

JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 17, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, help us to see that the pace at which we live makes our living difficult. We go so fast that we miss Your “still small voice” that sounds in mind and soul. Bless the men and women of the House. Give to them a passion for the principles of excellence, protect them from politics expedient.

Help them make these moments of service to Missouri count, and reveal to them Your truth for this day. To You be glory and honor. 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: Tyler Cukar, Phillip Raine, Melissa Guevara, Alex Ramirez, Daniel Green, Andrew Adrian, Andrea Lehman, Valerie Kelsey, Joshua Golliver, Rebecca Gordon, Russ Kohl, Nicole Survant, Lindsay Heitisimer, Casey Fitzgerald, Dzenan Kahrimanovic, Emmanuel Porter, Mark Buhrmester, Kaitlin Boyd, Meredith Starrs, Mike Newton, Alex Linan, McKinna Allen, Kelsey Allen, Aaron Turner, Sydney Turner, Stefannie Cundiff and Aaron Porter.

The Journal of the fifty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1353 - Representative Harlan
House Resolution No. 1354
through
House Resolution No. 1359 - Representative Crowell
House Resolution No. 1360 - Representative Burton
House Resolution No. 1361
and
House Resolution No. 1362 - Representative St. Onge
House Resolution No. 1363 - Representative Townley
House Resolution No. 1364 - Representative Mayer
House Resolution No. 1365
through
House Resolution No. 1367 - Representative Harding
House Resolution No. 1368 - Representative May (149)

House Resolution No. 1369

and

House Resolution No. 1370 - Representative Copenhaver

House Resolution No. 1371

and

House Resolution No. 1372 - Representative Hampton

House Resolution No. 1373 - Representative Berkowitz

House Resolution No. 1374 - Representative Reinhart

House Resolution No. 1375 - Representative Williams

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 40 was read the second time.

SECOND READING OF SENATE BILL

SS SCS SB 884 was 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 **HS HCS HB 1962, HCS HB 1143, HCS HB 1809, HS HCS HB 1527, HCS HB 1888, HB 1460** and **HCS HBs 1509 & 1510**, 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 - REVISION

HB 2078, relating to the repeal of expired sections, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 2078** was ordered perfected and printed.

Speaker Pro Tem Abel assumed the Chair.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 18, relating to consumer credit issues, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HCR 18** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Bary 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	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	Gambara	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Burcham	Graham	Hohulin	Hunter
Lograsso	Murphy			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

HCR 16, relating to Statuary Hall, was taken up by Representative Farnen.

On motion of Representative Farnen, **HCR 16** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher	Boykins	Burcham	Franklin	Hegeman
Hohulin	Hunter	Kelly 144	Lograsso	Long
Richardson	Williams			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

Miss Katie Harman, Miss America 2002, addressed the House.

Speaker Pro Tem Abel resumed the Chair.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 24, relating to approval of bonds, was taken up by Representative Kreider.

Representative Hollingsworth moved that **HCR 24** be referred to the Committee on Fiscal Review and Government Reform pursuant to Rule 28.

Representative Kreider raised a point of order that the motion is not in order.

The Chair ruled the point of order that **HCR 24** be referred to Fiscal Review and Government Reform is not a proper motion.

On motion of Representative Kreider, **HCR 24** was read the third time and passed by the following vote:

AYES: 124

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Carnahan	Champion	Cooper	Copenhaver	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Marble
Marsh	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 033

Bartle	Behnen	Byrd	Campbell	Cierpiot
Clayton	Crawford	Crowell	Enz	Henderson
Hendrickson	Hohulin	Hollingsworth	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 27	Linton	Lograsso
Lowe	Luetkemeyer	May 149	Merideth	Naeger
Portwood	Rector	Ridgeway	Roark	Shoemaker
St. Onge	Van Zandt	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 005

Boykins	Burcham	Green 73	Luetkenhaus	Richardson
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VACANCIES: 001

HCR 34, relating to approval of lease, was taken up by Representative Riback Wilson (25).

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

House Amendment No. 1

AMEND House Concurrent Resolution No. 34, as it appears in the House Journal for Thursday, April 11, 2002, Page 1080, in the first “whereas” clause, by deleting the word “owns” and inserting in lieu thereof the word “**own**”.

