Fund	4,430
From Livestock Sales and Markets Fees Fund	160
From Manufactured Housing Fund	7,776
From Natural Resources Protection Fund-Air Pollution Asbestos Fee Subaccount	4,024
From Petroleum Storage Tank Insurance Fund	210,998
From Underground Storage Tank Regulation Program Fund	4,651
From Chemical Emergency Preparedness Fund	9,476
From Motor Vehicle Commission Fund	14,902
From Health Spa Regulatory Fund	41
From State Forensic Laboratory Fund	2,395
From Services to Victims' Fund	27,245
From Natural Resources Protection Fund-Air Pollution Permit Fee Subaccount	128,119
From Missouri Main Street Program Fund	484
From Health Professional Student Loan and Loan Repayment Program Fund	124
From Video Instructional Development and Educational Opportunity Fund	4,926

From Missouri Job Development Fund	54,828
From Children's Service Commission Fund	9
From Attorney General's Court Costs Fund	579
From Missouri Breeders Fund	39
From Public Service Commission Fund	247,942
From Apple Merchandising Fund	35
From Department of Revenue Information Fund	24,825
From Department of Social Services Educational Improvement Fund	86,891
From Tort Victims Compensation Fund	1,018
From Livestock Dealer Law Enforcement and Administration Fund	51
From Healthy Families Trust Fund	2,513,684
From Board of Accountancy Fund	8,595
From Board of Barber Examiners Fund	1,667
From Board of Podiatric Medicine Fund	203
From Board of Chiropractic Examination Fund	4,494
From Merchandising Practices Revolving Fund	22,752
From Board of Cosmetology Fund	8,716
From Board of Embalmers and Funeral Directors Fund	2,437
From Board of Registration for Healing Arts Fund	52,705
From Board of Nursing Fund	66,171
From Board of Optometry Fund	1,102
From Board of Pharmacy Fund	21,185
From Missouri Real Estate Commission Fund	29,285
From Veterinary Medical Board Fund	3,419
From Milk Inspection Fees Fund	15,511
From Department of Health Document Services Fund	741
From Grain Inspection Fees Fund	34,345
From Petition Audit Revolving Trust Fund	2,867
From Tourism Marketing Fund	13
From Excellence in Education Fund	19,962
From Workers' Compensation Fund	181,213
From Second Injury Fund	396,522
From Department of Health-Donated Fund	13,758
From Railroad Expense Fund	10,713
From Groundwater Protection Fund	9,838
From Petroleum Inspection Fund	43,468
From Infrastructure Development Fund	4,626
From Attorney General's Antitrust Fund	4,631
From Energy Set-Aside Program Fund	35,794
From State Land Survey Program Fund	27,291
From Petroleum Violation Escrow Fund	61,460
From Legal Defense and Defender Fund	10,341
From Criminal Record System Fund	26,252
From Committee on Professional Counselors Fund	4,088
From Highway Patrol Academy Fund	4,423
From Hazardous Waste Fund	43,463
From Dental Board Fund	10,948
From State Board of Architects, Engineers, and Land Surveyors Fund	16,965
From Safe Drinking Water Fund	47,938
From Missouri Office of Prosecution Services Fund	2,952
From Crime Victims' Compensation Fund	54,023
From Marketing Development Fund	7,232
From Coal Mine Land Reclamation Fund	1,754
From State Elections Subsidy Fund	4,645

From Professional Registration Fees Fund	68,753
From Hazardous Waste Remedial Fund	37,946
From Missouri Air Pollution Control Fund	7,889
From State Legal Expense Fund	21,065
From Athletic Fund	1,218
From Children's Trust Fund	31,339
From Highway Patrol's Motor Vehicle and Aircraft Revolving Fund	55,864
From Meramac-Onondaga State Parks Fund	672
From Proceeds of Surplus Property Sales Fund	12,400
From ADA Compliance Fund	4,316
From Confederate Memorial Park Fund	47
From Marital and Family Therapists Fund	226
From Library Networking Fund	3,315
From Organ Donor Program Fund	4,023
From Child Labor Enforcement Fund	854
From Inmate Incarceration Reimbursement Act Revolving Fund	1,063
From Secretary of State's Investor Education Fund	211
From Property Reuse Fund	1,436
From State Court Administration Revolving Fund	117
From Respiratory Care Practitioners Fund	1,624
From Concentrated Animal Feeding Operation Indemnity Fund	225
From State Document Preservation Fund	49
From Light Rail Safety Fund	116
From Student Grant Fund	60,623
From Academic Scholarship Fund	55,558
From State Transportation Assistance Revolving Fund	5,528
From Criminal Justice Network and Technology Revolving Fund	12,810
From Missouri Office of Prosecution Services Revolving Fund	863
From Missouri Board of Occupational Therapy Fund	2,739
From Judiciary Education and Training Fund	17,058
From Missouri Supplemental Tax Increment Financing Fund	972
From Bridge Scholarship Fund	4
From Domestic Relations Resolution Fund	1,292
From Correctional Substance Abuse Earnings Fund	552
From Missouri Wine Marketing and Research Development Fund	97
From Advantage Missouri Trust Fund	14,538
From Dietitian Fund	579
From Missouri College Guarantee Fund	32,851
From Early Childhood Development, Education and Care Fund	114,648
From Escheats Fund	9,967
From Abandoned Fund	312,629
From Champ W. Smith & Mary C. Smith Memorial Endowment Trust Fund	172
From Interior Designer Council Fund	124
From Kids' Chance Scholarship Fund	27
From Massage Therapy Fund	1,856
From Premium Fund	2,636
From Missouri Public Broadcasting Corporation Special Fund	2,178
From Fine Collections Center Interest Revolving Fund	62
From Assistive Technology Loan Revolving Fund	29
From Petroleum Violation Escrow Interest Subaccount Fund	5,156
From World War II Memorial Trust Fund	66
From Blindness Education, Screening and Treatment Program Fund	701
From Dry-cleaning Environmental Response Trust Fund	1,289
From Missouri National Guard Trust Fund	29,366

