

JOURNAL OF THE HOUSE

First Regular Session, 92nd GENERAL ASSEMBLY

FORTY-FIFTH DAY, WEDNESDAY, APRIL 2, 2003

Representative Hunter in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, our Helper and Sustainer, it is written, “the fear of the Lord is the instruction of wisdom and before honor is humility”. Even so may we receive instruction of wisdom as we conduct ourselves humbly before You.

May our decisions be based on Your wisdom. May we function as one great assembly accomplishing what is necessary for this great state. Give us wisdom beyond ourselves.

Heavenly Father, grant us insight to overcome unrealistic expectations resulting in frustration, guilt or anger. May we not give in to the pressures to perform, but yield to Your truth and Your way.

We would be remiss if we did not join in the celebration of the rescue of Jessica Lynch and the release of the four journalists. Thank You for answered prayers.

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

In the name of Your Son we pray. 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: Adrienne Meyer, Tony Filla, Maddi Avery, Kurt Steinke, Maddie Stevenson, Caleb Messer and Drew Ireland.

The Journal of the forty-fourth day was approved as corrected.

Speaker Hanaway assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1267

and

House Resolution No. 1268 - Representative Lager

House Resolution No. 1269 - Representative Deeken

House Resolution No. 1270

through

House Resolution No. 1272 - Representative Hunter

House Resolution No. 1273 - Representatives Munzlinger and Quinn

House Resolution No. 1274
through
House Resolution No. 1287 - Representative Bruns
House Resolution No. 1288 - Representative George
House Resolution No. 1289 - Representative Black
House Resolution No. 1290
and
House Resolution No. 1291 - Representative Villa
House Resolution No. 1292 - Representative Vogt
House Resolution No. 1293 - Representative Munzlinger
House Resolution No. 1294 - Representative Wilson (119)
House Resolution No. 1295 - Representative Schaaf
House Resolution No. 1296 - Representative Guest
House Resolution No. 1297 - Representative Viebrock
House Resolution No. 1298 - Representatives Viebrock and Holand
House Resolution No. 1299 - Representative Barnitz
House Resolution No. 1300
and
House Resolution No. 1301 - Representative Johnson (61)

INTRODUCTION OF HOUSE BILLS

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

HB 715, introduced by Representatives Bruns and Deeken, relating to the family development account program.

HB 716, introduced by Representative Behnen, relating to the poet laureate of the state.

HB 717, introduced by Representative Behnen, relating to Missouri Physicians Mutual Insurance Company Act.

HB 718, introduced by Representatives Schaaf, Lipke, Kingery, May, Guest, St. Onge, Shoemaker (8), Bruns, Hobbs, Deeken, Goodman, Stevenson, Wood, Dixon and Cooper (155), et al, relating to the Missouri catalog of assistance programs.

SECOND READING OF HOUSE BILLS

HB 711 through **HB 714** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 73, SB 93, SB 165, SB 204, SCS SB 295, SCS SB 358, SCS SB 373, SB 399, SB 407, SB 425, SB 431, SB 480, SB 492, SB 506, SB 519, SB 529, SB 534, SCS SB 547, SB 548, SB 571, SB 607, SB 616 and SB 618 were read the second time.

PERFECTION OF HOUSE BILL

HB 511, with HS, as amended, pending, relating to elections, was taken up by Representative Deeken.

Representative Johnson (90) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Bill No. 511, Page 73, Section 116.025, Line 22, by inserting after the word "approve" the words "**or disapprove**"; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Purgason assumed the Chair.

On motion of Representative Johnson (90), **House Amendment No. 12** was adopted.

Representative Donnelly offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Bill No. 511, Page 70, Section 115.430, Lines 9-11, by deleting said lines and inserting in lieu thereof the following:

"closing the polls in section 115.407, may vote and such ballot shall be separated and held apart from other ballots cast by".

Representative Donnelly moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Barnitz	Bishop	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meiners	Merideth
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 088

Angst	Avery	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	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
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		

PRESENT: 000

ABSENT WITH LEAVE: 007

Adams	Baker	Bland	Carnahan	Haywood
Lawson	Morris			

Representative Johnson (90) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Bill No. 511, Section 115.027, Page 3, Lines 18-25, and Page 4, Lines 1-18, by deleting all of said lines; and

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

Representative Hunter resumed the Chair.

Representative Johnson (90) moved that **House Amendment No. 14** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Liese	Lowe	McKenna	Meiners	Merideth
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs

Spreng	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Zweifel			

NOES: 090

Angst	Avery	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	LeVota	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	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	Young	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Adams	Baker	Carnahan	Haywood	Lawson
Morris				

On motion of Representative Deeken, **HS HB 511, as amended**, was adopted.

On motion of Representative Deeken, **HS HB 511, as amended**, was ordered perfected and printed.

HB 267, relating to county government, was taken up by Representative Smith (118).