On motion of Representative Riback Wilson (25), **House Amendment No. 1** was adopted.

On motion of Representative Riback Wilson (25), **HCR 34, as amended**, was read the third time and passed by the following vote:

AYES: 127

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Curls	Daus	Davis
Dolan	Fares	Famen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 030

Byrd	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Green 15	Green 73	Hanaway
Henderson	Hendrickson	Hohulin	Hosmer	Hunter

Jetton	Kelly 27	Linton	Luetkenhaus	Moore
Murphy	Naeger	Phillips	Purgason	Ridgeway
Roark	Smith	St. Onge	Treadway	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Boykins	Burcham	Crump	Lograsso
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VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

HCR 28, relating to a joint committee on utility regulation and infrastructure investment, was taken up by Representative Willoughby.

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

House Amendment No. 1

AMEND House Concurrent Resolution No. 28, Page 1, First Resolved Clause, Line 2, by inserting immediately after the word "Joint" the word "**Interim**".

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

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

House Amendment No. 2

AMEND House Concurrent Resolution No. 28, Page 1131 of the Journal of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, Line 33 of said page, by inserting after the word "**process**" the following:

"Whereas, the utility regulatory process must also continue to assure that all consumers continue to receive safe, reliable service at reasonable rates, especially as energy market behavior and other factors beyond Missouri's control exert more influence on the state's citizens"; and

Further amend said resolution, Page 1132 of the Journal of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, Lines 3 to 11 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"Be it further resolved that the committee conduct in-depth studies and make appropriate recommendations concerning: how the utility regulatory process and the results thereof in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies compare to the utility regulatory process and the results thereof in other states; and how the utility regulatory process in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies can, or should, be modernized to be more efficient and effective, ensure sustained investment in utility infrastructure, maintain or improve service safety and reliability, continue to provide reasonably priced utility services, and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and"

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

On motion of Representative Willoughby, **HCR 28, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Murphy	Richardson	Roark
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PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 011

Berkstresser	Boykins	Burcham	Franklin	Green 15
Haywood	Hickey	Lograsso	Long	Monaco
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Gambaro assumed the Chair.

HCR 13, relating to TANF reauthorization, was taken up by Representative Bowman.

On motion of Representative Bowman, **HCR 13** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jones
Kelly 144	Kelly 27	Kelly 36	King	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 002

Behnen Purgason

ABSENT WITH LEAVE: 020

Baker	Ballard	Bartelsmeyer	Berkstresser	Boykins
Burcham	Crump	Dolan	Franklin	Graham
Green 15	Hampton	Jolly	Kelley 47	Koller
Lawson	Legan	Lograsso	Monaco	Moore

VACANCIES: 001

Representative Gambaro declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 28, relating to qualifications of legislators, was taken up by Representative Villa.

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

House Amendment No. 1

AMEND House Joint Resolution No. 28, Page 1, Section 4, Line 2, by inserting after the words “qualified voter” the following: “**for two years**”; and

Further amend Section 6, Line 2, by inserting after the words “voter of the state” the following: “**for three years**”.

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

On motion of Representative Villa, **HJR 28, as amended**, was ordered perfected and printed.

MOTION

The motion to reconsider the vote by which **HB 1869** was third read and defeated was taken up.

The motion was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 51, relating to fishing and hunting, was taken up by Representative Whorton.

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

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 51, Page 1, Section 23(a), Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following: “**be preserved.**”.

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

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

Representative Britt assumed the Chair.

House Amendment No. 2 was withdrawn.

On motion of Representative Whorton, **HCS HJR 51, as amended**, was adopted.

On motion of Representative Whorton, **HCS HJR 51, as amended**, was ordered perfected and printed.

