

JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 17, 2003

Representative Phillips in the Chair.

Prayer by Representative Ronnie Miller.

Dear God, we present two members of our House of Representatives family for healing of health problems, Representative Maurice Lawson and Representative Annie Reinhart.

Heavenly Father, bless the doctors as well as the medication they are being administered.

Lord, be with our families as we are apart from them.

I pray that You will bless our Leaders, world, national, state and local, that they might come before You seeking a peace that passes human understanding in decisions they must make.

Forgive us when we fail You.

Thank You for being in control. These things we ask in Jesus name. 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: Andron Barnett, Jared Jackson and Joshua Jackson.

The Journal of the twenty-first day was approved as corrected by the following vote:

AYES: 160

Abel	Adams	Angst	Avery	Baker
Barnitz	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bough	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberger	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	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	Wagner	Walker
Wallace	Walsh	Walton	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: 003

Bland Lawson Reinhart

HOUSE RESOLUTION

Representatives Lowe and Black offered House Resolution No. 388.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 386 - Representative Bough
- House Resolution No. 387 - Representative Munzlinger
- House Resolution No. 389
through
- House Resolution No. 391 - Representative Cooper (155)
- House Resolution No. 392 - Representative Bough
- House Resolution No. 393
through
- House Resolution No. 395 - Representative Cunningham (145)
- House Resolution No. 396
and
- House Resolution No. 397 - Representative Angst
- House Resolution No. 398
and
- House Resolution No. 399 - Representative Shoemyer (9)
- House Resolution No. 400 - Representative Sutherland
- House Resolution No. 401
and
- House Resolution No. 402 - Representative Stevenson
- House Resolution No. 403 - Representative Parker

House Resolution No. 404 - Representative Guest
House Resolution No. 405
and
House Resolution No. 406 - Representative Abel
House Resolution No. 407
through
House Resolution No. 412 - Representative Dougherty
House Resolution No. 413 - Representative Hubbard, et al

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

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

HB 2, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 3, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 4, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 5, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 6, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2003 and ending June 30, 2004.

HB 7, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 8, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2003 and ending June 30, 2004.

HB 9, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

HB 10, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Missouri Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

HB 11, introduced by Representative Bearden, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

HB 12, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2003 and ending June 30, 2004.

INTRODUCTION OF HOUSE BILLS

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

HB 480, introduced by Representatives Emery, Rector, Myers, Cooper (155), Bough, Phillips, Sander, Reinhart, Moore, Viebrock, Dixon and Nieves, et al, relating to pharmacies and pharmacists.

HB 481, introduced by Representatives Crowell, Bearden, Rupp, Moore, Ervin, Lipke, Smith (14), Muckler, Dixon and Viebrock, et al, relating to public funds.

HB 482, introduced by Representative Byrd, relating to the requirements of corporate document filings with the secretary of state.

HB 483, introduced by Representatives Byrd, Fares, Donnelly, Stefanick, Munzlinger and Shoemaker (8), relating to transportation development districts.

HB 484, introduced by Representatives Holand, Shoemyer (9), Whorton and Portwood, et al, relating to physician assistants.

HB 485, introduced by Representatives Johnson (90) and Byrd, relating to services for children and minors.

HB 486, introduced by Representative Taylor, relating to motorized bicycles.

HB 487, introduced by Representatives Walton and Hoskins, et al, relating to the creation of subdistricts in certain school districts.

HB 488, introduced by Representatives Lowe, Campbell, McKenna, Wagner, George, Corcoran and Bland, et al, relating to the Missouri downtown economic stimulus act.

HB 489, introduced by Representatives Byrd and Stevenson, et al, relating to registration of juvenile sex offenders.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 18 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 15 was read the second time.

SECOND READING OF HOUSE BILLS

HB 459 through **HB 479** were read the second time.

SECOND READING OF SENATE BILLS

SB 15 and **SS SCS SB 30** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 475 - Workforce Development and Workplace Safety

HB 477 - Health Care Policy

RE-REFERRAL OF HOUSE BILL

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

HB 380 - Financial Services

ADJOURNMENT

On motion of Representative Wright, the House adjourned until 10:00 a.m., Tuesday, February 18, 2003.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-first Day, Thursday, February 13, 2003, Page 342, Line 35, by deleting said line.

