

# JOURNAL OF THE HOUSE

Second Regular Session, 93rd GENERAL ASSEMBLY

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ELEVENTH DAY, TUESDAY, JANUARY 24, 2006

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Let us pray.

“Cold and Chill, bless the Lord;  
praise and exalt Him above all forever.”  
(*Daniel 2:67*)

Holy Lord, Almighty God, we allow You to bring us to full alertness by the cold and chill of earlier this morning.

Bless us with uncluttered minds to think clearly, and with open minds to receive the thoughts of others objectively. Bless us with ears to hear Your wisdom when it is contained in the words of others. Bless our tongues to speak the truth as You would have it spoken.

We pray for the gift of discernment that we might distinguish right from wrong, good from evil, truth from that which is less than true. We pray for the gift of courage that we might be strong enough always to follow You.

“Women and men of humble heart, bless the Lord;  
praise and exalt Him above all forever. Amen.”  
(*Daniel 2:87, paraphrased*)

The Pledge of Allegiance to the flag was recited.

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

The Journal of the tenth day was approved as printed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bogetto	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon

Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Harris 110
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Smith 150	Spreng	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Bean	Bland	Harris 23	Haywood
Lembke	Liese	Stevenson	Wagner	

VACANCIES: 003

## SPECIAL RECOGNITION

Helen Headrick, Stephanie Long, Eric Langhorst and Angel Taylor were introduced by Representative Dempsey and recognized for receiving the Missouri Cable Telecommunications Association “Teaching with Cable” Award.

James R. Mueller, Commander-in-Chief of the Veterans of Foreign Wars of the United States was introduced by Speaker Jetton.

Commander-in-Chief Mueller addressed the House.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 239

and

House Resolution No. 240	-	Representative Brown (30)
House Resolution No. 241	-	Representative Sander
House Resolution No. 242	-	Representative Dixon
House Resolution No. 243	-	Representative Wilson (130)
House Resolution No. 244	-	Representative Bruns
House Resolution No. 245	-	Representative Aull
House Resolution No. 246	-	Representatives Wilson (130) and Ruestman
House Resolution No. 247	-	Representative Chinn
House Resolution No. 248	-	Representative Emery
House Resolution No. 249	-	Representative Walton
House Resolution No. 250	-	Representative Walsh

## **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 12** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1474** through **HB 1491** were read the second time.

## **INTRODUCTION OF HOUSE BILLS**

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

**HB 1492**, introduced by Representatives George, Lowe (44), Darrough, Spreng, Zweifel and Walsh, relating to the high risk home loan act.

**HB 1493**, introduced by Representative Smith (118), relating to state employee deferred compensation.

**HB 1494**, introduced by Representatives Emery, Icet, Guest and Villa, relating to licensing of engineers and professional land surveyors.

**HB 1495**, introduced by Representatives Schlottach, Deeken and Dusenberg, relating to the highway patrol retirement system.

**HB 1496**, introduced by Representatives Deeken, Johnson (61), Avery, Schneider, Bruns, Harris (110), Sander, Quinn, Johnson (47), LeVota, Villa, Brown (50), Bland, Schaaf, Oxford, Meiners, Low (39), Curls, Walton, Bowman, Hoskins, Hubbard, Hughes, Daus, Baker (25), Lowe (44) and Wright-Jones, relating to the creation of a death penalty commission.

**HB 1497**, introduced by Representative Deeken, relating to animal neglect.

**HB 1498**, introduced by Representatives Dethrow, Ruestman, Kelly, Fisher and Hunter, relating to public contracts.

**HB 1499**, introduced by Representatives May, George, Deeken, Dougherty, Stevenson, Wilson (119), Moore and Wagner, relating to ethics.

**HB 1500**, introduced by Representatives Lampe, Meadows, Swinger, Witte, Page, Rucker, Walsh, Wright (159), Oxford, Moore, Harris (110), Schoemehl, Low (39), Bogetto, Darrough, Aull, Dougherty, Baker (25), Sander Brooks and Johnson (90), relating to identity theft.

**HB 1501**, introduced by Representatives Lampe, Roorda, Walsh, Meadows, Darrough, Yaeger, Rucker, Whorton, Bowman, Curls, Bogetto, Harris (110), Oxford, Wildberger, Bringer, Brown (50), Salva, Zweifel, Villa, Page, Dougherty, Robinson, George, Swinger, Wright (137), Witte, Wright-Jones, Lowe (44), Baker (25), Moore, Wright (159), Cunningham (86), McGhee, Schoemehl, Low (39), Aull, Walton, Harris (23), Sander Brooks and Johnson (90), relating to enhanced penalties for identity theft.

**HB 1502**, introduced by Representatives Lampe, Wildberger, Burnett, Aull, Oxford, Casey, Roorda, Swinger, Hubbard, Kuessner, Harris (110), Witte, Yaeger, Bogetto, Darrough, Walsh, Wright-Jones, LeVota, Shoemyer, Johnson (90), Donnelly, Meiners, Johnson (47), Young, Bowman, Parson, Schaaf, Rucker, Johnson (61), Robinson, Boykins, Villa, Daus and Baker (25), relating to bullying in schools.