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 Pro Tem Abel.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Taylor Lueddecke and Patricia Lueddecke.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1376	-	Representative Griesheimer
House Resolution No. 1377	-	Representative Portwood
House Resolution No. 1378	-	Representative Bray
House Resolution No. 1379	-	Representative Kelly (36)
House Resolution No. 1380	-	Representatives Bearden and Holt
House Resolution No. 1381	-	Representative Bartle
House Resolution No. 1382	-	Representative Barry
House Resolution No. 1383		
and		
House Resolution No. 1384	-	Representative Marble
House Resolution No. 1385	-	Representative Hunter
House Resolution No. 1386		
through		
House Resolution No. 1388	-	Representative Berkstresser
House Resolution No. 1389	-	Representative Wagner
House Resolution No. 1390		
through		
House Resolution No. 1393	-	Representative Luetkemeyer
House Resolution No. 1394		
and		
House Resolution No. 1395	-	Representative Crowell
House Resolution No. 1396		
and		
House Resolution No. 1397	-	Representative Barry, et al
House Resolution No. 1398	-	Representative Barry
House Resolution No. 1399	-	Representative Thompson

PERFECTION OF HOUSE BILLS

HB 1726, with House Amendment No. 1, pending, relating to bullying in public schools, was taken up by Representative Walton.

Representative Reid offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 1726, Page 1, Section 160.730, Line 12, by inserting after the word “urban” the following “**or metropolitan**”; and

Further amend said amendment and section, Page 2, Line 9, by deleting said line and inserting in its place the following:

“major disciplinary rules which record of the violation becomes part of the student’s permanent school district record, other than suspension”; and

Further amend said amendment and section, Page 3, Line 12, by inserting after the word “**fund.**” the following:

“This act is subject to appropriation and shall not take effect unless the general assembly appropriates moneys in advance to fund said section.”.

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

On motion of Representative Gambaro, **House Amendment No. 1, as amended**, was adopted.

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

House Amendment No. 2

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 170, by inserting after the word “**bullying**” the following: “**and tattling**”; and

Further amend said section by inserting on Line 174 after the word “**events**” the following:

“Tattling shall mean a student informing on another student by written or verbal expression which is intended to get a student in trouble with the teacher”.

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

Which motion was defeated.

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

House Amendment No. 3

AMEND House Bill No. 1726, Page 1, Section 160.261, Lines 2 and 3, by placing an opening bracket on Line 2 “[“ between the word “discipline” and the comma that follows it; and placing a closing bracket “]” on Line 3 between the word “applied” and the period that follows it; and

Further amend said section, Line 4, by deleting the comma after the first use of the word “policy” and inserting in lieu thereof the word “**and**”; and by placing an opening bracket “[“ immediately in front of the words “, and corporal” and placing a closing bracket “]” after the word “applicable,”; and

Further amend said section, Line 7, by inserting the following after the word “inspection.”:

“No school district shall include any reference to corporal punishment within its discipline policy, and no corporal punishment shall be administered within any school in this state.”; and

Further amend said section, Page 4, Line 100, by placing an opening bracket “[“ immediately in front of the word “Spanking,”; and

Further amend said section, Page 6, Line 165, by inserting a closing bracket “]” immediately after the number “10.”; and

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

Representative Relford raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Bill No. 1726, Page 1, Section 160.261, Lines 2 and 3, by placing an opening bracket on Line 2 “[“ between the word “discipline” and the comma that follows it; and placing a closing bracket “]” on Line 3 between the word “applied” and the period that follows it; and

Further amend said section, Line 4, by deleting the comma after the first use of the word “policy” and inserting in lieu thereof the word “**and**”; and by placing an opening bracket “[“ immediately in front of the words “, and corporal” and placing a closing bracket “]” after the word “applicable,”; and

Further amend said section, Page 4, Line 100, by placing an opening bracket “[“ immediately in front of the word “Spanking,”; and

Further amend said section, Page 6, Line 165, by inserting a closing bracket “]” immediately after the number “10.”; and

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

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Baker	Boucher	Bray 84	Campbell	Dolan
Fraser	Gambaro	Harding	Harlan	Johnson 90
Jolly	Monaco	Moore	Murphy	Paone
Van Zandt	Williams	Wilson 25		

NOES: 134

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jones
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 42	Wright	Mr. Speaker	