From Agriculture Development Fund	3,357
From Alternative Care Trust Fund	81,951
From Missouri State Employees' Voluntary Life Insurance Fund	7,796
From Mined Land Reclamation Fund	7,668
From Babler State Park Fund	5,308
From School for the Blind Trust Fund	15,136
From School for the Deaf Trust Fund	307
From Institution Gift Trust Fund	477
From Mental Health Institution Gift Trust Fund	71,548
From Secretary of State-Wolfner State Library Fund	3,447
From Secretary of State Institution Gift Trust Fund	2,700
From Special Employment Security Fund	23,156
From Crippled Children Fund	487
From State Fair Trust Fund	31
From Aviation Trust Fund	43,377
From Pansey Johnson-Travis Memorial State Garden Trust Fund	17
Total	\$13,526,928".

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1115, Section 15.090, Line 4, by adding after said section and line the following:

“Section 15.093. To the Department of Public Safety
For the Capitol Police

Expense and Equipment
From General Revenue Fund \$202,500".

On motion of Representative Green (73), **House Amendment No. 2** was adopted.

Representative Campbell offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1115, Page 2, Section 15.020, Line 6, by deleting the number “993,369” and inserting in lieu thereof the number “**1,401,369**”.

On motion of Representative Campbell, **House Amendment No. 3** was adopted.

Representative Naeger offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1115, Page 5, Section 15.165, Lines 3-5, by deleting said lines and inserting in lieu thereof the following lines:

“Personal Service	\$319,328
Professional Services	1,703,384
Expense and Equipment	211,909
From Missouri Senior Rx Fund	\$2,234,621"; and

Further amend said section by inserting the following after the above lines:

“If the enrollment fee collections exceed the originally projected enrollment revenues, the Commission shall be authorized to spend from such collections to cover the cost of third party administration.

Expense and Equipment	
From Missouri Senior Rx Fund	\$1 E”; and

Further amend said bill, Page 6, Section 15.170, Line 7, by deleting the number “\$2,069,873” and inserting in lieu thereof the number “\$2,352,773”.

On motion of Representative Naeger, **House Amendment No. 4** was adopted.

Speaker Pro Tem Abel assumed the Chair.

Representative Byrd offered **House Amendment No. 5**.

House Amendment No. 5 was withdrawn.

On motion of Representative Green (73), **HCS HB 1115, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 1115, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1877, relating to funding for schools, was taken up by Representative Foley.

Representative Foley offered **HS HCS HB 1877**.

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

Representative Scheve raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

Representative Franklin raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 28, Section 144.190, Line 2 of said page, by deleting all of said line and inserting in lieu thereof the following:

"3. Except as provided in subsection 6 of this section, if any tax was paid more than once, was incorrectly"; and

Further amend said bill, Page 29, Section 144.190, Line 23 of said page, by inserting immediately after said line the following:

"6. In lieu of subsection 3 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and the person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to future customers of the person by mutually agreed to distribution of a fixed value coupon to such customers."; and

Further amend said title, enacting clause and intersectional references accordingly.

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

HCS HB 1877, with HS, as amended, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 715 - Representative Wright
House Resolution No. 716 - Representative Rector
House Resolution No. 717 - Representative Villa
House Resolution No. 718 - Representative Jetton
House Resolution No. 719 - Representative Bray
House Resolution No. 720 - Representative Gaskill
House Resolution No. 721 - Representative Richardson
House Resolution No. 722
and
House Resolution No. 723 - Representative Moore
House Resolution No. 724 - Representatives Fares and Hanaway

House Resolution No. 725 - Representative Moore
House Resolution No. 726 - Representative Gambaro

Representative Smith assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1877, with HS, as amended, pending, relating to funding for schools, was again taken up by Representative Foley.

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

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 30, Section 144.190, Line 6, by placing a bracket before the word “deposited”; and

Further amend said bill, Page 30, Section 144.190, Line 8, by placing a bracket after the number “313.822” and adding after the bracket the following: “**Distributed equally to all school districts on a per pupil basis**”.

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

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Kreider resumed the Chair.

