

# JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

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SEVENTH DAY, TUESDAY, JANUARY 21, 2003

Representative Miller in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, God of grace and mercy, even as it is written , “I will bless the Lord who has counseled me” so may we receive Your counsel this morning.

You have purposed us in Your love; therefore, we prosper by Your grace and by Your mercy.

May we gain new points of balance in our understanding.

In Your mercy, enlarge our awareness and viewpoint.

Father, as we conduct the necessary business of this day, may new details of Your truth be opened or deepened in our minds.

May we quickly respond to Your guidance.

Now, may the grace of our Lord, and the love of God, and the fellowship of the Holy Spirit be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 156

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bland	Bough	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lembke	LeVota	Liese	Lipke

Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Merideth	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Carnahan	Haywood	Lawson	Reinhart
Wagner	Walton			

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 87  
and

- House Resolution No. 88 - Representative Harris (23)
- House Resolution No. 89 - Representative Page
- House Resolution No. 90 - Representative Reinhart
- House Resolution No. 91 - Representative Bishop
- House Resolution No. 92 - Representative Walton
- House Resolution No. 93 - Representative St. Onge
- House Resolution No. 94 - Representative Phillips
- House Resolution No. 95 - Representative Salva
- House Resolution No. 96 - Representative Shoemyer (9)
- House Resolution No. 97 - Representative Wilson (119)
- House Resolution No. 98 - Representative Adams

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 8** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 197** through **HB 219** were read the second time.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

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

**HJR 9**, introduced by Representatives Parker, Stevenson, Smith (14) and Crowell, et al, relating to term limits.

## INTRODUCTION OF HOUSE BILLS

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

**HB 220**, introduced by Representative Johnson (90), relating to law enforcement officers' health impairment.

**HB 221**, introduced by Representatives Luetkemeyer, Pearce and Parker, et al, relating to banking.

**HB 222**, introduced by Representative Luetkemeyer, et al, relating to fishing contests.

**HB 223**, introduced by Representatives Riback Wilson (25), Bland, Wilson (42), Thompson, Hubbard, Jones, Walton, Boykins, Campbell and Walker, et al, relating to the death penalty.

**HB 224**, introduced by Representative Luetkemeyer, relating to health insurance administration.

**HB 225**, introduced by Representative Luetkemeyer, relating to sufficiency of health insurance networks.

**HB 226**, introduced by Representatives Holand and Hampton, relating to the conservation commission.

**HB 227**, introduced by Representative Willoughby, relating to criminal history record information.

**HB 228**, introduced by Representatives Smith (14), Bearden, Graham, Cunningham (86), Bruns, Shoemaker (8) and Hanaway, et al, relating to unsolicited commercial electronic mail.

**HB 229**, introduced by Representatives Wright, Portwood, Dixon, Cunningham (86), Phillips, Bruns, Shoemaker (8) and Davis (19), et al, relating to sexual offenses.

**HB 230**, introduced by Representatives Jolly, Burnett and Sager, relating to sexual offender treatment.

**HB 231**, introduced by Representatives Jolly, Marsh and Willoughby, relating to sentencing.

**HB 232**, introduced by Representatives Jolly, Johnson (90), Sager, Harris (23), Mayer, Wildberger and Willoughby, relating to the family care safety registry.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 152** - Retirement  
**HB 154** - Judiciary  
**HB 156** - Health Care Policy  
**HB 160** - Transportation and Motor Vehicles  
**HB 162** - Transportation and Motor Vehicles  
**HB 163** - Crime Prevention and Public Safety  
**HB 164** - Crime Prevention and Public Safety  
**HB 165** - Crime Prevention and Public Safety  
**HB 166** - Local Government  
**HB 167** - Crime Prevention and Public Safety  
**HB 168** - Crime Prevention and Public Safety  
**HB 170** - Transportation and Motor Vehicles  
**HB 171** - Professional Registration and Licensing  
**HB 173** - Education  
**HB 174** - Retirement  
**HB 176** - Crime Prevention and Public Safety  
**HB 177** - Tax Policy  
**HB 178** - Transportation and Motor Vehicles  
**HB 180** - Retirement  
**HB 181** - Local Government  
**HB 182** - Conservation and Natural Resources  
**HB 183** - Judiciary  
**HB 184** - Judiciary  
**HB 187** - Transportation and Motor Vehicles  
**HB 188** - Crime Prevention and Public Safety  
**HB 189** - Education  
**HB 190** - Tax Policy  
**HB 191** - Tax Policy  
**HB 192** - Health Care Policy  
**HB 193** - Financial Services  
**HB 194** - Crime Prevention and Public Safety  
**HB 195** - Retirement  
**HB 197** - Job Creation and Economic Development  
**HB 198** - Crime Prevention and Public Safety  
**HB 202** - Health Care Policy  
**HB 204** - Job Creation and Economic Development  
**HB 205** - Conservation and Natural Resources  
**HB 206** - Tax Policy  
**HB 208** - Communications, Energy and Technology

## REFERRAL OF SENATE CONCURRENT RESOLUTION

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

### SCR 1 - Rules

### COMMITTEE REPORT

**Committee on Rules**, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

#### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 6

Rejecting the amount of increase in compensation for public officials as recommended by the Citizen's Commission on Compensation for Elected Officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, in November 1994, the people of Missouri established in the Missouri Constitution an independent citizen's commission that was given primary responsibility to establish a schedule of compensation for public officials based upon a review and study of the duties of elected state officials, judges and members of the General Assembly; and

