

# JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

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SEVENTEENTH DAY, THURSDAY, FEBRUARY 6, 2003

Speaker Pro Tem Jetton in the Chair.

Prayer by Father David Buescher.

Lord of life and God of all consolation, we pause for a moment and remember that You are in our midst, that You create the very midst in which we can live, love, and work.

The cold and snow bears down on some of the poor in our cities and on our farms today, the anxiety of a world in dread of terrorism and of the rumors of war surrounds us all. In any of this darkness, weakness, ignorance, or need, we ask a blessing of light, strength, and wisdom from You today.

Fill these men and women, this solemn body, with Your good and Holy Spirit. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as corrected.

## HOUSE RESOLUTIONS

Representative Deeken offered House Resolution No. 307 and House Resolution No. 308.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 302 - Representative Mayer  
House Resolution No. 303 - Representative Sanders Brooks  
House Resolution No. 304 - Representative Byrd  
House Resolution No. 305 - Representative Cunningham (145)  
House Resolution No. 306 - Representative Bough  
House Resolution No. 309 - Representative Salva

## INTRODUCTION OF HOUSE BILLS

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

**HB 402**, introduced by Representatives Wallace, Davis (122), Dixon, Kingery, Bough, Hampton, King, Schneider, Shoemaker (8) and Crowell, et al, relating to allocation of professional development funds.

**HB 403**, introduced by Representatives Rector, Stevenson, LeVota, Willoughby, Sager and Skaggs, et al, relating to allowing certain electrical corporations to recover certain costs.

**HB 404**, introduced by Representatives Rector, Stevenson, Willoughby, Sager and Bishop, et al, relating to the public service commission.

**HB 405**, introduced by Representatives Burnett, Young, LeVota, Dougherty and Meiners, relating to assessment of personal property.

**HB 406**, introduced by Representatives Johnson (90), Harris (110), Bringer, Jolly, Kelly (36) and Willoughby, relating to admissibility of statements made by certain children.

**HB 407**, introduced by Representatives Smith (118), Hampton, Black, Bearden and Ward, et al, relating to offender treatment programs.

**HB 408**, introduced by Representatives Bivins, Portwood, Wallace, Schneider, Sander, Kelly (36), Cunningham (86) and Stefanick, et al, relating to sexual offenses.

**HB 409**, introduced by Representatives Jolly, Darrough, Bland, LeVota, Yaeger, Curls, Corcoran, Donnelly, Walker and Dougherty, et al, relating to economic incentives.

**HB 410**, introduced by Representatives Schaaf, Lowe, Holand and Campbell, et al, relating to substance abuse traffic offender program.

**HB 411**, introduced by Representatives Lipke and Goodman, relating to driving while revoked.

**HB 412**, introduced by Representatives Goodman, Wasson, Behnen, Jetton, Crowell, Lembke, Lipke and Cunningham (86), et al, relating to gubernatorial inaugural committees.

**HB 413**, introduced by Representatives Mayer, Lipke, Crowell, Goodman, Corcoran, Kelly (36), Bringer, Johnson (90) and Jolly, et al, relating to resisting or interfering with arrest.

**HB 414**, introduced by Representatives Bean, Stevenson, Wallace, Bough and Purgason, et al, relating to the prevailing wage.

**HB 415**, introduced by Representatives Portwood, Avery, Stefanick, Cunningham (86), Dempsey, Dixon and Wright, et al, relating to the practice of chiropractic.

**HB 416**, introduced by Representatives Rector, Cooper (120) and Davis (122), relating to assessment of newly constructed property.

**HB 417**, introduced by Representatives Mayer, Davis (122), Jetton, May, Kingery, Wallace and Bough, et al, relating to assault of an athletic event participant.

**HB 418**, introduced by Representatives Johnson (61) and Sanders Brooks, et al, relating to national teacher certification incentives.

**HB 419**, introduced by Representative Willoughby, relating to violations of public service commission.

**HB 420**, introduced by Representatives Cooper (120), Bearden, Moore, Luetkemeyer, Davis (122), Portwood, Crowell, Behnen, Sutherland, Hobbs, Wallace, Wagner, Bean, Henke and Dusenberger, et al, relating to the creation of the highway patrol's trust fund.