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 009

Burcham	Foley	Hilgemann	Kelly 36	Lawson
Lograsso	Overschmidt	Scheve	Troupe	

VACANCIES: 001

Representative Fraser moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Boucher	Bray 84	Campbell	Daus	Dolan
Fraser	Gambara	Harding	Harlan	Johnson 90
Jolly	Monaco	Moore	Murphy	Paone
Van Zandt	Williams	Wilson 25		

NOES: 133

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Boykins	Britt	Brooks	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jones
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Burcham	Hilgemann	Kelly 36
Lawson	Lograsso	Overschmidt	Scheve	Troupe
Wagner				

VACANCIES: 001

Representative Sanders Brooks offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by inserting after all of said line the following:

"Section 1. 1. No employee of any public school or charter school within this state shall perform a strip search, as that term is defined in section 544.193, RSMo, of any student of any such school. For the purposes of this section, the term "employee" shall include all temporary and part-time employees of such public schools and charter schools.

2. Any employee of a public school or charter school who violates the provisions of this section shall be immediately suspended without pay, pending an evidentiary hearing when such employee is entitled by statute or contract to such hearing.”; and

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

Representative Gambaro raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

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

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

House Amendment No. 5

AMEND House Bill No. 1726, Page 2, Section 160.261, Line 46 of said page, by placing brackets around the word “or” as follows: “[or]”; and

Further amend said bill, Page 2, Section 160.261, Line 47 of said page, by adding at the end of the line the following:

“or

(24) Making a terroristic threat, pursuant to section 574.115, RSMo;”; and

Further amend said bill, Page 4, Section 160.261, Line 99 of said page, by adding after the word “enroll.” the following:

“The discipline policy may address the issue of notification of students and parents of students concerning credible threats to commit any of the acts enumerated in subsection 2 of this section. School districts may release to students and parents of students a description of the actions taken to address the threat, pending final resolution of the situation by disciplinary or judicial action, as long as the release of such information is consistent with any federal law that may be applicable, including the Family Education and Privacy Rights Act and the Individuals with Disabilities Act.”.

Representative Clayton assumed the Chair.

On motion of Representative Merideth, **House Amendment No. 5** was adopted.

Representative Mayer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by inserting after all of said line the following:

"167.161. 1. The school board of any district, after notice to parents or others having custodial care and a hearing upon charges preferred, may suspend or expel a pupil for conduct which is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils. In addition to the authority granted in section 167.171, a school board may authorize, by general rule, the immediate removal of a pupil upon a finding by the principal, superintendent, or school board that the pupil poses a threat of harm to such pupil or others,

as evidenced by the prior conduct of such pupil. Prior disciplinary actions shall not be used as the sole basis for removal, suspension or expulsion of a pupil. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. At the hearing upon any such removal, suspension or expulsion, the board shall consider the evidence and statements that the parties present and may consider records of past disciplinary actions, criminal court records or juvenile court records consistent with other provisions of the law, or the actions of the pupil which would constitute a criminal offense. The board may provide by general rule not inconsistent with this section for the procedure and conduct of such hearings. After meeting with the superintendent or his designee to discuss the expulsion, the parent, custodian or the student, if at least eighteen years of age, may, in writing, waive any right to a hearing before the board of education.

2. The school board of any district, after notice to parents or others having custodial care and a hearing upon the matter, may suspend a pupil upon a finding that [the pupil has been charged, convicted or pled guilty in a court of general jurisdiction for the commission of a]:

- (1) **Such pupil has been convicted of a felony criminal violation of state or federal law; or**
- (2) **An indictment or information has been filed alleging that the pupil has committed a felony criminal violation of state or federal law to which there has been no final judgment; or**
- (3) **A petition has been filed pursuant to section 211.091, RSMo, alleging that the pupil has committed an act which if committed by an adult would be a felony criminal violation of state or federal law to which there has been no final judgment; or**
- (4) **The pupil has been adjudicated to have committed an act which if committed by an adult would be a felony criminal violation of state or federal law.** At a hearing required by this subsection, the board shall consider statements that the parties present. The board may provide for the procedure and conduct of such hearings.

