

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-SIXTH DAY, MONDAY, APRIL 5, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "The purity of silver and gold can be tested in a crucible, but a man is tested by his reaction to men's praise." Help us to remain steadfast in the face of praise or criticism; continuing unhampered in our resolve to complete the difficult tasks, which lie ahead.

A book with blank pages is opened to us today. Help us to write concisely, with wisdom, words that will accurately shape the future of this state and its citizens. Our knowledge is finite, Yours is infinite; guide us down the path of Your knowing.

And now unto You be glory both now and forever....

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: Matthew Smith and Kyle McCallister.

The Journal of the forty-fifth day was approved as corrected by the following vote:

AYES: 148

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

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

NOES: 004

Donnelly	Sager	Vogt	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bishop	Boykins	Brooks	Brown
Carnahan	George	Hampton	Haywood	Schneider
Walton				

Representative Brunns assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1410	-	Representative Hanaway
House Resolution No. 1411	-	Representative Munzlinger
House Resolution No. 1412		
through		
House Resolution No. 1425	-	Representative Moore
House Resolution No. 1426	-	Representative Hubbard, et al
House Resolution No. 1427		
and		
House Resolution No. 1428	-	Representative Hunter
House Resolution No. 1429	-	Representative Munzlinger
House Resolution No. 1430		
and		
House Resolution No. 1431	-	Representative Yates
House Resolution No. 1432		
and		
House Resolution No. 1433	-	Representative Rector
House Resolution No. 1434	-	Representative Ruestman
House Resolution No. 1435	-	Representative Ruestman, et al
House Resolution No. 1436	-	Representative Kelly (36)

House Resolution No. 1437 - Representative Ward
House Resolution No. 1438 - Representative Rupp
House Resolution No. 1439 - Representative LeVota, et al
House Resolution No. 1440 - Representative Salva, et al
House Resolution No. 1441 - Representative Graham
House Resolution No. 1442
and
House Resolution No. 1443 - Representative Brown
House Resolution No. 1444 - Representative Wilson (130)
House Resolution No. 1445 - Representative Wallace
House Resolution No. 1446 - Representative Harris (23), et al
House Resolution No. 1447 - Representative Kelly (144)
House Resolution No. 1448 - Representative Dixon

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 56, introduced by Representatives Yates, Crowell, Engler, Jetton, Pratt, Bean, King, Daus and Villa, relating to minimum age requirements for members of the general assembly.

INTRODUCTION OF HOUSE BILLS

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

HB 1715, introduced by Representatives May, Pratt, Meadows, Whorton, Sutherland, Harris (23), Smith (14), Kingery, Townley, Guest, Deeken, Morris, Threlkeld, Dusenberg, Quinn, Wilson (119), Nieves, Stevenson, Jetton, Bearden, Bivins and Jackson, relating to the designation of a memorial highway.

HB 1716, introduced by Representative Daus, relating to temporary license plates.

HB 1717, introduced by Representative Morris, relating to taxation of Social Security benefits.

HB 1718, introduced by Representative Morris, relating to liability of health service providers.

SECOND READING OF HOUSE BILLS

HB 1707 through **HB 1714** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 1081, **SCS SB 1220**, **SCS SB 1247**, and **SS SS SCS SB 1371** were read the second time.

RECESS

On motion of Representative Crowell, the House recessed until all the budget bills were distributed.

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

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1626 - Crime Prevention and Public Safety

RE-REFERRAL OF HOUSE BILL

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

HB 1703 - Financial Services

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1212 - Local Government

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1001**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1003**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1004**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1005**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1006**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1007**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1009**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1010**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1011**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 1477** and **HB 1563**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Madam Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 844**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1014**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1014.
3. That the attached Conference Committee Substitute for House Bill No. 1014, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Doyle Childers
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Chuck Purgason
/s/ Rep. Marsha Campbell
/s/ Rep. Paul LeVota

SUPPLEMENTAL CALENDAR

(April 5, 2004)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1001 - Bearden
- 2 HCS HB 1002 - Bearden
- 3 HCS HB 1003 - Bearden
- 4 HCS HB 1004 - Bearden
- 5 HCS HB 1005 - Bearden
- 6 HCS HB 1006 - Bearden
- 7 HCS HB 1007 - Bearden
- 8 HCS HB 1008 - Bearden
- 9 HCS HB 1009 - Bearden
- 10 HCS HB 1010 - Bearden
- 11 HCS HB 1011 - Bearden
- 12 HCS HB 1012 - Bearden

ADJOURNMENT

On motion of Representative Crowell, the House adjourned as of 12:30 a.m., Tuesday, April 6, 2004, until 10:00 a.m., Tuesday, April 6, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Scott T. Rupp, District 13, hereby state and affirm that my vote as recorded on Page 902 of the House Journal for Thursday, April 1, 2004 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 5th day of April 2004.