**HB 421**, introduced by Representatives Cooper (120), Bearden, Roark, Crowell, Dempsey and Mayer, et al, relating to a reduction of the corporate income tax.

**HB 422**, introduced by Representative Cooper (120), relating to a private car ad valorem tax credit.

**HB 423**, introduced by Representatives Icet, St. Onge, Jackson, Avery, Stefanick and Cunningham (86), relating to state school aid to school districts.

**HB 424**, introduced by Representatives Sutherland, Avery, Portwood, Bivins, Jetton, Dixon and Hanaway, et al, relating to a temporary exemption from state and local sales and use tax on retail sales of clothing, school supplies, and personal computers before the start of the school year.

**HB 425**, introduced by Representatives Sutherland and Dempsey, et al, relating to setup contractors for manufactured housing.

**HB 426**, introduced by Representatives Rector and Byrd, et al, relating to water corporations.

**HB 427**, introduced by Representatives Byrd, Stevenson, Goodman, Pratt and Yates, relating to the basic civil legal services fund.

**HB 428**, introduced by Representatives Hobbs, Riback Wilson (25), Shoemyer (9), Harris (23) and Graham, relating to fines for ordinance violations in certain counties.

## **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 12** and **HJR 13** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 360** through **HB 401** were read the second time.

**COMMITTEE ASSIGNMENT****SPECIAL COMMITTEE ON BONDING AUTHORITY****Bearden, Carl - Chair**

Hanaway, Catherine  
 Luetkemeyer, Blaine  
 Byrd, Richard  
 Abel, Mark  
 Ransdall, Bill  
 Campbell, Marsha

**THIRD READING OF HOUSE BILL**

**HB 198**, relating to arrest without warrant, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HB 198** was read the third time and passed by the following vote:

AYES: 130

Adams	Angst	Avery	Baker	Barnitz
Bean	Bearden	Behnen	Bishop	Bivins
Black	Bough	Bringer	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
Goodman	Green	Guest	Hampton	Harris 110
Harris 23	Hilgemann	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 90	Jolly
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
Meiners	Merideth	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 030

Abel	Bland	Boykins	Brooks	Burnett
Curls	Dougherty	El-Amin	George	Graham
Haywood	Henke	Hoskins	Hubbard	Johnson 47
Johnson 61	Jones	Lowe	McKenna	Muckler

Salva  
Walton

Thompson  
Whorton

Vogt  
Wildberger

Walker  
Wilson 25

Walsh  
Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 003

Lawson

Reinhart

Schaaf

Speaker Pro Tem Jetton declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

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

**HCR 12** - Health Care Policy

### **REFERRAL OF HOUSE JOINT RESOLUTION**

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

**HJR 10** - Judiciary

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 324** - Communications, Energy and Technology