Whereas, the Commission has faithfully undertaken its responsibility and submitted a compensation schedule that provides for an increase in compensation for the affected public officials in the amount of 5.8% and an increase for judges in the amount of \$6,000 per year; and

Whereas, the percentage increase recommended by the Citizen's Commission on Compensation for Elected Officials was based upon recommendations made by the Personnel Advisory Board and the Missouri Commission on Total Compensation for all state employees for fiscal year 2004; and

Whereas, the Citizen's Commission report makes clear that the Commission intended public officials should be treated the same as all other state employees; and

Whereas, the increases ultimately adopted for all state employees may well not be those recommended by the Commission when its schedule was approved and filed; and

Whereas, the General Assembly believes that public officials and judges should not receive any cost-of-living increase in compensation, if at all, in excess of the average salary adjustment provided to other state employees; and

Whereas, the Missouri Constitution clearly provides that the recommendations of the Commission are subject to appropriations, and therefor may be reduced or rejected by the General Assembly and no increase shall take effect unless and until appropriated:

Now, therefore, be it resolved by the members of the House of Representatives of the Ninety-second General Assembly, First Regular Session, the Senate concurring therein, that we hereby reject the Compensation Schedule of the 2002 Report and Compensation Schedule of the Missouri Citizens Commission on Compensation for Elected Officials dated, November 27, 2002.

## **COMMUNICATION**

January 21, 2003

Steve Davis, Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Steve,

Pursuant to Chapter 105.456 of the Missouri Revised Statutes, I am unable to continue to serve as an adjunct professor at Missouri Southern State College while serving in the Missouri General Assembly. I have officially resigned from my position as an adjunct professor effective December 20, 2002.

Pursuant to Chapter 105.461 RSMo this letter is an official report that my wife, Regina Kay Stevenson continues to serve as an adjunct professor at Missouri Southern State College starting January 1, 2003. She will be compensated \$1,600.00 for each semester that she teaches.

In order for me to comply with Chapter 105.461, please publish this report in the Journal of the House.

Very truly yours,

/s/ Bryan Stevenson

The following members' presence was noted: Carnahan, Wagner, Haywood, Boykins and Walton.

## **ADJOURNMENT**

On motion of Representative Parker, the House adjourned until 10:00 a.m., Wednesday, January 22, 2003.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixth Day, Thursday, January 16, 2003, page 107, line 42, by deleting said line and inserting in lieu thereof the following:

Hunter, Steve

Page 115, line 28, by deleting said line and inserting in lieu thereof the following:

Wilson, Vicky Riback

## COMMITTEE MEETINGS

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 22, 2003, 3:00 p.m.  
Hearing Room 4. Organizational meeting.

### APPROPRIATIONS - EDUCATION

Wednesday, January 22, 2003, 3:00 p.m.  
Hearing Room 1. Organizational meeting.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 22, 2003, 5:00 p.m.  
Hearing Room 7. Organizational meeting. Public Debt.  
CORRECTED NOTICE.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 22, 2003, 3:00 p.m.  
Hearing Room 5. Organizational meeting.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 22, 2003, 3:00 p.m.  
Hearing Room 3. Organizational meeting.

### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 22, 2003, 3:00 p.m.  
Hearing Room 7. Organizational meeting.

### BUDGET

Wednesday, January 22, 2003, 8:00 a.m.  
Hearing Room 3. Linda Luebbering, Budget Director,  
Office of Administration, Division of Budget and Planning.

### CHILDREN AND FAMILIES

Wednesday, January 22, 2003, 7:00 p.m. Hearing Room 1.  
Executive Session to be held on: HB 185

### CONSERVATION AND NATURAL RESOURCES

Wednesday, January 22, 2003.  
Hearing Room 5 upon morning adjournment.  
Organizational meeting.

### EDUCATION

Wednesday, January 22, 2003, 5:00 p.m.  
HR 3. Presentation Department Elementary/Secondary Education,  
Overview of Department Services, Budget and No Child Left Behind Law.

HEALTH CARE POLICY

Wednesday, January 22, 2003, 5:00 p.m. Hearing Room 6.  
Organizational meeting. AMENDED NOTICE. Executive Session may follow.  
Public Hearing to be held on: HB 112

HOMELAND SECURITY AND VETERANS AFFAIRS

Wednesday, January 22, 2003, 5:00 p.m. Senate Lounge.  
This will be a joint meeting with the Senate Veterans Committee.

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 22, 2003, 12:00 p.m.  
Hearing Room 6. Organizational meeting.

LOCAL GOVERNMENT

Thursday, January 23, 2003, 8:30 a.m. Hearing Room 6.  
Organizational meeting.  
Public Hearing to be held on: HB 79, HB 80, HB 122

RETIREMENT

Thursday, January 23, 2003, 8:30 a.m. Hearing Room 7.  
Organizational meeting.

RULES

Thursday, January 23, 2003, 8:00 a.m. Hearing Room 5.  
Executive Session may follow.  
Public Hearing to be held on: SCR 1

TOURISM AND CULTURAL AFFAIRS

Tuesday, January 28, 2003, 12:00 p.m. Hearing Room 5.  
Executive Session may follow.  
Public Hearing to be held on: HB 144

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, January 22, 2003, 12:00 p.m.  
Hearing Room 7. Organizational meeting.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 22, 2003, 12:00 noon.  
Hearing Room 3. Organizational Meeting.



**HOUSE CALENDAR**

EIGHTH DAY, WEDNESDAY, JANUARY 22, 2003

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 9

**HOUSE BILLS FOR SECOND READING**

HB 220 through HB 232

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCS HCR 6 - Bruns (1-21-03)