3. The school board shall make a good-faith effort to have the parents or others having custodial care present at any such hearing. Notwithstanding any other provision of law to the contrary, student discipline hearings or proceedings related to the rights of students to attend school or to receive academic credit shall not be required to comply with the requirements applicable to contested case hearings as provided in chapter 536, RSMo, provided that appropriate due process procedures shall be observed which shall include the right for a trial de novo by the circuit court."; and

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

On motion of Representative Mayer, **House Amendment No. 6** was adopted.

Representative Gaskill offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by adding after all of said line:

"12. School districts shall consider the inclusion of character education as part of an age-appropriate curriculum if the district board determines that character education would have a positive effect on a discipline in any or all of its schools. The department of elementary and secondary education shall provide technical assistance to school districts seeking grant funds to implement a character education program."; and

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

On motion of Representative Gaskill, **House Amendment No. 7** was adopted.

On motion of Representative Walton, **HB 1726, as amended**, was ordered perfected and printed.

HCS HB 1717, relating to certificate of need, was taken up by Representative Foley.

Speaker Pro Tem Abel resumed the Chair.

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

Representative Foley 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 Richardson appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 091

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

NOES: 063

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Byrd	Champion	Cierpiot
Crawford	Crowell	Cunningham	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 002

Burton	Johnson 61
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ABSENT WITH LEAVE: 006

Burcham
Ward

Kelly 36

Overschmidt

Troupe

Wagner

VACANCIES: 001

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1717, Page 4, Section 197.310, Lines 25 and 26, by deleting said lines and replacing with the following:

“8. No member of the Missouri health facilities review committee may accept a political donation from any applicant who applies for a certificate of need or review certification for a period of one year after the granting of the certificate of need or review certification or six months prior to requesting a certificate of need or review certification. If a member accepts a donation six months prior to the request for a certificate of need or review certification, it must be returned within ten business days of the filing request made by the applicant.”.

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1717, Page 15, Section 197.390, Line 10, by adding immediately following said line the following:

“(3) The development or offering of a new institutional acute care service or first-time service to be located in a metropolitan statistical area within fifty miles of a contiguous state that does not have certificate of need laws that regulate the service.”

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1717, Page 15, Section 197.390, Line 10, by inserting immediately following said line the following:

“(3) The development or offering of a new institutional acute care service or first-time service to be located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, a county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, or a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants”; and

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

Representative Ridgeway moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Bartelsmeyer	Bartle	Boucher	Campbell	Cierpiot
Crowell	Enz	Hohulin	Holand	Jetton
Kelley 47	Kelly 144	King	Linton	Luetkemeyer
Mayer	Monaco	Moore	Myers	Nordwald
Phillips	Rector	Reinhart	Richardson	Ridgeway
Roark	Schwab	Shoemaker	Townley	Wright

NOES: 117

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Bowman	Boykins
Britt	Brooks	Burton	Byrd	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Koller	Lawson	Legan	Liese
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Murphy
Naeger	O'Connor	O'Toole	Ostmann	Paone
Portwood	Quinn	Ransdall	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Villa	Vogel	Walker
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Bray 84	Burcham	Griesheimer	Harlan
Kelly 36	Lograsso	Long	Overschmidt	Purgason
Reid	Troupe	Van Zandt	Wagner	Ward

VACANCIES: 001

House Amendment No. 2 was withdrawn.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1717, Page 12, Section 197.378, Line 16, by deleting the words “**or an additional piece of equipment**”; and

Further amend said bill, Page 13, Section 197.384, Line 17, by deleting the words “**or an additional piece of equipment**”.

Representative Holand moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Bartelsmeyer	Bartle	Black	Boatright	Byrd
Campbell	Cierpiot	Crowell	Cunningham	Enz
Froelker	Gaskill	Henderson	Hendrickson	Hohulin
Holand	Jetton	Kelly 144	King	Legan
Linton	Long	Luetkemeyer	May 149	Mayer
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	Phillips	Reinhart	Richardson
Ridgeway	Roark	Schwab	Scott	Shields
Shoemaker	Townley	Whorton	Wright	

NOES: 104

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crump	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marble	Marsh
Mays 50	McKenna	Murphy	O'Connor	O'Toole
Ostmann	Paone	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Rizzo	Robirds	Ross	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Villa
Vogel	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Boykins	Burcham	Franklin	Griesheimer
Harlan	Hickey	Kelly 36	Lograsso	Overschmidt
Scheve	Troupe	Van Zandt	Wagner	