Representative Smith (118) offered **HS HB 267**.

Representative Smith (118) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 267, Page 3, Section 49.650, Line 6, by adding after the period, the following:

"If any such ordinance, order or resolution conflicts with a municipal ordinance, the municipal ordinance provisions shall prevail within the corporate boundaries of the municipality."

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

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

AMEND House Substitute for House Bill No. 267, by inserting in the appropriate location the following:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080, to the contrary, a building or other structure classified as residential property pursuant to section 137.016, newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the second year following the year in which construction of the improvements was completed.

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138, RSMo, and may pay any taxes under protest in accordance with section 139.031, RSMo. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification **other than any county of the first classification with more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants** and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications **and any county of the first classification with more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants**, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7

of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of June, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

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

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

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

House Amendment No. 3

AMEND House Substitute for House Bill No. 267, Page 5, Section 49.650, Line 6 of said page, by inserting after all of said line the following:

"67.1775. 1. The governing body of a city not within a county, or any county of [the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants] **this state** may, after voter approval pursuant to this section, levy a sales tax not to exceed one-quarter of a cent in the county for the purpose of providing services described in section 210.861, RSMo, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county at a county or state general, primary or special election upon the motion of the governing body of the county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the county for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families?

☐ Yes

☐ No

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury to the credit of a special "Community Children's Services Fund". Such fund shall be administered by a board of directors, established pursuant to section 210.861, RSMo."; and

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

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Substitute for House Bill No. 267, Page 5, Section 49.650, Line 6, by adding after said line one new subsection to be known as subsection "4" and to read as follows:

"4. The power authorized by this section shall not permit the adoption of ordinances, resolutions or regulations which affect entities licensed or regulated by the state or federal government."

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

Which motion was defeated.

On motion of Representative Smith (118), **HS HB 267, as amended**, was adopted.

On motion of Representative Smith (118), **HS HB 267, as amended**, was ordered perfected and printed.

HB 182, relating to the official state grass, was taken up by Representative May.

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

House Amendment No. 1 was withdrawn.

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

House Amendment No. 2 was withdrawn.

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

House Amendment No. 3 was withdrawn.

On motion of Representative May, **HB 182** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 16**, entitled:

An act to repeal section 137.721, RSMo, relating to the percentage of ad valorem property tax collections to be deposited in county assessment funds, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 120**, entitled:

An act to repeal section 137.082, RSMo, relating to assessment of newly constructed property, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 180**, entitled:

An act to repeal section 105.269, RSMo, and to enact in lieu thereof one new section relating to retired teachers and administrators in urban school districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 351**, entitled:

An act to repeal section 194.220, RSMo, and to enact in lieu thereof one new section relating to health care.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 504**, entitled:

An act to repeal section 135.207, RSMo, and to enact in lieu thereof open one new section relating to satellite enterprise zones.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 513**, entitled:

An act to repeal section 84.140, RSMo, and to enact in lieu thereof one new section relating to paid vacation of St. Louis City police members.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 562**, entitled:

An act to authorize the conveyance of property owned by the state at the Missouri Eastern Correctional facility in the County of St. Louis to the City of Pacific.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 577**, entitled:

An act to authorize the governor to convey state property to the city of St. Joseph, Missouri.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 578**, entitled:

An act to authorize the governor to convey a tract of land owned by the state in the county of Platte.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 590**, entitled:

An act to repeal section 67.990, RSMo, and to enact in lieu thereof one new section relating to tax levy for services to the elderly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 592**, entitled:

An act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to law library funds.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 621**, entitled:

An act to amend chapter 82, RSMo, by adding thereto one new section relating to removal of nuisances, with a termination date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 632 & 644**, entitled:

An act to repeal section 162.700, RSMo, and to enact in lieu thereof one new section relating to the placement of certain special education pupils.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 635**, entitled:

An act to repeal sections 33.752, 207.060, 302.137, 650.005, and 660.010, RSMo, and to enact in lieu thereof five new sections relating to the reorganization of executive branch departments.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 642**, entitled:

An act to repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to inclement weather exceptions for mandatory days of school attendance, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 666**, entitled:

An act to amend chapter 162, RSMo, by adding thereto one new section relating to intra-school district transfer policies.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 676**, entitled:

An act to repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to exceptions to mandatory hours of school attendance, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 686**, entitled:

An act to repeal section 165.011, RSMo, and to enact in lieu thereof one new section relating to transfers from the capital projects fund to the incidental fund, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

On motion of Representative Engler, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1302	-	Representative Smith
House Resolution No. 1303	-	Representative Munzlinger
House Resolution No. 1304		
and		
House Resolution No. 1305	-	Representative LeVota
House Resolution No. 1306		
and		
House Resolution No. 1307	-	Representative Donnelly
House Resolution No. 1308	-	Representative Donnelly, et al
House Resolution No. 1309	-	Representative Fares
House Resolution No. 1310	-	Representatives Fares and Byrd
House Resolution No. 1311	-	Representatives Fares and Donnelly
House Resolution No. 1312	-	Representative Angst
House Resolution No. 1313		
and		
House Resolution No. 1314	-	Representative Behnen
House Resolution No. 1315	-	Representative Luetkemeyer
House Resolution No. 1316		
through		
House Resolution No. 1329	-	Representatives Bivins and Schoemehl
House Resolution No. 1330		
through		
House Resolution No. 1343	-	Representatives Yaeger and Lembke
House Resolution No. 1344		
through		
House Resolution No. 1357	-	Representatives Bivins and Lembke
House Resolution No. 1358	-	Representative Guest

House Resolution No. 1359
 through
 House Resolution No. 1366 - Representative Hobbs
 House Resolution No. 1367 - Representative Harris (23)
 House Resolution No. 1368 - Representative Hanaway

INTRODUCTION OF HOUSE BILLS

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

HB 719, introduced by Representative May, et al, relating to certain student financial assistance programs.

HB 720, introduced by Representative Merideth, relating to human resources.

HB 721, introduced by Representative Icet, relating to students admissible to the University of Missouri.

PERFECTION OF HOUSE BILLS

HCS HBs 346 & 174, relating to the public school retirement systems, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS HBs 346 & 174** was adopted.

Representative Johnson (90) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 133

Angst	Avery	Barnitz	Bearden	Behnen
Bishop	Black	Bland	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	George	Green
Guest	Hampton	Harris 110	Henke	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 61	Jolly	Jones
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Merideth	Miller	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schoemehl

Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Daus

PRESENT: 000

ABSENT WITH LEAVE: 029

Abel	Adams	Baker	Bean	Bivins
Burnett	Byrd	Dixon	Fraser	Goodman
Graham	Harris 23	Haywood	Hilgemann	Johnson 47
Johnson 90	Kelly 144	Lawson	Meiners	Moore
Morris	Page	Ransdall	Richard	Schneider
Skaggs	Smith 118	Walton	Wright	

On motion of Representative Dempsey, **HCS HBs 346 & 174** was ordered perfected and printed.

HB 668, with House Committee Amendment Nos. 1, 2, 3, 4, 5, 6, 7 & 8, relating to transportation accountability, was taken up by Representative Crawford.

Representative Crawford offered **HS HB 668**.

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

House Amendment No. 1

AMEND House Substitute for House Bill No. 668, Page 3, Section 21.795, Lines 5 to 9, by deleting all of said lines and inserting in lieu thereof the following:

"(a) State revenues by sources, amounts of federal revenues by"; and

Further amend said bill, Page 7, Section 21.795, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following: "**transportation revenues and expenditures**"; and

Further amend said bill, Page 7, Section 21.795, Line 24, by deleting all of said line; and

Further amend said bill, Page 8, Section 21.795, Lines 1 to 25, by deleting all of said lines; and

Further amend said bill, Page 9, Section 21.795, Lines 1 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"7. The committee shall submit records of its meetings to"; and

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

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

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

House Amendment No. 2

AMEND House Substitute for House Bill No. 668, Pages 1-2, Section 21.795, Lines 20-21 on Page 1 and Line 1 on Page 2 by deleting in Line 20, Page 1, the word "seven" and inserting in lieu thereof the word "**fourteen**"; and

Further amend by inserting in Line 21, Page 1, the word "**seven**" between the words "the" and "senate,"; and

Further amend by inserting in Line 1, Page 2, the word "**seven**" between the words "the" and "house.".

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

Representative St. Onge offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 668, Page 12, Section 226.030, Line 9, by inserting immediately after said line the following:

"**226.096 1. This section shall govern any controversy or claim to which the Missouri department of transportation is a party, that arises out of or relates to a contract awarded pursuant to subdivision (9) of subsection 1 of section 226.130 and the claim exceeds twenty-five thousand dollars. Provided a claim has been filed pursuant to the procedures set forth in the Missouri Standard Specifications for Highway Construction, or its successor, upon issuance of a final decision as provided in such standards or upon expiration of ninety days from the date the claim was filed, the controversy or claim shall upon written demand by any party to the contract, be settled by arbitration administered by the American Arbitration Association under its Construction Industry Arbitration Rules, except as provided herein. The highway and transportation commission shall promulgate rules pursuant to chapter 536, RSMo, to become effective on or before July 1, 2004, establishing a method for appointment of arbitrators and allowing for the mediation of claims upon agreement of both parties. Judgment upon awards rendered under arbitration shall be entered in the circuit court of Cole County, Missouri.**

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void."

On motion of Representative St. Onge, **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Substitute for House Bill No. 668, Page 12, Section 226.030, Line 9, by inserting after all of said line the following:

"**226.033. 1. Except as provided in subsection 3 of this section, a commission member, during his or her tenure, shall not directly or indirectly make any contribution to or hold any office in a political party or**

organization, or take part in any political campaign.

2. If a commission member engages in any of the activities set forth in subsection 1 of this section, such activity shall be considered misconduct pursuant to section 226.030. If the governor finds that the commissioner's involvement in such activities affects the commissioner's ability to carry out his or her official duties in a nonpartisan manner, the governor may remove the offending commissioner from the commission.

3. A commission member shall be permitted to contribute to political campaigns if the campaign is for elective office sought by a commission member's spouse or family member related within the second degree of consanguinity. In addition, a commission member may participate in a fund-raiser for that member's employer so long as such fund-raiser is not for political purposes."; and

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

Representative Dempsey offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Substitute for House Bill No. 668, Page 1, Section 226.033, Line 16, by inserting after the words "to contribute to", the words "**or take part in**".

On motion of Representative Dempsey, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Black, **House Amendment No. 4, as amended**, was adopted by the following vote:

AYES: 096

Angst	Avery	Barnitz	Bean	Bearden
Bivins	Black	Bough	Bringer	Brooks
Brown	Bruns	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hampton	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Jolly
Kelly 144	King	Kingery	Lager	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meiners	Merideth	Miller	Moore	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Townley
Viebrock	Wallace	Wasson	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Wright	Yates
Madam Speaker				

NOES: 059

Behnen	Bishop	Bland	Boykins	Burnett
Byrd	Carnahan	Corcoran	Curls	Darrough

Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Harris 110	Harris 23
Henke	Hilgemann	Hoskins	Hubbard	Johnson 47
Johnson 61	Johnson 90	Jones	Kelly 36	Kratky
Kuessner	Lembke	LeVota	Liese	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Wilson 25
Wilson 42	Yaeger	Young	Zweifel	

PRESENT: 002

McKenna Threlkeld

ABSENT WITH LEAVE: 006

Abel	Adams	Baker	Haywood	Lawson
Morris				

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

Representative Seigfreid raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hunter resumed the Chair.

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

House Amendment No. 6

AMEND House Substitute for House Bill No. 668, Page 26, Section 226.199, Line 2, by inserting after said line the following:

"Section 1. The Missouri department of transportation shall not employ or have a position of inspector general or any person who acts in the capacity as the inspector general with the function provided in section 226.194."

On motion of Representative Henke, **House Amendment No. 6** was adopted by the following vote:

AYES: 154

Angst	Avery	Barnitz	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bough
Boykins	Bringer	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	Dusenberg	El-Amin	Emery	Engler

Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	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	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	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: 001

Brooks

ABSENT WITH LEAVE: 008

Abel	Adams	Baker	Bean	Haywood
Holand	Lawson	Morris		

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

House Amendment No. 7

AMEND House Substitute for House Bill No. 668, Page 11, Section 226.030, Line 3, by deleting the word "fifteen" and inserting in lieu thereof the word "**thirty**"; and

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

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

Representative Johnson (90) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Bill No. 668, Page 2, Section 21.795, Line 1, by inserting after the word "senate" the following: "**and minority leader of the senate**"; and

Further amend said substitute, page and section, Line 2, by inserting after the word "representatives" the following: "**and minority floor leader of the house of representatives**".

On motion of Representative Johnson (90), **House Amendment No. 8** was adopted.

Representative Willoughby offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Bill No. 668, Page 25, Section 226.199, Line 13, by deleting the word "person" and inserting in its place the following: "**employee**"; and

Further amend said section, Line 16, by deleting the words "desired or" and inserting in its place the following: "**reasonably**".

On motion of Representative Willoughby, **House Amendment No. 9** was adopted.

On motion of Representative Crawford, **HS HB 668, as amended**, was adopted.

On motion of Representative Crawford, **HS HB 668, as amended**, was ordered perfected and printed by the following vote:

AYES: 151

Angst	Avery	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	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	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	Meiners	Merideth	Miller
Moore	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	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	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Daus Selby Wilson 25

PRESENT: 002

McKenna Wilson 42

ABSENT WITH LEAVE: 007

Abel Adams Baker Haywood Hunter
Lawson Morris

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 517, 94, 149, 150 & 342** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred the **2nd Congressional District Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell, Chairman
 House Ethics Committee

FROM: Representative Allen Icet

DATE: February 20, 2003

RE: 2nd Congressional District Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 92nd General Assembly House of Representatives 2nd Congressional District Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573)751-1247 if you have any questions.

/s/ Senator Chuck Gross - 23
/s/ Senator Jon Dolan - 2
/s/ Sherman Parker - 12
/s/ Scott T. Rupp - 13
/s/ Joe Smith - 14
/s/ Carl Bearden - 16
/s/ Vicki Schneider - 17

/s/ Senator John Loudon - 7
/s/ Senator John Griesheimer - 26
/s/ Jane Cunningham - 86
/s/ Catherine Hanaway - 87
/s/ Neal St. Onge - 88
/s/ Charles Portwood - 92
/s/ Jodi Stefanick - 93

/s/ Tom Dempsey - 18	/s/ Richard Byrd - 94
/s/ Cynthia L. Davis - 19	/s/ Jim Avery - 95
/s/ Allen Icet - 84	/s/ Walt Bivins - 97
/s/ Jack Jackson - 89	
/s/ Annie Reinhart - 34	

Madam Speaker: Your Committee on Ethics, to which was referred the **Faith and Family Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell

FROM: Representative Rod Jetton

DATE: January 24, 2003

RE: Faith and Family Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the Faith and Family Caucus.

Representative	District
/s/ Rod Jetton	156
/s/ Jason Crowell	158
/s/ Carl Bearden	16
/s/ Jack C. Jackson	89
/s/ Charles Portwood	92
/s/ Catherine L. Hanaway	87
/s/ Dan F. Ward	62
/s/ Mike Sager	48
/s/ Brian Munzlinger	1
/s/ Annie Reinhart	34
/s/ Brian Yates	56
/s/ Randy Angst	146
/s/ Jim Avery	95
/s/ Allen Icet	84
/s/ Jay Wasson	141
/s/ Jason Brown	30
/s/ Jim Viebrock	134
/s/ Larry Crawford	117
/s/ Mark Bruns	113
/s/ J.C. Kuessner	152
/s/ Susan Phillips	32
/s/ Doug Ervin	35
/s/ Steve Hobbs	21
/s/ Roy W. Holand	135
/s/ Cynthia Davis	19
/s/ Rachel Bringer	6
/s/ Kevin Wilson	130
/s/ Scott Rupp	13
/s/ Frank Barnitz	150
/s/ Ronnie Miller	133
/s/ Therese Sander	22

/s/ John Quinn	7
/s/ Mike Sutherland	99
/s/ Bob Dixon	140
/s/ Ed Emery	126
/s/ Peter Myers	160
/s/ Brian Baker	123
/s/ Mike Cunningham	145
/s/ Danie Moore	20
/s/ Bob Behnen	2
/s/ Jim Lembke	85

Madam Speaker: Your Committee on Ethics, to which was referred the **Friends of CMSU Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

February 12, 2003

The Honorable Jason Crowell, Chair
House Committee on Ethics
Missouri House of Representatives
Jefferson City, MO 65101

Dear Representative Crowell:

Please accept the request of the undersigned Senators and Representatives to form the Friends of Central Missouri State University (CMSU) Caucus which will consist of the elected members of the General Assembly who are alumni and/or represent districts within the 21-county catchment area.

Sincerely,

/s/ Senator Harold Caskey, District 31
/s/ Senator James L. Mathewson, District 21
/s/ Representative Dan Bishop, District 38
/s/ Representative John Burnett, District 40
/s/ Representative Larry Crawford, District 117
/s/ Representative D.J. Davis, District 122
/s/ Representative Kathlyn Fares, District 91
/s/ Representative Jenee Lowe, District 44
/s/ Representative Kate Meiners, District 46
/s/ Representative Mike Sager, District 48
/s/ Representative Todd Smith, District 118
/s/ Representative Merrill Townley, District 112
/s/ Representative Maynard Wallace, District 143
/s/ Representative Yvonne Wilson, District 42
/s/ Representative Terry Young, District 49
/s/ Representative Bryan Pratt, District 55
/s/ Representative Jim Seigfreid, District 26

/s/ Senator Ronnie DePasco, District 11
/s/ Senator Sarah Steelman, District 16
/s/ Senator Charles Wheeler, District 10
/s/ Representative Brian Baker, District 123
/s/ Representative Mark Bruns, District 113
/s/ Representative Shannon Cooper, District 120
/s/ Representative Gary Dusenberg, District 54
/s/ Representative Robert Johnson, District 47
/s/ Representative Gary Kelly, District 36
/s/ Representative Paul LeVota, District 52
/s/ Representative Blaine Luetkemeyer, District 115
/s/ Representative David Pearce, District 121
/s/ Representative Rex Rector, District 124
/s/ Representative Vicki Walker, District 50
/s/ Representative Larry Wilson, District 119
/s/ Representative Brian Yates, District 56

Madam Speaker: Your Committee on Ethics, to which was referred the **Missouri Democrats for Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

February 26, 2003

The Honorable Jason Crowell
Chairman, Ethics Committee
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Representative Crowell:

In accordance with Section 105.473.3(2)(c)d RSMo 2000, the rules of the Missouri House of Representatives, a listing of the House Caucus is as follows:

We request approval from the Ethics Committee for this caucus.

Missouri Democrats for Life Caucus

Representatives	District
/s/ Frank A. Barnitz	150
/s/ Rachel L. Bringer	6
/s/ Curt Dougherty	53
/s/ Tom George	74
/s/ Mark Hampton	147
/s/ Belinda Harris	110
/s/ Wayne Henke	11
/s/ Fred Kratky	65
/s/ Albert Liese	79
/s/ Ryan McKenna	102
/s/ Kate Meiners	46
/s/ Denny Meredith	162
/s/ Matt Muckler	70
/s/ Ray Salva	51
/s/ Sue Schoemehl	100
/s/ Harold Selby	105
/s/ Wes Shoemyer	9
/s/ Mike Spreng	76
/s/ Tom Villa	108
/s/ Pat Yaeger	96
/s/ J.C. Kuessner	152
/s/ Wes Wagner	104
/s/ Dan Ward	107
/s/ Gary Kelly	36

Madam Speaker: Your Committee on Ethics, to which was referred the **NCOIL Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell

FROM: Representative Dan Ward

DATE: 23 January 2003

SUBJECT: NCOIL (National Conference of Insurance Legislators) Caucus

In accordance with Section 105.473.3(2)(c)d and the rules of the Missouri House of Representatives, listing of the members of the 92nd General Assembly House of Representatives and members of the 92nd General Assembly State Senate NCOIL Caucus is attached.

Consider this letter a formal application to the Committee on Ethics to approve this caucus, the commonality of the attached representatives listed if you have any questions concerning the caucus organization. Rep. Dan Ward (Room 105a) (573-751-2317) will serve as the designated member to present this caucus to the Committee.

NCOIL
CAUCUS

/s/ Dan Ward - 107	/s/ Wes Wagner - 104
/s/ Al Liese - 79	/s/ Trent Skaggs - 31
/s/ Mike Daus - 67	/s/ Scott Rupp - 13
/s/ Sharon Sanders Brooks - 37	/s/ Brad Roark - 139
/s/ Michael Vogt - 66	/s/ Larry Morris - 138
/s/ Ron Richard - 129	/s/ Larry D. Wilson - 119
/s/ Blaine Luetkemeyer - 115	/s/ Tom Self - 116
/s/ Sherman Parker - 12	/s/ Bob Dixon - 140
/s/ Kevin Engler - 106	/s/ David Pearce - 121
/s/ Michael Spreng - 76	

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to Midnight Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Rep. Jason Crowell, Ethics Committee

FROM: Rep. Jodi Stefanick

DATE: March 18, 2003

SUBJECT: Additional members joining the Midnight Caucus

I respectfully add the following names to the Midnight Caucus. Thank you for your assistance.

NAME	DISTRICT
/s/ Bryan P. Stevenson	128
/s/ Brian Baker	123

TO: Rep. Jason Crowell, Ethics Committee

FROM: Rep. Jodi Stefanick

DATE: March 5, 2003

SUBJECT: Additional members joining the Midnight Caucus

I respectfully add the following names to the Midnight Caucus. Thank you for your assistance.

NAME	DISTRICT
/s/ Paul LeVota	52
/s/ Jim Viebrock	134
/s/ Therese Sander	22
/s/ Larry Taylor	68
/s/ Rex Rector	124
/s/ Trent Skaggs	31
/s/ Brian Munzlinger	1
/s/ Marilyn Ruestman	131
/s/ Kevin Wilson	130
/s/ Wayne Cooper	155
/s/ Charles Schlottach	111
/s/ Jay Wasson	141
/s/ Joe Smith	14

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to Missouri Sportmen's Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell
Chairman, Ethics Committee

FROM: Representative Mark Hampton

RE: Missouri Sportsmen's Caucus

DATE: February 26, 2003

I would like to add the following to the Missouri Sportsmen's Caucus in accordance with Section 105.473.3(2)(c)d RSMo:

Representatives	District
/s/ Catherine L. Hanaway	87
/s/ Otto Bean, Jr.	163
/s/ Michael G. Corcoran	77
/s/ Thomas George	74
/s/ Fred Kratky	65
/s/ Larry Wilson	119
/s/ Kevin Wilson	130
/s/ David Pearce	121
/s/ Dan Ward	107
/s/ Jodi Stefanick	93

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to Missouri Winery Promotion Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell

FROM: Representative Dan Ward

905 *Journal of the House*

DATE: 20 February 2003

SUBJECT: Missouri Winery Promotion Caucus

This is to request that Representative Gayle Kingery, District 154 be added to the Missouri Winery Promotion Caucus.

Your consideration is greatly appreciated.

February 20, 2003

The Honorable Dan Ward
Room 105A, State Capitol
Jefferson City, Missouri 65101

Dear Representative Ward:

This letter comes to request that my name be added to the Missouri Winery Promotion Caucus.

Thank you for your time and consideration in the matter.

Sincerely,

/s/ Gayle Kingery
State Representative
District 154

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to Representatives Across Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

March 6, 2003

Honorable Dan Ward
State Representative, District 107
State Capitol, Room 105A
Jefferson City, MO 65101

Dear Dan:

Please consider this letter my request to be named as a member of the "Representatives Across the Missouri" Caucus.

Thank you.

Sincerely,

/s/ Mark Hampton

TO: Representative Jason Crowell

FROM: Representative Dan Ward

DATE: 10 March 2003

SUBJECT: Representatives Across Missouri Caucus

This is to request that Representative Mark Hampton, be added to Representatives Across Missouri Caucus.

Your consideration is greatly appreciated.

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to Small Business Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

February 25, 2003

Representative Brian Baker
State Capitol
Jefferson City, MO 65101

Dear Representative Baker:

I am requesting permission to join the Small Business Caucus. Your consideration of my request is most appreciated.

Sincerely,

/s/ J.C. Kuessner

February 26, 2003

Honorable Jason Crowell
Chairman, Ethics Committee
State Capitol, House Post Office
Jefferson City, MO 65101

Dear Representative Crowell,

Please add my name to the Small Business Caucus. I have discussed this with the Chairman, Brian Baker. Your consideration of this request is appreciated.

Sincerely,

/s/ Ron Richard
District 129

/s/ Brian Baker
District 135

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to University of Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chair
Ethics Committee

FROM: Representative Russ Carnahan

DATE: February 20, 2003

RE: University of Missouri Caucus

I would like to add the following members of the General Assembly as members of the University of Missouri Caucus in accordance with Section 105.473.3(2)(c)d RSMo 2000.

Representative	District
/s/ Dan Bishop	38
/s/ Catherine L. Hanaway	87

TO: Representative Jason Crowell, Chair
Ethics Committee

FROM: Representative Russ Carnahan

DATE: February 27, 2003

RE: University of Missouri Caucus

I would like to add the following member of the General Assembly as a member of the University of Missouri Caucus in accordance with Section 105.473.3(2)(c)d RSMo 2000.

Representative	District
/s/ Yvonne Wilson	42

Committee on Homeland Security and Veterans Affairs, Chairman Shoemaker (8)
reporting:

Madam Speaker: Your Committee on Homeland Security and Veterans Affairs, to which was referred **HCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 29

WHEREAS, for more than a decade, the United States and other nations have pursued patient and honorable efforts to disarm the Iraqi regime without war; and

WHEREAS, on November 8, 2002, the United Nations Security Council approved Security Council Resolution 1441 under Chapter VII of the United Nations Charter by a vote of 15-0, giving Iraq "a final opportunity to comply with its disarmament obligations"; and

WHEREAS, on November 21, 2002, the North Atlantic Treaty Organization's North Atlantic Council unanimously approved a declaration stating, "We deplore Iraq's failure to comply fully with its obligations which were imposed as a necessary step to restore international peace and security and we recall that the Security Council has decided in its resolution to afford Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council."; and;

WHEREAS, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

WHEREAS, Iraq is in material breach of United Nations Security Council resolutions, including United Nations Resolution 1441; and

WHEREAS, the clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies; and

WHEREAS, the United States of America has the sovereign authority to use force in assuring its own national security; and

WHEREAS, pursuant to United Nations Resolutions 678 and 687 the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction; and

WHEREAS, the President of the United States declared on March 17, 2003, that the decades of deceit and cruelty have reached an end and that Saddam Hussein and his sons must leave Iraq within 48 hours; and

WHEREAS, Saddam Hussein and his sons remain in Iraq and have rejected the President's demand; and

WHEREAS, the security of the world requires disarming Saddam Hussein without delay:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, First Regular Session, the Senate concurring therein, hereby patriotically support the work to advance liberty and peace in the Iraqi region; and

BE IT FURTHER RESOLVED that the power and appeal of human liberty is felt in every life and every land, and the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace; and

BE IT FURTHER RESOLVED that free nations have a duty to defend their people by uniting against the violent and oppressive; and

BE IT FURTHER RESOLVED that we support our national leaders in bringing to justice Osama bin Laden and those responsible for terrorist attacks on United States soil and its citizens; and

BE IT FURTHER RESOLVED that now that the "moment of truth" is upon us, we, the members of the Missouri General Assembly, Ninety-second General Assembly, First Regular Session, express our strongest affirmation of support for the actions of the President and offer our unfettered dedication to all members of the United States' armed forces; and

BE IT FURTHER RESOLVED that we hereby call upon all state-wide elected officials to publicly stand by us in unity as brothers and sisters in freedom in support of our resolutions proclaimed herein by sending a letter of support to the President of the United States and the members of the Missouri Congressional delegation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 293**, entitled:

An act to repeal section 143.481, RSMo, and to enact in lieu thereof one new section relating to procedures for filing income taxes.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 334**, entitled:

An act to repeal sections 319.125, 319.127, 319.139, RSMo, and section 319.137 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 319.137 as enacted by house bill no. 251, eighty-eighth general assembly, first regular session, and to enact in lieu thereof four new sections relating to underground storage tanks.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 392**, entitled:

An act to repeal section 260.475 and 260.479, RSMo, and to enact in lieu thereof two new sections relating to hazardous waste generator fees.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 606**, entitled:

An act to amend chapter 253, RSMo, by adding thereto one new section relating to conveyances of land by the department of natural resources.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 611**, entitled:

An act to repeal section 262.290, RSMo, and to enact in lieu thereof one new section relating to county agricultural and mechanical societies.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 651**, entitled:

An act to amend chapter 10, by adding thereto one new section relating to the establishment of an official state grape.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 668**, entitled:

An act to repeal section 348.432, RSMo, and to enact in lieu thereof one new section relating to new generation cooperatives.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Engler, the House adjourned until 10:00 a.m., Thursday, April 3, 2003.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on Page 856 of the House Journal for Tuesday, April 1, 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 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 2nd day of April 2003.

/s/ Sharon Sanders Brooks
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of April in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Wilson, District 119, hereby state and affirm that my vote as recorded on Page 867 of the House Journal for Tuesday, April 1, 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 no. 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 2nd day of April 2003.

/s/ Larry Wilson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of April in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Page 871 of the House Journal for Tuesday, April 1, 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 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 2nd day of April 2003.

/s/ Mark Hampton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of April in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on Page 871 of the House Journal for Tuesday, April 1, 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 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 2nd day of April 2003.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of April in the year 2003.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Thursday, April 3, 2003. Hearing Room 3 upon evening adjournment.
Executive Session to be held on: HB 679

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Thursday, April 3, 2003, 8:30 a.m. Hearing Room 3.

Organizational meeting.

Presentation by Department of Economic Development. AMENDED-LOCATION

JOINT COMMITTEE ON GAMING AND WAGERING

Wednesday, April 9, 2003, 9:00 a.m. Hearing Room 7.

Organizational meeting/ Election of Chairman and Vice Chairman.

JUDICIARY

Thursday, April 3, 2003. Hearing Room 7 upon morning adjournment.

Executive Session to be held on: HB 44, HB 98, HB 105, HB 213, HB 373,
HB 500, HB 593, SB 203

LOCAL GOVERNMENT

Thursday, April 3, 2003, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 14, SB 68, SB 130, SB 218, SB 282, SB 383

LOCAL GOVERNMENT

Monday, April 7, 2003, 7:00 p.m. Hearing Room 6.

Executive Session on bills listed and potentially other bills that have been previously heard.

Public Hearing to be held on: SB 7, SB 186, SB 228, SB 250, SB 288,
SB 370, SB 379

Executive Session to be held on: SB 14, SB 68, SB 130, SB 218, SB 282, SB 383

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 9, 2003, 7:30 p.m. Hearing Room 5.

Informational meeting with representatives from Doctors of Osteopathy,
Chiropractic, Physicians' Assistants etc.

TAX POLICY

Tuesday, April 8, 2003, 12:00 p.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: HB 143, HB 424, HB 595, HJR 15, SB 11

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, April 3, 2003. Side gallery upon morning adjournment.

Executive Session to be held on: HB 475

HOUSE CALENDAR

FORTY-SIXTH DAY, THURSDAY, APRIL 3, 2003

HOUSE BILLS FOR SECOND READING

HB 715 through HB 721

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 132, 173, 117 & 48 - Wright
- 2 HCS HB 215, 218, 115 & 83 - Myers
- 3 HCS HB 190 & 214 - Fares
- 4 HCS HB 51 - Mayer
- 5 HCS HB 387 - Pearce
- 6 HCS HB 109 & 34 - Fares
- 7 HCS HB 404, 324, 403, 344, 426 & 541 - Rector
- 8 HB 263 - Cooper (120)
- 9 HB 470 - Mayer
- 10 HB 444 - Jackson
- 11 HCS HB 121 - Portwood

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 29, (4-2-03) - Brown

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 517, 94, 149, 150 & 342, E.C. - Portwood
- 2 HCS HB 380 - Byrd
- 3 HS HB 511 - Deeken
- 4 HS HB 267 - Smith (118)
- 5 HB 182 - May
- 6 HCS HB 346 & 174, E.C. - Dempsey
- 7 HS HB 668 - Crawford

SENATE BILLS FOR SECOND READING

- 1 SCS SB 16
- 2 SB 120
- 3 SB 180
- 4 SB 293
- 5 SB 334
- 6 SCS SB 351
- 7 SB 392
- 8 SB 504
- 9 SCS SB 513
- 10 SCS SB 562
- 11 SB 577
- 12 SB 578
- 13 SB 590
- 14 SCS SB 592
- 15 SB 606

16 SB 611
17 SCS SB 621
18 SCS SB 632 & 644
19 SCS SB 635
20 SCS SB 642
21 SB 651
22 SCS SB 666
23 SB 668
24 SCS SB 676
25 SCS SB 686

SENATE BILL FOR THIRD READING

SCS SB 299 & 40 - Bearden