**HB 325** - Education

**HB 326** - Local Government

**HB 327** - Transportation and Motor Vehicles

**HB 328** - Crime Prevention and Public Safety

**HB 329** - Crime Prevention and Public Safety

**HB 330** - Crime Prevention and Public Safety

**HB 331** - Local Government

**HB 332** - Professional Registration and Licensing

**HB 333** - Education

**HB 334** - Transportation and Motor Vehicles

**HB 335** - Crime Prevention and Public Safety

**HB 336** - Crime Prevention and Public Safety

**HB 337** - Crime Prevention and Public Safety

**HB 338** - Retirement

**HB 339** - Education

**HB 341** - Budget

**HB 342** - Senior Security

**HB 344** - Communications, Energy and Technology

**HB 345** - Tax Policy

- HB 346** - Retirement
- HB 347** - Retirement
- HB 348** - Retirement
- HB 353** - Financial Services
- HB 356** - Corrections and State Institutions
- HB 360** - Crime Prevention and Public Safety
- HB 361** - Education
- HB 362** - Education
- HB 363** - Tax Policy
- HB 364** - Tax Policy
- HB 365** - Children and Families
- HB 366** - Workforce Development and Workplace Safety
- HB 367** - Local Government
- HB 368** - Small Business
- HB 369** - Local Government
- HB 370** - Education
- HB 371** - Transportation and Motor Vehicles
- HB 372** - Crime Prevention and Public Safety
- HB 373** - Judiciary
- HB 375** - Local Government
- HB 376** - Health Care Policy
- HB 377** - Rules
- HB 379** - Crime Prevention and Public Safety
- HB 380** - Judiciary
- HB 381** - Tax Policy
- HB 382** - Judiciary
- HB 383** - Transportation and Motor Vehicles
- HB 384** - Education
- HB 385** - Education
- HB 386** - Conservation and Natural Resources
- HB 387** - Elections
- HB 389** - Transportation and Motor Vehicles
- HB 390** - Professional Registration and Licensing
- HB 392** - Transportation and Motor Vehicles
- HB 393** - Professional Registration and Licensing
- HB 394** - Judiciary
- HB 396** - Children and Families
- HB 397** - Tax Policy
- HB 398** - Tax Policy
- HB 399** - Education
- HB 400** - Education
- HB 401** - Special Committee on Bonding Authority

## RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 320** - Education

## COMMITTEE REPORTS

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

Madam Speaker: Your Committee on Rules, to which was referred **HR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### HOUSE RESOLUTION NO. 36

WHEREAS, Campus Compact is a national organization interested in promoting civic engagement on college and university campuses; and

WHEREAS, more than 700 colleges and universities across the country are members of Campus Compact; and

WHEREAS, Missouri is one of 27 states with a Campus Compact organization whose goal is to "help students develop the values and skill of civic participation through involvement in public service"; and

WHEREAS, the Missouri Campus Compact currently has 31 member institutions, both two-year and four-year from across the state; and

WHEREAS, in cooperation with the Pew Charitable Trusts and National Campus Compact, one of the 2002-2003 initiatives of the Missouri Campus Compact is to participate in the "Raise Your Voice" program which includes conducting dialogs among student leaders on two major questions: (1) What public civic issues are students interested in?, and (2) How are students addressing these issues?; and

WHEREAS, approximately 100 students from across Missouri will participate in the "Raise Your Voice" program in Jefferson City in February 2003:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Missouri Campus Compact permission to use the House Chamber on Thursday, February 20, 2003, beginning at 1:30 p.m. until approximately 3:00 p.m. to conduct the "Raise Your Voice" student dialogues and that the House staff provide the necessary support to the event; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives be encouraged to attend this event to become better informed about the perceptions, opinions and ideas of the next generation of Missouri leaders.

Madam Speaker: Your Committee on Rules, to which was referred **HR 128**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### HOUSE RESOLUTION NO. 128

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the University Extension 4-H Development Program is an educational experience in state government for youth by allowing such youth, with the aid and supervision of extension staff and legislators, to participate in mock legislative hearings and floor discussions of current bills that are of interest to youth:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the 4-H Citizenship Youth Forum permission to use the House Chamber on Thursday, July 3, 2003, from 9:00 a.m. until 11:30 a.m. to conduct a mock legislative session.

## **MESSAGES FROM THE GOVERNOR**

February 5, 2003

### **REORGANIZATION PLAN NO. 1 2003**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2003, by Executive Order 03-02, establishing the Family Support Division within the Department of Social Services.

Respectfully submitted,

/s/ Bob Holden  
Governor

### **EXECUTIVE ORDER 03-02**

WHEREAS, the Department of Social Services is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 660, RSMo; and

WHEREAS, the Division of Family Services is created pursuant to Section 660.010, RSMo, within the Department of Social Services; and

WHEREAS, the Division of Child Support Enforcement is created pursuant to Section 454.400, RSMo, within the Department of Social Services; and

WHEREAS, the Division of Family Services, Income Maintenance Unit serves clients who are also served by the Division of Child Support Enforcement; and

WHEREAS, federal law establishes the child support program and other public assistance programs, separately; and

WHEREAS, by combining the public assistance programs, such as food stamps, temporary assistance, rehabilitation services for the blind, general relief, supplemental nursing care assistance, medical assistance eligibility, and energy assistance, and the child support enforcement program, Missouri could operate more efficiently and effectively; and

WHEREAS, I am committed to integrating executive branch operations to improve the way the state delivers services; and

WHEREAS, the transfer of these functions to a new Family Support Division within the Department of Social Services is a component of the Governor's Reorganization Plan of 2003, which is designed to streamline state government and make it as efficient as possible.