VACANCIES: 001

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1717, Page 10, Section 197.375, Line 113, by adding immediately following said line the following:

“(19) “Review threshold”, three million dollars, except that beginning January 1, 2004, the review threshold shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United State Department of Commerce. The revised threshold shall be calculated by the committee, which shall furnish that revised threshold to the secretary of state, who shall publish such revised threshold in the Missouri Register by March first of each year.”; and

Further amend said bill, Page 15, Section 197.390, Line 10, by deleting the period on said line and inserting in lieu thereof the following:

“; (3) The development of any new institutional acute care services or first-time services costing less than the review threshold, except that any person who wishes to develop a new institutional acute care service or first-time service costing less than the review threshold shall notify the committee in writing advising the committee of the nature of the proposed service.”.

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1717, Page 10, Section 197.375, Line 113, by adding immediately following said line the following:

“(19) “Review threshold”, two million dollars, except that beginning January 1, 2004, the review threshold shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United State Department of Commerce. The revised threshold shall be calculated by the committee, which shall furnish that revised threshold to the secretary of state, who shall publish such revised threshold in the Missouri Register by March first of each year.”; and

Further amend said bill, Page 15, Section 197.390, Line 10, by deleting the period on said line and by inserting in lieu thereof the following:

“; (3) The development of any new institutional acute care services or first-time services costing less than the review threshold, except that any person who wishes to develop a new institutional acute care service or first-time service costing less than the review threshold shall notify the committee in writing advising the committee of the nature of the proposed service.”.

Representative Richardson moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Ballard	Bartelsmeyer	Bartle	Black	Cierpiot
Crowell	Cunningham	Enz	Froelker	Gaskill
Hohulin	Jetton	Kelly 144	King	Legan
Liese	Linton	Lograsso	Marble	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Phillips	Purgason	Reinhart	Richardson	Ridgeway
Roark	Schwab	Scott	Shoemaker	Smith
Townley	Wright			

NOES: 105

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Lawson	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mays 50	McKenna
Merideth	Murphy	O'Toole	Ostmann	Paone
Portwood	Quinn	Ransdall	Rector	Reid
Relford	Reynolds	Rizzo	Robirds	Secrest
Seigfreid	Selby	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Shelton

ABSENT WITH LEAVE: 019

Barnett	Burcham	Campbell	Griesheimer	Harlan
Hickey	Hosmer	Kelly 36	Koller	Long
Lowe	Monaco	O'Connor	Overschmidt	Ross
Scheve	Van Zandt	Ward	Williams	

VACANCIES: 001

Representative Jetton moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Foley, **HCS HB 1717, as amended**, was adopted.

On motion of Representative Foley, **HCS HB 1717, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

MOTION

The motion to reconsider the vote by which **HB 1869** was third read and defeated was again taken up.

The motion to reconsider was adopted by the following vote:

AYES: 105

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Kelly 144
Kelly 27	King	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
McKenna	Miller	Monaco	Moore	Myers
Naeger	O'Connor	Ostmann	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Scheve	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Townley	Treadway	Wagner	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 045

Baker	Barnitz	Bland	Bowman	Boykins
Bray 84	Brooks	Campbell	Copenhaver	Curls
Daus	Farnen	Green 73	Hampton	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Johnson 61	Jones	Kelley 47	Legan	Lowe
Marsh	Mays 50	Merideth	Murphy	Nordwald
O'Toole	Paone	Relford	Richardson	Schwab
Shelton	Smith	Surface	Thompson	Troupe
Villa	Vogel	Walton	Williams	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 012

Britt	Burcham	Griesheimer	Harlan	Kelly 36
Koller	Lawson	Long	Overschmidt	Ross
Van Zandt	Walker			

VACANCIES: 001

HB 1869, relating to peace officer residency requirements, was taken up by Representative Barry.