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

Which motion was defeated by the following vote:

AYES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Green 15
Griesheimer	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holt	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Johnson 61	Johnson 90	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Reid	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hanaway	Jolly	Nordwald	Relford
Richardson				

VACANCIES: 003

Representative O'Toole offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 8, Section 143.431, Line 19 of said page, by inserting after "**143.451**," the following:

"and from the disallowance of a timely filing discount for remitters of income tax withholding payments pursuant to the repeal of section 143.261,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 3** was adopted.

Representative Froelker offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 27, Section 144.190, Line 22, by deleting "32.065" and inserting in lieu thereof "**32.068**"; and

Further amend said bill, Page 28, Section 144.190, Page 6, by deleting "32.065" and inserting in lieu thereof "**32.068**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 4** was adopted.

Representative Barry offered **House Amendment No. 5**.

Representative Scheve raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 5**.

Representative Gambaro raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Foley, **HS HCS HB 1877, as amended**, was adopted by the following vote:

AYES: 090

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Monaco	Moore	Murphy
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Reynolds	Rizzo	Robirds	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 065

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Froelker
Gaskill	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Richardson	Ridgeway	Roark	Ross

Schwab
St. Onge

Scott
Surface

Secrest
Townley

Shields
Vogel

Shoemaker
Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser

Bowman

Hanaway

Ostmann

Relford

VACANCIES: 003

On motion of Representative Foley, **HS HCS HB 1877, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1592, relating to workers memorial fund, was taken up by Representative Hickey.

Speaker Pro Tem Abel resumed the Chair.

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

House Amendment No. 1

AMEND House Bill No. 1592, Page 1, Section 143.1018, Line 3, by deleting the words "**one dollar**" and inserting in lieu thereof the following: "**two dollars**"; and

Further amend said bill, Page 1, Section 143.1018, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"of two dollars on a single return, and four dollars or any amount in excess of four dollars on"; and

Further amend said bill, Page 2, Section 143.1018, Line 25, by inserting after all of said line the following:

"5. This section shall expire January 1, 2008."; and

Further amend said title, enacting clause and intersectional references accordingly.

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

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

Representative Hickey 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.

On motion of Representative Hickey, **HB 1592, as amended**, was ordered perfected and printed.

HCS HBs 1344 & 1944, relating to firearms, was taken up by Representative Crump.

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

House Amendment No. 1 was withdrawn.

Representative Riback Wilson (25) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 87, by inserting after all of said line the following:

"571.068. A person commits the crime of unlawful possession of a firearm if such person is listed in 18 U.S.C. Section 922(g)(8) and (9) and has a firearm or ammunition in his or her possession. Any person who violates this section shall be subject to the penalty set forth in 18 U.S.C. Section 924(a)(2)."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scott raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.030, Line 44, by placing brackets around the second occurrence of the word "**and**"; and

Further amend said bill, Page 2, Section 571.030, Line 46, by inserting after all of said line the following:

"[.]; and

(9) Any retired peace officer holding a valid permit to carry a concealed firearm pursuant to section 571.096."; and

Further amend said bill, Page 3, Section 571.030, Line 87, by inserting after all of said line the following:

"571.096. 1. A permit for a retired peace officer to carry a concealable firearm shall be issued by the sheriff of the county in which the applicant resides, if all of the statements in the application are true, and the applicant:

(1) Is a citizen of the United States and has resided in this state for at least six months;

(2) Has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an

explosive weapon, firearm, firearm silencer, or gas gun;

(3) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(4) Has not been discharged under dishonorable conditions from the United States armed forces;

(5) Is not publicly known to be habitually in an intoxicated or drugged condition;

(6) Is not currently adjudged mentally incompetent and has not been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state; and

(7) Is a retired peace officer having completed a minimum of fifteen years service and terminating service in good standing whether in this state or another state and who is currently licensed as a peace officer pursuant to chapter 590, RSMo.

2. A permit for a retired peace officer to carry a concealable firearm shall initially be issued for a period of three years and renewed for a period of three years by the sheriff of the county in which the applicant resides if the applicant satisfies all the requirements of subsection 1 of this section. All costs associated with obtaining or renewing a permit for a retired peace officer to carry a concealable weapon, including but not limited to, the cost of background checks and certifications and continuing education shall be borne by the applicant.

3. Applications shall be made to the sheriff of the county in which the applicant resides. An application shall be filed in writing, signed and verified by the applicant, and shall state only the following: the name, Social Security number, occupation, age, height, color of eyes and hair, residence and business addresses, if any, of the applicant, the reason for desiring the permit, and whether the applicant complies with each of the requirements specified in subsection 1 of this section. The applicant shall also submit documentation signed by a licensed physician and no less than thirty days old that the applicant is in good physical and mental health.