/s/ Scott T. Rupp
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HCR 21, HB 1523

BUDGET

Tuesday, April 6, 2004, 8:00 p.m. Hearing Room 3.
Possible Executive session.
Committee will hear all bills assigned or referred for fiscal review. AMENDED
Public hearing to be held on: HB 1617

BUDGET

Wednesday, April 7, 2004, 8:30 a.m. Hearing Room 3.
Bills that may be assigned or referred to committee for fiscal review.
Possible Executive session.

CHILDREN AND FAMILIES

Tuesday, April 6, 2004, Hearing Room 1 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 1339, HB 1263, SJR 29

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, April 6, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: SCS SB 1250, SCS SB 1177, SCS SB 961

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1609, HB 1602, SCS SB 1040, SCS SB 901

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 6, 2004, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1590, HB 1626, HB 1650, SCS SB 788

ELECTIONS

Tuesday, April 6, 2004, Hearing Room 7 upon evening adjournment.

Executive session only.

Executive session will be held on: HB 1220, HB 1265, HB 1319, HB 1539, HJR 29, HJR 46

ETHICS

Tuesday, April 6, 2004, Hearing Room 4 upon afternoon adjournment.

Executive session may follow.

Missouri Cancer Caucus, FFA Caucus, House Chair Caucus.

FINANCIAL SERVICES

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 6.

Executive session may occur. AMENDED

Public hearings to be held on: HB 1703, SCS SB 1038

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, April 6, 2004, Hearing Room 5 upon afternoon adjournment.

Executive session will follow.

Public hearings to be held on: SCS SB 1365

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 8, 2004, Senate Lounge upon morning adjournment.

5 CSR 100-200.170 DESE Commission for the Deaf and Hard of hearing-

13 CSR 70-3.120 DSS - Division of Medical Services conditions of provider participation etc.

JUDICIARY

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 986, HB 1312, HB 1458, HB 1675, HB 1588, SB 1007, SB 1162

Executive session will be held on: HB 1143, HB 1148, HB 1229, HB 1588, HB 1646, HB 1675, HCR 13, HB 1065

LOCAL GOVERNMENT

Thursday, April 8, 2004, 8:15 a.m. Hearing Room 6.

Public hearings to be held on: SCS SB 1331, SCS SB 1093, SCS SB 1106, SB 1107, SCS SB 700, SCS SB 1075, SCS SB 1212

Executive session will be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: SCS SB 962, SCS SBs 1027 & 896, SCS SB 1218, SB 1274

Executive session may be held on: HB 837

SENIOR SECURITY

Tuesday, April 6, 2004, Hearing Room 6 upon evening adjournment.

Executive session may follow.

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 6, 2004, Hearing Room 5 upon morning adjournment.

Possible Executive session. AMENDED

Public hearings to be held on: HB 1671, SB 1052, SCS SBs 1020, 889 & 869, SCS SB 1253

TAX POLICY

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 901, HB 1435, HB 1648

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1582, HB 1666, HB 1667, HB 1401, SB 920

Executive session will be held on: SCS SB 767, SB 770, SCS SB 1006, SCS SJR 44, HB 1583, HB 1592, HB 1499, HB 1525

HOUSE CALENDAR

FORTY-SEVENTH DAY, TUESDAY, APRIL 06, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 56

HOUSE BILLS FOR SECOND READING

HB 1715 through HB 1718

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1001 - Bearden (16)
- 2 HCS HB 1002 - Bearden (16)
- 3 HCS HB 1003 - Bearden (16)
- 4 HCS HB 1004 - Bearden (16)
- 5 HCS HB 1005 - Bearden (16)
- 6 HCS HB 1006 - Bearden (16)
- 7 HCS HB 1007 - Bearden (16)
- 8 HCS HB 1008 - Bearden (16)
- 9 HCS HB 1009 - Bearden (16)
- 10 HCS HB 1010 - Bearden (16)
- 11 HCS HB 1011 - Bearden (16)
- 12 HCS HB 1012 - Bearden (16)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford
- 2 HCS HB 1380 - Lager
- 3 HCS HB 1150 - May
- 4 HB 1092 - Deeken
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)
- 17 HB 1109 - Crawford (117)
- 18 HB 1160 - Parker (12)
- 19 HCS HB 1243, 1094 & 931 - Mayer (159)
- 20 HB 1409 - Richard (129)
- 21 HB 1664 - Hanaway (87)
- 22 HB 1665 - Hanaway (87)
- 23 HB 844 - Mayer (159)
- 24 HCS HB 1477 & 1563 - Schaaf (28)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILL FOR THIRD READING

HS HCS HB 1511 - Byrd (94)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 1029, HCA 1 - Henke (11)
- 3 HB 1114 - Skaggs (31)
- 4 HCS HB 1524 - Ransdall (148)
- 5 HCS HB 1069 - Bivins (97)
- 6 HB 1454 - Swinger (162)
- 7 HB 1462 - Bean (163)

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR SCS HCS HB 1014, as amended - Bearden (16)
- 3 CCR HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)