On motion of Representative Barry, **HB 1869** was read the third time and passed by the following vote:

AYES: 090

Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Burton	Byrd	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Dempsey	Dolan	Enz
Fares	Fraser	Froelker	Gambaro	Gaskill
Gratz	Hagan-Harrell	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holt
Hunter	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 27	Lawson	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	McKenna	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Reynolds	Ridgeway	Roark	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Townley	Treadway
Wagner	Ward	Whorton	Wright	Mr. Speaker

NOES: 061

Baker	Barnitz	Behnen	Bland	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Copenhaver	Curls	Daus	Davis	Farnen
Franklin	George	Green 15	Green 73	Hampton
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Johnson 61	Jolly	Jones
King	Legan	Lowe	Marsh	Mays 50
Merideth	Murphy	O'Toole	Paone	Quinn
Ransdall	Relford	Richardson	Rizzo	Robirds
Scheve	Schwab	Shelton	Smith	Surface
Thompson	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 003

Abel	Foley	Graham
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ABSENT WITH LEAVE: 008

Britt	Burcham	Griesheimer	Harlan	Kelly 36
Koller	Overschmidt	Ross		

VACANCIES: 001

Speaker Kreider declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 689 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 37 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1460 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 884 - Banks and Financial Institutions

COMMITTEE REPORTS

Committee on Agriculture, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 2097**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1916**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Labor, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

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

HB 1121, introduced by Representative Green (73), to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

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 SBs 958 & 657**, entitled:

An act to amend chapter 1, RSMo, by adding thereto four new sections relating to the prohibition of interference with the free exercise of religion and the rights of the second amendment of the United States Constitution and article I, section 23 of 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 passed **SB 1005**, entitled:

An act to repeal sections 288.040 and 288.050, RSMo, relating to employment security, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 18, 2002.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-third Day, Tuesday, April 16, 2002, pages 1120 and 1121, roll call, by showing Representatives Behnen, Champion, Crowell, Enz, Hosmer, King and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1124 and 1125, roll call, by showing Representatives Bartle and Wright voting "no" rather than "absent with leave".

Pages 1125 and 1126, roll call, by showing Representatives Bartle and Wright voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 18, 2002, 8:15 a.m. Hearing Room 6.

Executive Session to be held on: HB 1133, HB 1303, HB 1947, HB 1975, HB 2086

COMMERCE AND ECONOMIC DEVELOPMENT

Thursday, April 18, 2002. Side gallery upon adjournment.

Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 3.

Public Hearing to be held on: SB 718, SB 722, SB 756, SB 860

ELECTIONS

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 5.

Public Hearing to be held on: SB 675

ENVIRONMENT AND ENERGY

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SB 821

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 1.

Fiscal Review.

Executive Session to be held on: HB 1654

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.

Rule Number 19 CSR 30-82.010,.020,.070 30-83.010. AMENDED.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 5.

U.S. Custom House & Post Office Building in St. Louis.

Master Plan for development of JCCC prison site.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 30, 2002, 1:00 p.m. Hearing Room 3.

Fire Protection District Special Review.

LABOR

Thursday, April 18, 2002, 9:30 a.m. Side gallery.
Executive Session to be held on: HB 2173

TRANSPORTATION

Monday, April 22, 2002, 1:00 p.m. Hearing Room 6.
Executive Session.

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 18, 2002

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1121

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 47 - Willoughby

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1729, 1589 & 1435 - Barnitz
- 2 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 3 HCS HB 1695 - Selby
- 4 HB 1090 - Reynolds
- 5 HB 1508 - Koller
- 6 HCS HB 1936 - Berkowitz
- 7 HB 1350 - Liese
- 8 HCS HB 1656 - Wright
- 9 HCS HB 1216 - Johnson (61)
- 10 HB 1627 - Kreider
- 11 HCS HB 1886 - Rizzo
- 12 HB 1307 - Williams
- 13 HB 1988 - Kelly (144)
- 14 HCS HB 1868 - Barry
- 15 HB 2160 - Britt
- 16 HCS HB 1650 - Hoppe
- 17 HB 1916 - Franklin
- 18 HCS HB 1231 - Harding
- 19 HB 2097 - Copenhaver
- 20 HCS HB 1318 - George