NOW, THEREFORE I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby establish the Family Support Division within the Department of Social Services and order the Department to:

1. Utilize the Family Support Division as the vehicle through which economies and efficiencies of scale are maximized by combining certain child support functions with certain income maintenance functions; and
2. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Family Services into the Family Support Division, except individualized assessment for work readiness, work readiness training, child welfare functions, early childhood, and child care assistance, by Type I transfer, as defined under the Reorganization Act of 1974; and
3. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Child Support Enforcement to the Family Support Division, except the parents' fair share program, by Type I transfer, as defined under the Reorganization Act of 1974; and
4. Take the steps necessary to maintain compliance with federal requirements, such as filing a state plan amendment, so as not to jeopardize federal financial participation.

This Order shall become effective no sooner than August 28, 2003 unless disapproved within sixty days of its submission to the First Regular Session of the 92nd General Assembly.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused to be affixed the Great Seal  
of the State of Missouri, in the City of Jefferson  
on this 5th day of February, 2003.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

February 5, 2003

REORGANIZATION PLAN NO. 2  
2003

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2003, by Executive Order 03-03, establishing the Children's Division within the Department of Social Services.

Respectfully submitted,

/s/ Bob Holden  
Governor

**EXECUTIVE ORDER**  
**03-03**

WHEREAS, the Department of Social Services is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 660, RSMo; and

WHEREAS, the Division of Family Services is assigned to the Department of Social Services pursuant to Section 660.010, RSMo; and

WHEREAS, a number of efforts are being made to address problems that have been identified with Missouri's current child welfare system; and

WHEREAS, in September 2002, I appointed Richard C. Dunn and Judge Frank Conley to conduct an investigation into the Greene County child welfare system; and

WHEREAS, in November 2002, Mr. Dunn and Judge Conley completed their Report of the Investigation of the Child Welfare System in Greene County; and

WHEREAS, the child welfare system in this state requires immediate attention in order to avoid a greater breakdown in services and other serious problems; and

WHEREAS, I recently established the Office of Child Welfare Ombudsman within the Office of Administration by Executive Order 02-22; and

WHEREAS, streamlining children's services, and all of the functions related to them, will increase the focus on child protection; and

WHEREAS, every child in Missouri is entitled to a safe place to live.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby create and establish the Children's Division within the Department of Social Services and order the Department to:

1. Ensure the Children's Division is focused on protecting children in the state's care and identifying children at risk of abuse or neglect; and
2. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Family Services relating to child welfare, child protection, child care assistance, and early childhood to the Children's Division, by Type I transfer, as defined under the Reorganization Act of 1974; and
3. Implement recommendations found in the Report of the Investigation of the Child Welfare System in Greene County; and
4. Take the steps necessary to maintain compliance with federal requirements, such as filing a state plan amendment, so as not to jeopardize federal financial participation.

This Order shall become effective no sooner than August 28, 2003 unless disapproved within sixty days of its submission to the First Regular Session of the 92nd General Assembly.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused to be affixed the Great Seal  
of the State of Missouri, in the City of Jefferson  
on this 5th day of February, 2003.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

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February 5, 2003

REORGANIZATION PLAN NO. 3  
2003

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2003, by Executive Order 03-04, providing the transfer of workforce and the Parents' Fair Share functions of the Department of Social Services to the Department of Economic Development.

Respectfully submitted,

/s/ Bob Holden  
Governor

**EXECUTIVE ORDER**  
**03-04**

WHEREAS, the Department of Social Services is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 660, RSMo; and

WHEREAS, the Division of Family Services is created and established as a division of the Missouri Department of Social Services, pursuant to Section 660.010, RSMo; and

WHEREAS, the Division of Child Support Enforcement is created pursuant to Section 454.400, RSMo, within the Department of Social Services; and

WHEREAS, the Department of Economic Development is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, pursuant to Executive Order 99-03 and Chapter 620, RSMo, the Division of Workforce Development within the Missouri Department of Economic Development is the state agency designated to receive federal Wagner-Peyser funds, administer the free public employment offices, administer Workforce Investment Act funds, administer federal Welfare to Work grants, and administer other employment assistance programs for the citizens of Missouri; and

WHEREAS, the Missouri Department of Social Services is the state agency designated to receive Temporary Assistance for Needy Families (TANF) funds and administer programs under Title IV-A of the Social Security Act, as amended; and

WHEREAS, federal law requires adults in families receiving assistance under TANF to engage in work activities to be eligible to continue to receive assistance; and

WHEREAS, federal law requires determination of the skills, prior work experience, and employability of certain TANF recipients; and

WHEREAS, federal law authorizes work activities such as job search and job readiness assistance, on-the-job training, subsidized employment, education and child care services, or other related assistance for certain participants; and

WHEREAS, the Division of Family Services within the Missouri Department of Social Services currently administers the foregoing assessment, employment, training, and placement activities under TANF; and

WHEREAS, the Division of Child Support Enforcement within the Missouri Department of Social Services administers the Parents Fair Share Program, which provides assessment, employment, training, and placement activities for non-custodial parents; and

WHEREAS, the Division of Workforce Development in the Missouri Department of Economic Development and the Division of Child Support Enforcement and Division of Family Services within the Missouri Department of Social Services have worked closely together in the past in providing the foregoing work-related programs and performing the foregoing work-related functions; and

WHEREAS, the merging of workforce functions will create a "no wrong door access" to employment services, making sure that all clients receive the highest quality training, support services, and work activities, thus increasing the number of employed and employable Missourians; and

WHEREAS, I am committed to integrating executive branch operations to improve the way the state delivers services; and

WHEREAS, the transfer of workforce and the Parents' Fair Share functions of the Department of Social Services to the Department of Economic Development is a component of the Governor's Reorganization Plan of 2003, which is designed to streamline state government and make it as efficient as possible.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby order:

1. The transfer of assessment, employment, training, and placement functions under TANF from the Division of Family Services within the Missouri Department of Social Services to the Division of Workforce Development within the Missouri Department of Economic Development;
2. The transfer of all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Family Services within the Department of Social Services related to assessment, employment, training, and placement functions authorized by TANF for custodial parents to the Division of Workforce Development within the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;
3. The transfer of assessment, employment, training, and placement functions in the Parent's Fair Share Program from the Division of Child Support Enforcement within the Missouri Department of Social Services to the Division of Workforce Development within the Missouri Department of Economic Development;
4. The transfer of all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Child Support Enforcement within the Department of Social Services related to assessment, employment, training, and placement services performed in the Parents Fair Share Program, authorized by TANF for non-custodial parents, to the Division of Workforce Development within the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;

5. That the Department of Social Services and its divisions shall provide the Division of Workforce Development with access to supportive services as may be necessary to accomplish the assessment, employment, training, and placement services that are transferred herein;
6. That the Department of Social Services and the Department of Economic Development develop the mechanisms and processes necessary to effectuate the transfer of the assessment, employment, training, and placement services as specified herein;
7. The continuation of contractual agreements for the administration of assessment, employment, training, and placement functions under the Missouri Food Stamp Employment and Training Program between the Division of Family Services of the Missouri Department of Social Services (or its successor agency) to the Division of Workforce Development within the Missouri Department of Economic Development;
8. The good faith negotiation of such contractual agreements by the Department of Social Services and the Department of Economic Development with the goal of providing the best services in an efficient manner; and
9. The relevant agency or agencies to ensure the filing of any necessary state plan amendments and other actions necessary to maintain compliance with federal requirements.

This Order shall become effective no sooner than August 28, 2003 unless disapproved within sixty days of its submission to the First Regular Session of the 92nd General Assembly.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused to be affixed the Great Seal  
of the State of Missouri, in the City of Jefferson  
on this 5th day of February, 2003.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

February 5, 2003

REORGANIZATION PLAN NO. 4  
2003

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 4 of 2003, by Executive Order 03-05, providing for the transfer of the functions of the Division of Highway Safety to the Department of Transportation.

Respectfully submitted,

/s/ Bob Holden  
Governor

**EXECUTIVE ORDER NO.  
03-05**

WHEREAS, the Department of Public Safety is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 650, RSMo; and

WHEREAS, the Division of Highway Safety is assigned to the Department of Public Safety pursuant to Section 650.005, RSMo; and

WHEREAS, the Missouri Department of Transportation is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 226, RSMo; and

WHEREAS, the Division of Highway Safety works to promote the safe operation of vehicles on or about the highways, roads, and streets of this state; and

WHEREAS, the Department of Transportation is tasked with supervision of the construction, maintenance, and operation of the state highway system; and

WHEREAS, the Division of Highway Safety and the Department of Transportation both engage in activities related to the state highway system and its safe operation; and

WHEREAS, the consolidation of these activities would increase efficiencies and eliminate duplication of efforts; and

WHEREAS, I am committed to integrating executive branch operations to improve the way the state delivers services; and

WHEREAS, the transfer of the functions of the Division of Highway Safety to the Department of Transportation is a component of the Governor's Reorganization Plan of 2003, which is designed to streamline state government and make it as efficient as possible.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby order the Missouri Department of Public Safety, the Division of Highway Safety, and the Missouri Department of Transportation to cooperate to:

1. Develop mechanisms and processes necessary to effectively transfer the functions of the Division of Highway Safety to the Department of Transportation;
2. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Highway Safety to the Department of Transportation, by Type I transfer, as defined under the Reorganization Act of 1974; and
3. Take the steps necessary to maintain compliance with federal requirements, such as filing a state plan amendment, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective no sooner than August 28, 2003 unless disapproved within sixty days of its submission to the First Regular Session of the 92nd General Assembly.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused to be affixed the Great Seal  
of the State of Missouri, in the City of Jefferson  
on this 5th day of February, 2003.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

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February 5, 2003

REORGANIZATION PLAN NO. 5  
2003

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 5 of 2003, by Executive Order 03-06, providing for the transfer of the Minority Business Advocacy Commission to the Office of Administration.

Respectfully submitted,

/s/ Bob Holden  
Governor

**EXECUTIVE ORDER**  
**03-06**

WHEREAS, the Missouri Office of Administration is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 37, RSMo; and

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, the State Office of Equal Employment Opportunity is created by Executive Order 94-03 within the Office of Administration to ensure that there are "no vestiges of discrimination against persons on account of race, sex, color, religion, national origin, age, disability, or veteran status in not only employment practices but the provision of services and operation of facilities"; and

WHEREAS, the Minority Business Advocacy Commission is established by Section 33.752, RSMo, to further the interests and assess the needs of minority businesses in Missouri; and

WHEREAS, Section 33.752.6(13) states that the Minority Business Advocacy Commission is responsible for receiving complaints and recommendations concerning policies and activities of federal, state, and local governmental agencies that affect minority small businesses, and developing proposals for changes in policies or activities to alleviate any unnecessary adverse effects to minority small business; and

WHEREAS, Section 33.752.7 states that the Department of Economic Development shall furnish administrative support and staff for the effective operation of the Commission; and

WHEREAS, the Office of Administration and Department of Economic Development agree that the Minority Business Advocacy Commission will be enhanced through placement within the Office of Administration; and

WHEREAS, the I am committed to integrating executive branch operations to improve the way the state delivers services; and

WHEREAS, the transfer of the Minority Business Advocacy Commission to the Office of Administration is a component of the Governor's Reorganization Plan of 2003, which is designed to streamline state government and make it as efficient as possible.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby order the Department of Economic Development and the Office of Administration to cooperate to:

1. Develop mechanisms and processes necessary to effectively transfer the Minority Business Advocacy Commission from the Department of Economic Development to the Office of Administration.
2. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Minority Business Advocacy Commission to the Office of Administration, by Type II transfer, as defined under the Reorganization Act of 1974.

This Order shall become effective no sooner than August 28, 2003 unless disapproved within sixty days of its submission to the First Regular Session of the 92nd General Assembly.

IN WITNESS WHEREOF, I have hereunto set  
my hand and caused to be affixed the Great Seal  
of the State of Missouri, in the City of Jefferson  
on this 5th day of February, 2003.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

## WITHDRAWAL OF HOUSE BILLS

February 5, 2003

The Honorable Catherine Hanaway  
Speaker of the House of Representatives  
State Capitol Bldg., Rm. 308  
Jefferson City, MO 65101

Dear Speaker Hanaway:

Respectfully, I would like to withdraw **HB 304**. After meeting with the Highway Patrol on numerous occasions, I will be refiling this bill with changes at a later date.

Thank you for your assistance.

Sincerely,

/s/ Jim Avery  
District 95



TO: Speaker Hanaway

FROM: Brian Baker

DATE: February 6, 2003

I respectfully request to withdraw **House Bill 319**.

The following member's presence was noted: Schaaf.

### ADJOURNMENT

On motion of Representative Wilson (130), the House adjourned until 4:00 p.m., Monday, February 10, 2003.

### CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixteenth Day, Wednesday, February 5, 2003, Page 267, Line 8, by inserting after said line the following:

/s/ Curt Dougherty	53
/s/ Kathlyn Fares	91
/s/ Cynthia L. Davis	19
/s/ Randy Angst	146
/s/ Brian Nieves	98
/s/ Mike Cunningham	145
/s/ Neal St. Onge	88
/s/ Kate Meiners	46
/s/ Barbara Fraser	83
/s/ Jim Whorton	3
/s/ Richard Byrd	94
/s/ Bob Behnen	2

Page 271, Line 23, by deleting said line and inserting in lieu thereof the following: "EDUCATION".

### COMMITTEE MEETINGS

#### AGRICULTURE

Tuesday, February 11, 2003, 12:00 p.m. Hearing Room 1.

Executive Session may follow.

Public Hearing to be held on: HB 257, HCR 3, HCR 5, HR 110

#### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 10, 2003, 12:00 p.m. Hearing Room 4.

Department of Conservation. Public Hearing.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 11, 2003, 8:00 a.m. Hearing Room 4.  
Department of Agriculture, Department of Natural Resources,  
Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 11, 2003, 2:30 p.m. Hearing Room 4.  
Mark-up, Department of Agriculture, Department of Natural Resources,  
Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 12, 2003, 8:00 a.m. Hearing Room 4.  
Mark-up, Department of Agriculture, Department of Natural Resources,  
Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 12, 2003, 2:30 p.m. Hearing Room 4.  
Mark-up, Department of Agriculture, Department of Natural Resources,  
Department of Conservation.

APPROPRIATIONS - EDUCATION

Monday, February 10, 2003, 11:00 a.m. Hearing Room 1.  
Public testimony.

APPROPRIATIONS - EDUCATION

Tuesday, February 11, 2003, 2:30 p.m. Hearing Room 1.  
Executive Session: Mark-up

APPROPRIATIONS - EDUCATION

Tuesday, February 11, 2003, 8:00 a.m. Hearing Room 1.  
Public testimony continued.  
Executive Session: Mark-up

APPROPRIATIONS - EDUCATION

Wednesday, February 12, 2003, 2:30 p.m. Hearing Room 1.  
Executive Session: Mark-up

APPROPRIATIONS - EDUCATION

Wednesday, February 12, 2003, 8:00 a.m. Hearing Room 1.  
Executive Session: Mark-up

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 11, 2003, 2:30 p.m. Hearing Room 7.  
Offices of the Attorney General, Governor, Lieutenant Governor,  
Department of Revenue. Public testimony.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 10, 2003, 9:00 a.m. Hearing Room 3.

Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 11, 2003, 8:00 a.m. Hearing Room 3.

Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 11, 2003, 2:30 p.m. Hearing Room 3.

Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 13, 2003. Hearing Room 3 upon morning adjournment.

Department of Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 10, 2003, 12:00 noon. Hearing Room 6. AMENDED NOTICE

Public testimony. Public Safety presentation continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 11, 2003, 8:00 a.m. Hearing Room 6.

Public Safety presentation continued. Begin Corrections presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 12, 2003, 8:00 a.m. Hearing Room 6.

Corrections presentation continued. Begin Mark-up if time permits.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 10, 2003, 12:00 p.m. Hearing Room 7.

Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 11, 2003, 8:00 a.m. Hearing Room 7.

BUDGET

Tuesday, February 11, 2003, 7:30 p.m. Hearing Room 3.

Possible Executive Session.

Public Hearing to be held on: HB 15

BUDGET

Wednesday, February 12, 2003, 7:30 p.m. Hearing Room 3.

Possible Executive Session.

Public Hearing to be held on: HB 286

Executive Session to be held on: HB 15

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 11, 2003, 12:00 noon. Hearing Room 3.

Public Hearing to be held on: HB 142

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 12, 2003, 12:00 noon. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: HB 215, HB 218, HB 226, HJR 7

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, February 12, 2003, 5:00 p.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: HB 93, HB 278

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 11, 2003, 5:00 p.m. Hearing Room 3.

Public Hearing to be held on: HB 63, HB 113, HB 165, HB 255

Executive Session to be held on: HB 91

ELECTIONS

Tuesday, February 11, 2003, 5:00 p.m. Hearing Room 7.

Public Hearing to be held on: HB 104, HB 133, HB 159

Executive Session to be held on: HB 99, HJR 6, HJR 9

FINANCIAL SERVICES

Tuesday, February 11, 2003, 12:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: HB 243, HB 259, HB 314

Executive Session to be held on: HB 73, HB 193, HB 221

HEALTH CARE POLICY

Wednesday, February 12, 2003, 5:00 p.m. Hearing Room 6.

Public Hearing to be held on: HB 59, HB 202, HB 233, HB 269

Executive Session to be held on: HB 112

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 11, 2003, 5:00 p.m. Hearing Room 5.

Executive Session will follow.

Public Hearing to be held on: HB 271, HB 307

LOCAL GOVERNMENT

Monday, February 10, 2003. Hearing Room 6 upon afternoon adjournment.

Executive Session to be held on: HB 166, HB 181

**LOCAL GOVERNMENT**

Thursday, February 13, 2003, 8:30 a.m. Hearing Room 6.  
Public Hearing to be held on: HB 267, HB 268, HB 292, HB 294

**SENIOR SECURITY**

Tuesday, February 11, 2003, 5:00 p.m. Hearing Room 6. AMENDED NOTICE  
Dinner provided upon adjournment at Jefferson City Correctional Center.  
Public Hearing to be held on: HB 37  
Executive Session to be held on: HB 47

**SMALL BUSINESS**

Monday, February 10, 2003, 1:00 p.m. Hearing Room 5.  
Informational meeting.

**SMALL BUSINESS**

Wednesday, February 12, 2003, 12:00 p.m. Hearing Room 4.  
Public Hearing to be held on: HB 322

**TAX POLICY**

Tuesday, February 11, 2003, 12:00 p.m. Hearing Room 7.  
Executive Session may follow.  
Public Hearing to be held on: HB 263, HB 345

**TOURISM AND CULTURAL AFFAIRS**

Tuesday, February 11, 2003, 12:00 p.m. Hearing Room 5.  
Public Hearing, Executive Session will be held.  
Public Hearing to be held on: HB 222, HB 245

**TOURISM AND CULTURAL AFFAIRS**

Thursday, February 13, 2003, 9:00 a.m. House Lounge.  
Joint Session with Senate Economic Development, Tourism and Local Government Committee.

**HOUSE CALENDAR**

EIGHTEENTH DAY, MONDAY, FEBRUARY 10, 2003

**HOUSE BILLS FOR SECOND READING**

HB 402 through HB 428

**HOUSE BILL FOR PERFECTION**

HCS HB 288 - Jetton

**HOUSE RESOLUTIONS**

HR 36 - Morris (2-6-03)

HR 128 - Crawford (2-6-03)