4. Before a permit is issued or renewed, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application, but must conduct a criminal background check. The sheriff may require that the applicant display a Missouri operator's license or other suitable identification. The sheriff shall issue or renew the permit within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays, or legal holidays. The sheriff may refuse to issue or renew the permit if he or she determines that any of the requirements specified in subsection 1 of this section have not been met, has reason to believe that the applicant has rendered a false statement regarding any of the provisions in subsection 1 of this section, or if the applicant fails to provide documentation of good physical and mental health pursuant to subsection 2 of this section. If the application is approved, the sheriff shall issue or renew a permit and give a copy thereof to the applicant. A permit shall be automatically and immediately revoked if the holder violates any of the requirements to obtain a permit, fails to maintain licensing as a peace officer, or if the holder's peace officer license is revoked or suspended pursuant to section 590.135, RSMo, or if any of the causes for revocation or suspension itemized at subsection 2 of section 590.135, RSMo, occur.

5. The permit shall recite the date of issuance, the name and address of the person to whom granted, and a physical description of the applicant. The applicant shall sign the permit in the presence of the sheriff.

6. The sheriff shall keep a record of all applications for permits, and his or her action thereon.

7. No person shall in any manner transfer, alter, or change a permit, or make a false notation thereon, or obtain a permit upon any false representation, or use, or attempt to use a permit issued to another.

8. For the processing of the permit, the sheriff in each county and the city of St. Louis shall charge a fee not to exceed twenty-five dollars for an initial three-year permit, and a fee not to exceed twenty-five dollars to renew an existing permit for another three years, which shall be paid into the county crime reduction fund, if such is established by the county, otherwise into the general revenue fund.

9. In any case when the sheriff refuses to issue, or renew, or to act on an application for a permit, such refusal shall be in writing setting forth the reasons for such refusal. Such written refusal shall explain the denied applicant's right to appeal and, with a copy of the completed application, shall be given to the denied applicant within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays or legal holidays. The denied applicant shall have the right to appeal the denial within ten days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, RSMo, and the provisions of sections 482.300, 482.310, and 482.335, RSMo, shall apply to such

appeals.

10. A denial of or refusal to act on an application for permit may be appealed by filing with the clerk of the small claims court a copy of the sheriff's written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of Missouri

Case Number

....., Denied Applicant)

vs.)

....., Sheriff)

Return Date

DENIAL OF PERMIT APPEAL

The denied applicant states that his properly completed application for a permit to carry a firearm with a barrel of less than sixteen inches was denied by the sheriff of County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

.....

Denied Applicant

11. The notice of appeal in a denial of permit appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

12. If at the hearing the person shows he is entitled to the requested permit, the court shall issue an appropriate order to cause the issuance of the permit. Costs shall not be assessed against the sheriff in any case.

13. Any person aggrieved by any final judgment rendered by a small claims court in a denial of permit appeal may have a trial de novo as provided in sections 512.180 to 512.320, RSMo.

14. Violation of any provision of this section is a class A misdemeanor."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Britt assumed the Chair.

Representative Lograsso offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.096, Line 1 of said page, by deleting the words "**other than a crime**"; and by deleting all of Lines 2, 3, 4 and 5 of said page; and

Further amend said bill, section and page, Line 9, by deleting the words "**other than a crime**"; and by deleting all of Lines 10, 11, 12 and 13 of said page; and

Further amend said bill, section and page, Line 25, by adding at the end of said line the following:

**“8. Has not pled guilty to or been convicted of domestic assault; and
9. Does not have an active full order of protection pending against them wherein the applicant has been barred from possessing a firearm.”.**

On motion of Representative Lograsso, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Cooper offered **House Amendment No. 2 to House Amendment No. 2.**

Representative Johnson (90) raised a point of order that **House Amendment No. 2 to House Amendment No. 2** amends previously amended material.

Representative Johnson (90) raised an additional point of order that **House Amendment No. 2 to House Amendment No. 2** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order not well taken.

The Parliamentary Committee ruled the second point of order well taken.

Representative Hollingsworth offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.096, Line 16 of said page, by deleting the word “**may**” and inserting in lieu thereof the word “**shall**”; and

Further amend said amendment, Page 3, Section 571.096, Line 17, by inserting the word “**valid**” immediately after the word “**a**”; and

Further amend said amendment, Page 3, Section 571.096, Line 18, by inserting the word “**photo**” immediately after the word “**suitable**”.

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

On motion of Representative Ward, **House Amendment No. 2, as amended**, was adopted.

HCS HBs 1344 & 1944, as amended, was laid over.

COMMITTEE REPORTS

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 1115**, 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.

Mr. Speaker, Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1265** and **HB 1412**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the committee of origin to place said bills on the House Consent Calendar for Third Reading and Final Passage.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1654** and **HB 1156**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 30 - Social Services, Medicaid and the Elderly

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1034** - Education-Elementary and Secondary
- HB 1933** - Professional Registration and Licensing
- HB 2114** - Agriculture
- HB 2122** - Ways and Means
- HB 2127** - Public Safety, Law Enforcement and Veteran Affairs
- HB 2130** - Municipal Corporations
- HB 2133** - Motor Vehicle and Traffic Regulations
- HB 2142** - Miscellaneous Bills & Resolutions

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 31, introduced by Representatives Enz, Hendrickson, Griesheimer and Dempsey, et al, to request the State Auditor to conduct an audit of the Gateway Clean Air Program.

INTRODUCTION OF HOUSE BILLS

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

HB 2143, introduced by Representative Clayton, relating to central dispatching for emergency services.

HB 2144, introduced by Representative O'Toole, relating to police retirement systems.

HB 2145, introduced by Representative Curls, relating to special license plates.

HB 2146, introduced by Representatives Campbell and Smith, relating to escheats.

HB 2147, introduced by Representative Portwood, relating to prohibition of arrest and prosecution of certain persons for drug offenses.

HB 2148, introduced by Representative Portwood, relating to festival licenses.

HB 2149, introduced by Representative Portwood, relating to involuntary manslaughter.

HB 2150, introduced by Representative Shoemyer (9), relating to genetically modified organisms.

HB 2151, introduced by Representative Kreider, relating to collecting taxes for emergency telephone service.

HB 2152, introduced by Representative Kelly (36), relating to compulsory age for school attendance.

HB 2153, introduced by Representative Kelly (36), relating to compulsory age for school attendance.

HB 2154, introduced by Representative Froelker, relating to the transfer of human fetal parts.

HB 2155, introduced by Representatives Willoughby and Phillips, relating to regional child assessment centers.

HB 2156, introduced by Representative Kreider, relating to merchandising practices.

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 988**, entitled:

An act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to commercial zones.

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 1071**, entitled:

An act to repeal sections 413.005, 413.015, 413.055, 413.065, 413.075, 413.085, 413.115, 413.125, 413.135, 413.145, 413.155, 413.165, 413.225, 413.227 and 413.229, RSMo, relating to weights and measures, and to enact in lieu thereof fifteen new sections relating to the same subject, 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 **SCS SBs 1086 & 1126**, entitled:

An act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to removal of weeds.

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 adopted **SCR 36**.

SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, the Joint Interim Committee on Education Funding created by Senate Concurrent Resolution No. 26 enacted in the First Regular Session of the Ninety-first General Assembly ceased to exist on January 15, 2002; and

WHEREAS, the Joint Interim Committee on Education Funding was charged with an in-depth review of education finance in this state; and

WHEREAS, by its very nature, education funding is a complex subject that has many interlocking elements that are seldom understood in their entirety; and

WHEREAS, with the best efforts of the Joint Interim Committee on Education Funding, the foundation for further study has been created, but in-depth study will require more time; and

WHEREAS, institutional knowledge of the issues involved in education funding is dwindling, making an in-depth study even more difficult as time passes:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Joint Interim Committee on Education Funding be reconstituted with substantially the same membership in a timely fashion so that the in-depth study contemplated in Senate Concurrent Resolution No. 26 enacted in the First Regular Session of the Ninety-first General Assembly may continue and be completed in time to present a thoughtful study and recommendations for future action to the members of the Ninety-second General Assembly so that the constitutional requirement that designates education as the state's first priority in public policy may continue to be fulfilled.

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 adopted **SCR 44**.

SENATE CONCURRENT RESOLUTION NO. 44

WHEREAS, the state of Missouri borders 488 miles of the Mississippi River; and

WHEREAS, many of Missouri's locks and dams are more than 60 years old and only 600 feet long, making them unable to accommodate modern barge tows of 1,200 feet long, nearly tripling locking times and causing lengthy delays and ultimately increasing shipping costs; and

WHEREAS, the use of 1,200-foot locks has been proven nationwide as the best method of improving efficiency, reducing congestion and modernizing the inland waterways; and

WHEREAS, the construction of the lock and dam system has spurred economic growth and a higher standard of living in the Mississippi and Illinois' river basin, and today supplies more than 300 million tons of the nation's cargo, supporting more than 400,000 jobs, including 90,000 in manufacturing; and

WHEREAS, more than 60 percent of American agricultural exports including corn, wheat, and soybeans, are shipped down the Mississippi and Illinois rivers on the way to foreign markets; and

WHEREAS, Missouri farmers, producers, and consumers rely on efficient transportation to remain competitive in a global economy, and efficiencies in river transport offset higher production costs compared to those incurred by foreign competitors; and

WHEREAS, the Upper Mississippi and Illinois lock and dam system saves our nation more than \$1.5 billion in higher transportation costs each year, and failing to construct 1,200-foot locks will cause farmers to use more expensive alternative modes of transportation, including trucks and trains; and

WHEREAS, according to the U.S. Army Corps of Engineers, congestion along the Upper Mississippi and Illinois rivers is costing Missouri and other producers and consumers in the basin \$98 million per year in higher transportation costs; and

WHEREAS, river transportation is the most environmentally friendly form of transporting goods and commodities, creating almost no noise pollution and emitting 35 to 60 percent fewer pollutants than either trucks or trains, according to the U.S. EPA; and

WHEREAS, moving away from river transport would add millions of trucks and rail cars to our nation's infrastructure, adding air pollution, traffic congestion, and greater wear and tear on highways; and

WHEREAS, backwater lakes created by the lock and dam system provide breeding grounds for migratory waterfowl and fish; and

