

# JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

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TENTH DAY, MONDAY, JANUARY 27, 2003

Representative King in the Chair.

Prayer by Father David Buescher.

God, loving God, we begin a new legislative week today. This sovereign state counts on Your collaboration with these representatives, as they continue to put into practice the trust the people have put in them. May Your wisdom illumine the intellects of these men and women.

May Your spirit brood over any troubled waters or moral chaos bringing clarity of right and goodness. May Your stance of courage, principle, mortification, and indifference to reputation inform and direct the activities of their minds and hearts.

You promise to be with those who put their trust in You. So we claim Your presence here and today. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ann Flood.

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

AYES: 090

Angst	Avery	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Merideth	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 067

Abel	Adams	Barnitz	Bishop	Boykins
Bringer	Brooks	Burnett	Campbell	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris	Harris 110	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Thompson	Villa	Wagner
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Carnahan	Lawson	Reinhart	Vogt
Walton				

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 129

and

House Resolution No. 130 - Representative Witte  
 House Resolution No. 131 - Representative Moore  
 House Resolution No. 132 - Representative Jackson

House Resolution No. 133

through

House Resolution No. 135 - Representative Dethrow  
 House Resolution No. 136 - Representative Vogt  
 House Resolution No. 137 - Representative Bearden

House Resolution No. 138

and

House Resolution No. 139 - Representative Cunningham (145)  
 House Resolution No. 140 - Representative Deeken  
 House Resolution No. 141 - Representative Angst  
 House Resolution No. 142 - Representative Wilson (42)  
 House Resolution No. 143 - Representative Crawford  
 House Resolution No. 144 - Representative Kelly (36)

House Resolution No. 145

and

House Resolution No. 146 - Representative Byrd  
 House Resolution No. 147 - Representative Black  
 House Resolution No. 148 - Representatives Wildberger and Salva

## **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

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

**HB 15**, introduced by Representative Bearden, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2003.

## **INTRODUCTION OF HOUSE BILLS**

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

**HB 289**, introduced by Representatives Dempsey, Johnson (47), Jetton, Roark, Hanaway, Smith (118), Baker, Avery, LeVota, Stevenson, Ervin, Dougherty, Yates, Burnett, Willoughby, Wilson (42), Dusenberg, Cooper (120), Pratt, Brown and Sager, et al, relating to the Missouri downtown economic stimulus act.

**HB 290**, introduced by Representatives Yates, Johnson (47), Dusenberg, Pratt, Smith (14), Avery, Guest and Pearce, et al, relating to campaign finance disclosure reports.

**HB 291**, introduced by Representatives Johnson (90), Lowe, Darrough, Walker, George, Whorton, Wildberger, Harris (110) and Zweifel, et al, relating to the memorial for workers.

**HB 292**, introduced by Representative Wagner, relating to the De Soto armory.

**HB 293**, introduced by Representative Johnson (47), relating to license taxes.

## **SECOND READING OF HOUSE BILLS**

**HB 255** through **HB 288** were read the second time.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 209** - Crime Prevention and Public Safety
- HB 221** - Financial Services
- HB 222** - Tourism and Cultural Affairs
- HB 224** - Financial Services
- HB 225** - Financial Services
- HB 226** - Conservation and Natural Resources
- HB 227** - Crime Prevention and Public Safety
- HB 228** - Job Creation and Economic Development
- HB 229** - Crime Prevention and Public Safety

**HB 233** - Health Care Policy  
**HB 234** - Education  
**HB 240** - Local Government  
**HB 241** - Judiciary  
**HB 242** - Local Government  
**HB 243** - Financial Services  
**HB 245** - Tourism and Cultural Affairs  
**HB 246** - Retirement  
**HB 247** - Transportation and Motor Vehicles  
**HB 252** - Judiciary  
**HB 253** - Judiciary  
**HB 254** - Judiciary  
**HB 260** - Senior Security  
**HB 263** - Tax Policy  
**HB 264** - Health Care Policy  
**HB 265** - Transportation and Motor Vehicles  
**HB 274** - Financial Services  
**HB 281** - Education  
**HB 282** - Health Care Policy  
**HB 283** - Transportation and Motor Vehicles  
**HB 284** - Transportation and Motor Vehicles  
**HB 287** - Local Government  
**HB 288** - Education