**HB 1503**, introduced by Representatives Walton and Sanders Brooks, relating to landlord-tenant law.

**HB 1504**, introduced by Representative Yates, relating to insurance board membership.

**HB 1505**, introduced by Representatives Brown (50), Haywood, Lowe (44), Oxford, Curls, Hughes, Jolly, Moore, Dougherty, Kratky, Kuessner, Darrough, Aull, Bowman, Bland and Swinger, relating to recording fees.

**HB 1506**, introduced by Representatives Bruns and Page, relating to emergency services.

**HB 1507**, introduced by Representatives Bruns and Wildberger, relating to fireworks.

**HB 1508**, introduced by Representatives Bruns and Wildberger, relating to fire departments.

**HB 1509**, introduced by Representatives Bruns and Wildberger, relating to fire safety.

**HB 1510**, introduced by Representatives Walsh, Meiners, Page, Harris (110), Spreng and Cunningham (86), relating to student athletes.

**HB 1511**, introduced by Representative Lager, relating to early childhood education.

**HB 1512**, introduced by Representatives Stevenson, Moore and McGhee, relating to the interstate compact for juveniles.

**HB 1513**, introduced by Representatives Harris (23), Witte, Lampe, LeVota, Skaggs, Burnett, Rucker, Harris (110), Meadows, Darrough, Schoemehl, Wildberger, George, Johnson, Zweifel, Baker (25), Low (39) and Oxford, relating to duties of lobbyists.

### **MESSAGES FROM THE SENATE**

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

An act to amend chapter 578, RSMo, by adding thereto one new section relating to protest activities near funeral services, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 21**.

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 21**

WHEREAS, good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health; and

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases; and

WHEREAS, Taiwan's population of 23,500,000 people is greater than three-fourths of the member states already in the World Health Organization; and

WHEREAS, Taiwan's achievements in the field of health are substantial, including achieving one of the highest life expectancy levels in Asia; lowering maternal and infant mortality rates to a level comparable to those of western countries; eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and providing children with hepatitis B vaccinations; and

WHEREAS, the United States Centers for Disease Control and Prevention and its Taiwan counterpart agencies have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the World Health Organization; and

WHEREAS, the World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950s; and

WHEREAS, the United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby support observer status for Taiwan in the World Health Organization; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, Secretary of State of the United States, Director of the United States Department of Health and Human Services, Executive Director of the World Health Organization and the Director General of the Taipei Economic and Cultural Office in Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**: Senators Bartle, Callahan, Coleman, Crowell, Green, Kennedy, Koster, Mayer, Ridgeway and Wheeler.

## WITHDRAWAL OF HOUSE BILLS

January 24, 2006

Stephen Davis  
Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 981** be withdrawn. I have filed another bill that better deals with the subject.

Sincerely,

/s/ Representative Patricia M. Yaeger

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January 24, 2006

Stephen S. Davis, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request the withdrawal of **House Bill No. 1304**. Thank you for your consideration of this request.

Sincerely,

/s/ Terry Swinger  
State Representative  
District 162

The following members' presence was noted: Baker (25), Bland, Harris (23), Haywood, Lembke and Wagner.

### **ADJOURNMENT**

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, January 25, 2006.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 25, 2006, 8:00 a.m. Hearing Room 4.

Public testimony for Departments of Agriculture, Natural Resources, and Conservation.

Will continue at 2:45 p.m. if necessary.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 25, 2006, 2:45 p.m. Hearing Room 7.

Budgets to be reviewed: OA Statewide Leasing and Real Estate Transactions;

Office of Administration; OA Public Debt; OA Employee Benefits

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 25, 2006, 2:45 p.m. Hearing Room 3.

Public and Provider testimony to be heard.

Testimony heard in order of witness sign-up.

#### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 25, 2006, 2:45 p.m. Hearing Room 6.

Presentation by the Department of Corrections regarding the Re-entry program. AMENDED

#### **APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, January 25, 2006, 2:45 p.m. Hearing Room 5.

Testimony from the Departments of Economic Development, Insurance, and Labor.

Executive session to follow.

#### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, January 25, 2006, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1151, HB 1058, HB 1062

#### **LOCAL GOVERNMENT**

Thursday, January 26, 2006, 8:00 a.m. Hearing Room 6.

Work session on HB 1070 to follow.

Public hearings to be held on: HB 1033, HB 1119, HB 1030

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 25, 2006, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 1090, HB 1168, HB 1153

**RULES**

Wednesday, January 25, 2006, 9:00 a.m. Side Gallery.

Executive session may follow.

Public hearings to be held on: HCR 5, HCR 9, HCR 6, HR 108, HR 15, HR 68

**TRANSPORTATION**

Wednesday, January 25, 2006, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 1143, HB 1035, HB 980, HB 1105, HB 976

**VETERANS**

Wednesday, January 25, 2006, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 983, HB 1078, HJR 28, HJR 36

**WAYS AND MEANS**

Wednesday, January 25, 2006, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1074, HB 1156, HB 1073

**HOUSE CALENDAR**

TWELFTH DAY, WEDNESDAY, JANUARY 25, 2006

**HOUSE BILLS FOR SECOND READING**

HB 1492 through HB 1513

**SENATE BILL FOR SECOND READING**

SCS SB 578