WHEREAS, the lakes and 500 miles of wildlife refuge also support a \$1 billion-a-year recreational industry, including hunting, fishing, and tourism jobs; and

WHEREAS, upgrading the system of locks and dams on the Upper Mississippi and Illinois rivers will provide 3,000 high-paying construction and related jobs over a 15-20 year period with health benefits, which will benefit, not only those directly employed, but the local health care systems and economies of the communities in which these individuals live and work; and

WHEREAS, in 1999 the state of Missouri shipped 18.8 million tons of commodities including grain, coal, chemicals, aggregates, and other products; and

WHEREAS, 38.6 million tons of commodities including grain, coal, chemicals, aggregates, and other products were shipped to, from, and within Missouri by barge, representing \$4.2 billion in value; and

WHEREAS, shippers moving by barge in Missouri realized a savings of approximately \$380 million compared to other transportation modes; and

WHEREAS, Missouri docks shipped products by barge to 18 states and received products from 17 states; and

WHEREAS, the Port of Metropolitan St. Louis shipped and received 32.6 million tons of commodities in 1999 worth over \$5 billion and is the second busiest inland port in the United States, linking rural Missouri and St. Louis with world markets; and

WHEREAS, there are approximately 183 manufacturing facilities, terminals, and docks on the waterways of Missouri, representing thousands of jobs in the state; and

WHEREAS, the Missouri General Assembly recognizes the importance of inland waterway transportation to Missouri agriculture and industry in the state, the region, and the nation:

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, hereby urge the Congress of the United States to authorize funding for modernization of lock and dam infrastructure in order to construct 1,200-foot locks on the Upper Mississippi and Illinois Rivers' Inland Waterways Transportation System; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, the Chair of the Senate Committee on Commerce, Science and Transportation, the Chair of the House Committee on Transportation and Infrastructure and the members of the Missouri Congressional delegation.

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 adopted **SCR 46**:

SENATE CONCURRENT RESOLUTION NO. 46

WHEREAS, H.R. 3113, the TANF Reauthorization Act of 2001, was introduced in the United States House of Representatives on October 12, 2001, which would reform the Temporary Assistance for Needy Families program to make it clear that the program's principal focus is the long-term reduction of poverty rather than a short-term immediate reduction in the welfare rolls; and

WHEREAS, H.R. 3113 would also make it clear that postsecondary education is a work activity under the TANF program by providing access to postsecondary education for TANF recipients as a permissible work activity; and

WHEREAS, in the United States, education has always been a route to economic self-sufficiency and social mobility; and

WHEREAS, in the twenty-first century, at least one year of postsecondary education will become increasingly more essential for all workers; and

WHEREAS, TANF does not currently extend our nation's commitment to educational opportunity to persons living in poverty with their children, but who are ready, willing, and able to benefit from postsecondary education; and

WHEREAS, data from several studies has demonstrated that the additional earning capacity that a postsecondary education provides can make the difference between economic self-sufficiency and continued poverty for many TANF recipients; and

WHEREAS, among families headed by African American, Latino, and Caucasian women, the poverty rate declines from fifty-one, forty-one, and twenty-two percent to twenty-one, eighteen and one-half, and thirteen percent, respectively, with at least one year of postsecondary education; and

WHEREAS, further data has found that postsecondary education not only increases incomes, it also improves self-esteem, increases children's education ambitions, including aspiring to enter postsecondary education themselves, and has a dramatic impact on quality of life; and

WHEREAS, now more than ever TANF recipients need postsecondary education to obtain the knowledge and skills required to compete for jobs and enable them to lift themselves and their children out of poverty in the long-term; and

WHEREAS, without some postsecondary education, most women who leave welfare for employment will earn wages that place them far below the federal poverty level, even after five years of employment; and

WHEREAS, allowing TANF recipients to attend postsecondary education, even for a short time, will improve their earning potential significantly, with the average person who attends a community college, even without graduating, earning approximately ten percent more than those persons who do not attend postsecondary education at all; and

WHEREAS, women who receive TANF assistance clearly appreciate the importance and role of postsecondary education in moving them out of poverty to long-term economic self-sufficiency; and

WHEREAS, as of November 1999, at least nineteen states had considered or enacted strategies to support recipient's efforts to achieve long-term economic self-sufficiency through the pursuit of postsecondary education:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, support H.R. 3113, the TANF Reauthorization Act of 2001; and

BE IT FURTHER RESOLVED that the General Assembly urges Missouri's Congressional delegation to support the passage of H.R. 3113, the TANF Reauthorization Act of 2001; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of Missouri's Congressional delegation.

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 adopted **SCS SCR 47**:

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 47

Relating to the Poultry Industry Committee.