Page 343, Line 2, by deleting said line.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 20, 2003, 8:30 a.m. Hearing Room 1.
Agenda to follow.

AGRICULTURE

Tuesday, February 18, 2003, 12:00 p.m. Hearing Room 1.
Possible Executive Session.
Public Hearing to be held on: HB 130

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 18, 2003, 8:00 a.m. Hearing Room 4.
Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 18, 2003, 2:30 p.m. Hearing Room 4.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 18, 2003, 7:00 p.m. Hearing Room 4.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 19, 2003, 8:00 a.m. Hearing Room 4.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 19, 2003, 2:30 p.m. Hearing Room 4.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, February 20, 2003. Hearing Room 4 upon morning adjournment.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Friday, February 21, 2003, 8:00 a.m. Hearing Room 4.

Mark-up. Departments of Agriculture, Conservation and Natural Resources.

APPROPRIATIONS - EDUCATION

Tuesday, February 18, 2003, 8:00 a.m. Hearing Room 1.

Executive Session and mark-up.

APPROPRIATIONS - EDUCATION

Tuesday, February 18, 2003, 2:30 p.m. Hearing Room 1.

Executive Session and mark-up.

APPROPRIATIONS - EDUCATION

Tuesday, February 18, 2003, 7:00 p.m. Hearing Room 1.

Executive Session.

Public Hearing to be held on: HB 2, HB 3

APPROPRIATIONS - EDUCATION

Wednesday, February 19, 2003, 8:00 a.m. Hearing Room 1.

Executive Session and mark-up.

APPROPRIATIONS - EDUCATION

Wednesday, February 19, 2003, 2:30 p.m. Hearing Room 1.

Executive Session and mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 18, 2003, 2:30 p.m. Hearing Room 7.

Mark-up. Public Debt, Department of Revenue, Office of Administration, Elected Officials, Judiciary, Public Defender, General Assembly, etc.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 19, 2003, 2:30 p.m. Hearing Room 7.

Mark-up. Public Debt, Department of Revenue, Office of Administration, Elected Officials, Judiciary, Public Defender, General Assembly, etc.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 18, 2003, 8:00 a.m. Hearing Room 3. AMENDED NOTICE

Mark-up. Department of Mental Health.

Possible Executive Session on HB 10.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 18, 2003, 2:30 p.m. Hearing Room 3. AMENDED NOTICE

Mark-up. Department of Mental Health.

Possible Executive Session on HB 10.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 18, 2003, 7:00 p.m. Hearing Room 3.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 19, 2003, 8:00 a.m. Hearing Room 3.

Public testimony. Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 19, 2003, 2:30 p.m. Hearing Room 3.

Public testimony. Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 20, 2003, 8:15 a.m. Hearing Room 3.

Public testimony. Department of Social Services.

Mark-up. Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 20, 2003. Hearing Room 3 upon morning adjournment.

Public testimony. Department of Social Services.

Mark-up. Department of Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 18, 2003, 8:00 a.m. Hearing Room 6. AMENDED NOTICE

Mark-up. Public Safety and Corrections.

Executive Session may follow.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 18, 2003, 7:00 p.m. Hearing Room 6.

Mark-up. Public Safety and Corrections.

Executive Session may follow.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 19, 2003, 8:00 a.m. Hearing Room 6.

Mark-up. Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 19, 2003, 2:30 p.m. Hearing Room 6.

Mark-up. Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 19, 2003, 7:00 p.m. Hearing Room 6.

Mark-up. Public Safety and Corrections.

Executive Session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 18, 2003, 8:00 a.m. Hearing Room 7.

Mark-up. Committee will meet upon morning adjournment if needed.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 18, 2003, 7:00 p.m. Hearing Room 7.

Mark-up. Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 19, 2003, 8:00 a.m. Hearing Room 7.

Mark-up. Committee will meet upon morning adjournment if needed.

BUDGET

Tuesday, February 18, 2003, 7:30 p.m. Hearing Room 3. HEARING CANCELLED

Testimony will not be taken on HB 14.

Executive Session may follow on HB 303.

CHILDREN AND FAMILIES

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 1.

Public Hearing to be held on: HB 154, HB 396

COMMUNICATIONS, ENERGY, AND TECHNOLOGY

Tuesday, February 18, 2003. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

Public Hearing to be held on: HB 324, HB 403

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 19, 2003, 1:30 p.m. Hearing Room 5.
Executive Session.

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, February 19, 2003, 5:00 p.m. Hearing Room 7.
Public Hearing to be held on: HB 356
Executive Session to be held on: HB 93

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 3.
Executive Session may follow.
Public Hearing to be held on: HB 120, HB 136, HB 328, HB 349

ELECTIONS

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 7.
Public Hearing to be held on: HB 104, HB 133, HB 159, HB 387
Executive Session to be held on: HB 99, HJR 6, HJR 9

ETHICS

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 4.
Executive Session may follow.
Greene Co., Veterans, Leadership, 2nd Floor Demo., Rotunda, etc Caucuses.

FINANCIAL SERVICES

Tuesday, February 18, 2003, 12:00 p.m. Hearing Room 6.
Possible Executive Session.
Public Hearing to be held on: HB 243, HB 314

HEALTH CARE POLICY

Wednesday, February 19, 2003, 5:00 p.m. Hearing Room 6.
Public Hearing to be held on: HB 410
Executive Session to be held on: HB 59, HB 156, HB 192, HB 202, HB 233, HB 264, HB 269

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 5.
Public Hearing to be held on: HB 128, HB 271, HB 307
Executive Session to be held on: HB 72

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 19, 2003, 12:00 p.m. Hearing Room 6.
Public Hearing to be held on: HB 204, HB 289
Executive Session to be held on: HB 277

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 19, 2003, 1:00 p.m. Hearing Room 2.
Organizational meeting.

JUDICIARY

Wednesday, February 19, 2003, 12:00 p.m. Hearing Room 1.
Public Hearing to be held on: HB 273
Executive Session to be held on: HB 253, HB 273

LOCAL GOVERNMENT

Thursday, February 20, 2003, 8:30 a.m. Hearing Room 6.
Executive Session may follow.
Public Hearing to be held on: HB 199, HB 244, HB 369

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 18, 2003, 12:00 p.m. Hearing Room 4.
Executive Session may follow on HB 390.
Public Hearing to be held on: HB 332, HB 393

SENIOR SECURITY

Tuesday, February 18, 2003, 5:00 p.m. Hearing Room 6.
Public Hearing to be held on: HB 94, HB 149, HB 150

SMALL BUSINESS

Wednesday, February 19, 2003, 12:00 p.m. Hearing Room 4.
Executive Session may follow.
Public Hearing to be held on: HB 368

TAX POLICY

Tuesday, February 18, 2003, 12:00 p.m. Hearing Room 7.
Executive Session may follow.
Public Hearing to be held on: HB 139, HB 397, HB 422, HB 444

TOURISM AND CULTURAL AFFAIRS

Tuesday, February 18, 2003, 12:00 p.m. Hearing Room 5.
Executive Session to be held on: HB 222

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 19, 2003, 12:00 p.m. Hearing Room 7.
Possible Executive Session on HBs 96, 160, 283, 251, 170, 162 and 284.
Public Hearing to be held on: HB 327, HB 371, HB 389, HB 392

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 18, 2003

HOUSE BILLS FOR SECOND READING

HB 480 through HB 489

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 2 through HB 12

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Bearden

HOUSE BILLS FOR PERFECTION

HCS HB 228 - Pearce

HCS HB 73 - Luetkemeyer

HCS HB 221 - Luetkemeyer

HCS HB 321 - Wilson (130)

HB 254 - Byrd

HOUSE BILL FOR THIRD READING

HCS HB 288, (Budget 2-12-03) - Jetton