### **COMMITTEE REPORT**

**Committee on Children and Families**, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **HB 185**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **ADJOURNMENT**

On motion of Representative Nieves, the House adjourned until 10:00 a.m., Tuesday, January 28, 2003.

### **CORRECTIONS**

I, State Representative Robert J. Behnen, District 2, hereby state and affirm that my vote as recorded on page 149 of the House Journal for Thursday, 23 January 2003 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27<sup>th</sup> day of January 2003.

/s/ Robert J. Behnen  
State Representative

State of Missouri )  
 ) ss.  
County of Cole )

Subscribed and sworn to before me this 27<sup>th</sup> day of January in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on page 149 of the House Journal for 1-23-2003 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted affirmative. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27<sup>th</sup> day of January 2003.

/s/ Sharon Sanders Brooks  
State Representative

State of Missouri )  
 ) ss.  
County of Cole )

Subscribed and sworn to before me this 27<sup>th</sup> day of January in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

I, State Representative Esther Haywood, District 71, hereby state and affirm that my vote as recorded on page 149 of the House Journal for Thursday, January 23, 2003 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27<sup>th</sup> day of January 2003.

/s/ Esther Haywood  
State Representative

State of Missouri )  
 ) ss.  
County of Cole )

Subscribed and sworn to before me this 27<sup>th</sup> day of January in the year 2003.

/s/ Stephen S. Davis  
Chief Clerk

## COMMITTEE MEETINGS

### ADMINISTRATION AND ACCOUNTS

Thursday, January 30, 2003, 8:30 a.m. Hearing Room 1.

Organizational meeting.

### AGRICULTURE

Tuesday, January 28, 2003, 12:00 p.m. Hearing Room 1.

Organizational meeting. CORRECTED NOTICE.

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 28, 2003, 8:00 a.m. Hearing Room 4.

Departments of Agriculture, Conservation and Natural Resources.

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 29, 2003, 8:00 a.m. Hearing Room 4.

Departments of Agriculture, Conservation and Natural Resources.

### APPROPRIATIONS - EDUCATION

Tuesday, January 28, 2003, 8:00 a.m. Hearing Room 1.

Department of Elementary and Secondary Education.

### APPROPRIATIONS - EDUCATION

Tuesday, January 28, 2003, 2:30 p.m. Hearing Room 1.

Department of Elementary and Secondary Education.

### APPROPRIATIONS - EDUCATION

Wednesday, January 29, 2003, 8:00 a.m. Hearing Room 1.

Department of Elementary and Secondary Education.

### APPROPRIATIONS - EDUCATION

Wednesday, January 29, 2003, 2:30 p.m. Hearing Room 1.

Department of Elementary and Secondary Education.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 28, 2003, 2:30 p.m. Hearing Room 7.

Office of Administration. Public testimony. CORRECTED NOTICE.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 29, 2003, 2:30 p.m. Hearing Room 7.

Office of Administration. Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, January 30, 2003. Hearing Room 7 upon adjournment.  
Public Defender and General Assembly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 28, 2003, 8:00 a.m. Hearing Room 3.  
Health and Senior Services. Public testimony. (HB 10)

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 28, 2003, 2:30 p.m. Hearing Room 3.  
Health and Senior Services. Public testimony.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 29, 2003, 8:00 a.m. Hearing Room 3.  
Mental Health. Public testimony. (HB 10) AMENDED NOTICE.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 29, 2003, 2:30 p.m. Hearing Room 3.  
Health and Senior Services (HB 10).

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 30, 2003, 8:15 a.m. Hearing Room 3.  
Health and Senior Services (HB 10).

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 30, 2003. Hearing Room 3 upon morning adjournment.  
Health and Senior Services (HB 10).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 28, 2003, 8:00 a.m. Hearing Room 6.  
Informational meeting.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 29, 2003, 8:00 a.m. Hearing Room 6.  
Department of Public Safety.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 28, 2003, 8:00 a.m. Hearing Room 7.  
Committee will also meet upon adjournment. Economic Development.

CHILDREN AND FAMILIES

Tuesday, January 28, 2003, 5:00 p.m. Hearing Room 1.  
Public Hearing to be held on: HB 219

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, January 28, 2003, 12:00 p.m. Hearing Room 3.

Organizational meeting.

CONSERVATION AND NATURAL RESOURCES

Wednesday, January 29, 2003, 12:00 p.m. Hearing Room 5. CORRECTED NOTICE.

Public Hearing to be held on: HB 83, HB 115

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, January 28, 2003, 5:00 p.m. Hearing Room 3. AMENDED NOTICE #2.

Public Hearing to be held on: HB 91, HB 194, HB 198, HB 212, HB 229

ELECTIONS

Tuesday, January 28, 2003, 5:00 p.m. Hearing Room 7.

Organizational meeting. Presentation by Secretary of State's Office,  
Missouri Association of County Clerks.

ETHICS

Tuesday, January 28, 2003, 5:30 p.m. Hearing Room 4.

Rules of Procedure for Ethics. Approval of Caucuses.

Executive Session to follow. AMENDED NOTICE.

FINANCIAL SERVICES

Tuesday, January 28, 2003, 1:00 p.m.

Hearing Room 6. AMENDED NOTICE.

Organizational meeting.

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, January 28, 2003, 5:00 p.m. Hearing Room 5.

Public Hearing to be held on: HB 46, HB 72

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 29, 2003, 12:00 p.m. Hearing Room 6. AMENDED NOTICE.

Public Hearing to be held on: HB 197, HB 228

JUDICIARY

Wednesday, January 29, 2003, 12:00 p.m. Hearing Room 1.

Informational session on medical malpractice issues.

Public Hearing to be held on: HB 254

LOCAL GOVERNMENT

Thursday, January 30, 2003, 8:30 a.m. Hearing Room 6. AMENDED NOTICE.

Public Hearing to be held on: HB 36, HB 41, HB 166, HB 181

Executive Session to be held on: HB 80, HB 122



PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, January 28, 2003, 12:00 p.m.

Professional Registration, 3605 Missouri Blvd.

Organizational meeting. Presentation by Division of Professional Registration.

RETIREMENT

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

Public Hearing to be held on: HB 131, HB 152, HB 180

SENIOR SECURITY

Tuesday, January 28, 2003, 5:00 p.m. Hearing Room 6.

Public Hearing to be held on: HB 89

SMALL BUSINESS

Wednesday, January 29, 2003, 12:00 p.m. Hearing Room 4.

Organizational meeting.

TAX POLICY

Tuesday, January 28, 2003, 12:00 p.m. Hearing Room 7.

Executive Session may follow. AMENDED NOTICE.

Public Hearing to be held on: HB 32, HB 60, HB 119

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 29, 2003, 12:00 p.m. Hearing Room 7.

Stakeholders meeting.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 29, 2003, 12:00 p.m. Hearing Room 3.

Executive Session may follow.

Public Hearing to be held on: HB 74

**HOUSE CALENDAR**

ELEVENTH DAY, TUESDAY, JANUARY 28, 2003

**HOUSE BILLS FOR SECOND READING**

HB 289 through HB 293

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 15

**HOUSE BILL FOR PERFECTION**

HCS HB 185 - Phillips

**SENATE CONCURRENT RESOLUTION FOR THIRD READING**

SCR 1 - Bruns (1-15-03, Pages 96-97)