WHEREAS, the poultry industry is a vital, profitable and important industry in this state; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic impacts while making every attempt to eliminate negative aspects of the industry; and

WHEREAS, the poultry industry produces waste products which have significantly impacted the environment of the state; and

WHEREAS, there exists a need for a study of the economic and environmental impact of the poultry industry in the state, especially the impacts this industry has on sensitive environmental areas:

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, hereby authorize the creation of a "Poultry Industry Committee" which shall review and evaluate both the economic impact of the poultry industry, waste disposal issues and environmental impacts of this industry, and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Committee shall be composed of twenty-seven members, one member to be a member of the Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the House of Representatives to be appointed by the Speaker of the House, two county commissioners or their designees, a representative from the Food and Agricultural Policy Research Institute (FAPRI), a representative of the Environmental Protection Agency (EPA), a representative of the Department of Natural Resources, a representative of the United States Department of Agriculture, a representative of the Natural Resources Conservation Services (NRCS), a representative of the university extension system, a representative of the poultry federation, a representative of the Missouri Farmer's Association, a representative of the Farm Bureau, a representative of the Department of Conservation, a representative of the University of Missouri Department of Agriculture, Food, and Natural Resources, a representative of the Southwest Missouri State University Department of Agriculture, a representative of the University of Missouri Commercial Agriculture Program, a member appointed by the Resource Conservation & Development Council, a representative of the Department of Economic Development, a representative of the Department of Agriculture, a representative of the Clean Water Commission, two active poultry farmers, two poultry industry contractors or processors, a person active in the processing/value-added portion of poultry waste, one person from Missouri Farm Credit Services. Each member of the Committee shall serve until December 31, 2003; and

BE IT FURTHER RESOLVED that the Committee may conduct its business by various means but shall meet no less than twice each year as a full Committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Committee in carrying out its duties, including allowing access to closed records, provided that the Committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order and any such information in the custody of the Committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Committee; and

BE IT FURTHER RESOLVED that the Committee shall study problems and solutions, collect information and provide recommendations in a report to the General Assembly before December 31, 2002;

BE IT FURTHER RESOLVED that the Committee shall submit its final report to the General Assembly no later than December 31, 2003; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall terminate December 31, 2003; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

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 adopted **SCS SCR 53**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 53

WHEREAS, the state's child abuse and neglect hotline and investigation system pursuant to chapter 210, RSMo, was established to promote the safety of children and the integrity and preservation of their families through the conducting of investigations or family assessments and by providing services in response to reports of child abuse or neglect; and

WHEREAS, while the child abuse and neglect hotline system has been in place for many years, the general assembly has not made a comprehensive analysis of the system since its inception; and

WHEREAS, to ensure that the child abuse and neglect hotline system is in actuality promoting the safety of children, preserving families, and providing adequate services in response to reports of child abuse or neglect, a comprehensive analysis of the system should be made:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that a Joint Interim Committee on Child Abuse and Neglect be created to be composed of five members of the House of Representatives, with three members to be appointed by the Speaker of the House of Representatives and two members appointed by the Minority Floor Leader of the House of Representatives, and five members of the Senate, with three members appointed by the President Pro Tem of the Senate and two members appointed by the Minority Floor Leader of the Senate; and

BE IT FURTHER RESOLVED that said committee make a comprehensive analysis of the child abuse and neglect hotline system established in chapter 210, RSMo, including the solicitation of information from appropriate state agencies, juvenile officers, law enforcement, and the public regarding the efficiency and effectiveness of the system, possible abuses in the system, complaints and grievances from persons affected by the system, and any recommendations for improvement of such system; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staffs of House Research, Senate Research, and the Committee on Legislative Research provide such legal, research, clerical, technical and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the Missouri General Assembly by January 1, 2003, and the authority of such committee shall terminate on December 31, 2002.

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 1004**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

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 1106**, entitled:

An act to repeal sections 370.061 and 370.120, RSMo, relating to credit union commissioners, and to enact in lieu thereof two new sections 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 Williams is no longer a member of the Children, Families and Health Committee.

Representative Ward is no longer a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Paone has been appointed a member of the Appropriations-General Administration Committee, Children, Families and Health Committee, Education-Higher Committee, Labor Committee, and Municipal Corporations Committee.

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

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 13, 2002.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 13, 2002. Hearing Room 7 upon morning adjournment.

To be considered - HB 1967, HB 2037, HB 2058, HB 2063, HB 2065, HB 2097

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, March 13, 2002. Side gallery upon morning adjournment.

Executive Session.

BUDGET

Wednesday, March 13, 2002, 8:00 a.m. Hearing Room 3. AMENDED.

Executive Session on previously heard bills.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106

BUDGET

Wednesday, March 13, 2002. Hearing Room 3 upon morning adjournment. AMENDED.

Executive Session on previously heard bills.

To be considered - HB 1104, HB 1105, HB 1106, HB 1107, HB 1108

BUDGET

Wednesday, March 13, 2002, 7:00 p.m. Hearing Room 3.

Executive Session on FY 2003 budget bills.

BUDGET

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 3.

Executive Session on FY 2003 budget bills.

BUDGET

Thursday, March 14, 2002. Hearing Room 3 upon morning adjournment.

Executive Session on FY 2003 budget bills.

BUDGET

Friday, March 15, 2002, 9:00 a.m. Hearing Room 3.

Executive Session on FY 2003 budget bills (if needed).

CHILDREN, FAMILIES, AND HEALTH

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 5.

Executive Session.

To be considered - HB 1082, HB 1216, HB 1812, HB 2061

CIVIL AND ADMINISTRATIVE LAW

Thursday, March 14, 2002, 9:00 a.m. Hearing Room 1.

To be considered - Executive Session - HB 1621

COMMERCE AND ECONOMIC DEVELOPMENT

Wednesday, March 13, 2002. Side gallery upon evening adjournment.

Executive Session only.

CRIMINAL LAW

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

Executive Session may follow.

To be considered - HB 1948, HB 1954, HB 1955, HB 2029, HB 2032, HB 2056, HB 2059, HB 2062

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 13, 2002, 8:00 p.m. Hearing Room 6. AMENDED.

Executive Session may follow on: HBs 2018, 2023, 1916, 1809, 1973

To be considered - HB 1512, HB 1566, HB 1726, HB 1828, HB 1973, HB 2018, HB 2023

EDUCATION - HIGHER

Wednesday, March 13, 2002, 12:00 p.m. Hearing Room 5 upon morning adjournment or 12:00 p.m.

Possible Executive Session on any bills heard as of this date.

To be considered - HB 2022, HB 2047

ENVIRONMENT AND ENERGY

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

To be considered - HB 2004, HB 2087

Executive Session - HB 1754

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 4.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 13, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

Executive Session may follow.

To be considered - HB 1160, HB 1423, HB 1988, HB 2142, HCR 16

MUNICIPAL CORPORATIONS

Wednesday, March 13, 2002. Hearing Room 4 upon morning adjournment. AMENDED.

Executive Session.

To be considered - HB 2064, HB 2130

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 13, 2002. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow.

To be considered - HB 2001, HB 2006, HB 2102

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, March 13, 2002. Hearing Room 2 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1547, HB 1609

TRANSPORTATION

Wednesday, March 13, 2002. Hearing Room 6 upon morning adjournment. CORRECTED.

Executive Session to follow.

To be considered - HB 1506, HB 2026, HB 2115, HJR 29

UTILITIES REGULATION

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

Executive Session may follow.

To be considered - HB 1914

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2002

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 31

HOUSE BILLS FOR SECOND READING

HB 2143 through HB 2156

HOUSE BILLS FOR PERFECTION

- 1 HB 1679 - Crump
- 2 HCS HB 1392 - Davis
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1496 - Green (73)
- 5 HCS HB 1440 - Riback Wilson (25)
- 6 HCS HB 1556 - Rizzo
- 7 HCS HB 1689 - Treadway
- 8 HCS HB 1898 - Campbell
- 9 HCS HB 1762 - Harding
- 10 HB 1748 - Ransdall
- 11 HB 1994 - Hosmer

- 12 HB 1851 - Curls
- 13 HB 1773 - Shelton
- 14 HCS HB 1654 & 1156 - Hosmer
- 15 HB 1306 - Williams

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1532 - Hoppe
- 4 HCS HB 1344 & 1944, as amended, - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand
- 14 HB 1861 - Burcham
- 15 HB 1032 - Portwood
- 16 HB 1313 - Burton
- 17 HB 1862 - May (149)

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCS HCR 11, (3-7-02, pages 519 & 520) - Clayton
- 2 HCR 21, (3-7-02, page 521) - Boucher
- 3 HCR 20, (3-11-02, page 537) - Crump

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32 - Barry

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1115 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HCS HB 1817 - Franklin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton
- 20 HB 1569 - Davis
- 21 HB 1795 - Berkowitz
- 22 HB 1849 - Barnitz
- 23 HB 1745 - Koller
- 24 HB 1400 - Merideth
- 25 HB 1141 - Naeger
- 26 HB 1270 - Gratz
- 27 HB 1822 - Walton

- 28 HB 1783 - Lowe
- 29 HB 1768 - Hosmer
- 30 HB 1814 - Monaco
- 31 HB 1712 - Monaco
- 32 HB 1895 - Carnahan
- 33 HB 1722 - Hosmer
- 34 HB 1779 - Green (73)
- 35 HB 1788 - Ross
- 36 HB 1778 - Monaco
- 37 HB 1789 - Ross
- 38 HB 1314 - Mays (50)
- 39 HB 1632 - O'Connor

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 36
- 2 SCR 44
- 3 SCR 46
- 4 SCS SCR 47
- 5 SCS SCR 53

SENATE BILLS FOR SECOND READING

- 1 SCS SB 988
- 2 SB 1004
- 3 SCS SB 1071
- 4 SCS SB 1086 & 1126
- 5 SCS SB 1106

HOUSE RESOLUTIONS

- 1 HR 150, (2-21-02, page 344) - Vogel
- 2 HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3 HR 278, (3-7-02, page 517) - Bonner
- 4 HR 262, (3-7-02, pages 516 & 517) - Williams
- 5 HR 341, (3-7-02, page 518) - Ladd Baker
- 6 HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7 HR 318, (3-7-02, pages 517 & 518) - Crawford