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32 - Barry

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. - Williams
- 3 HS HCS HB 1654 & 1156, (Fiscal Review 4-15-02) - Hosmer
- 4 HS HCS HB 1756 - Reid
- 5 HB 1058 - Haywood
- 6 HS HCS HB 1502 & 1821 - Luetkenhaus
- 7 HB 1460, (Fiscal Review 4-17-02) - Hilgemann
- 8 HCS HB 1509 & 1510 - Curls
- 9 HCS HB 1888 - Barnitz
- 10 HS HCS HB 1962 - Monaco
- 11 HS HCS HB 1527 - Graham
- 12 HCS HB 1143 - Rizzo
- 13 HCS HB 1809 - Sanders Brooks

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

SENATE BILLS FOR SECOND READING

- 1 SCS SB 958 & 657
- 2 SB 1005

SENATE BILLS FOR THIRD READING - CONSENT

(April 15, 2002)

SCS SB 988 - Hartzler

(April 16, 2002)

- 1 HCS SCS SB 645 - Relford
- 2 HCS SB 992 - Rizzo
- 3 SB 1124 - Gambaro
- 4 SCS SB 804 - Sanders Brooks
- 5 SB 639 - Williams
- 6 HCS SCS SB 776 - Harlan
- 7 HCS SCS SB 1113 - Farnen
- 8 SCS SB 997 - Willoughby
- 9 HCS SB 1012 - Lawson
- 10 HCS SB 795 - Treadway
- 11 HCS SCS SB 1086 & 1126 - Hoppe
- 12 HCS SB 786 - Campbell
- 13 SCS SB 1132 - Daus
- 14 HCS SB 1244 - Barry
- 15 HCS SB 961 - Curls
- 16 SB 708 - Lawson
- 17 SB 701 - Lowe
- 18 SB 742 - Monaco
- 19 HCS SB 749 - Monaco
- 20 HCS SB 1213 - Hosmer
- 21 HCS SCS SB 1210 - Lawson
- 22 SB 1247 - Willoughby
- 23 SB 1001 - Crump
- 24 HCS SB 1078 - Hoppe
- 25 SB 941 - Mays (50)
- 26 HCS SB 695 - Barry
- 27 HCS SB 962 - Jolly
- 28 HCS SB 1119 - Kelly (27)
- 29 SB 1217 - Boykins
- 30 SCS SB 967 - Hagan-Harrell
- 31 SB 1243 - Kelly (27)
- 32 HCS SCS SB 1212 - Ransdall
- 33 SB 1041, HCAs 1, 2 & 3 - Gratz
- 34 SB 1168, HCA 1 - Gratz
- 35 SB 974 - Koller
- 36 HCS SB 1251 - Monaco
- 37 SCS SB 1163 - Ransdall
- 38 SB 720 - Hoppe
- 39 HCS SB 714 - Barry
- 40 SCS SB 729 - Luetkenhaus
- 41 SB 891 - Rizzo
- 42 HCS SB 932 - Smith
- 43 SCS SB 1015 - Relford

- 44 SCS SB 1071 - Lawson
- 45 HCS SB 1094 - Green (73)
- 46 SB 1048 - Reinhart
- 47 SB 1028 - Luetkemeyer
- 48 SB 812 - Holand
- 49 SB 726 - Gaskill
- 50 SB 865 - Myers
- 51 SCS SB 918 - Linton
- 52 HCS SB 1102 - Hosmer
- 53 SB 1109 - Portwood
- 54 HCS SCS SB 947 - Farnen
- 55 SCS SB 1207 - Holand
- 56 SCS SB 1151 - Myers
- 57 HCS SCS SB 980 - Hunter
- 58 SCS SB 874 - Franklin
- 59 HCS SB 1186 - Hoppe
- 60 SCS SB 1182 - Barry
- 61 HCS SCS SB 1202, E.C. - Koller
- 62 HCS SB 758 - Hosmer
- 63 SCS SB 1024 - Holand
- 64 SB 976 - Portwood
- 65 SS SCS SB 959, E.C. - Rizzo
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)
- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

SENATE BILL FOR THIRD READING

SB 1220 - O'Toole

HOUSE RESOLUTIONS

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton