

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FOURTH DAY, MONDAY, JANUARY 8, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God: You give each of us gifts and call us to make use of them. As we celebrate the gifts of leadership in our state, we thankfully acknowledge that all of our gifts come from You, we hold them in trust. Keep in Your care these gifted men and women of the House, our Governor and all who have been called to high office.

Protect their integrity and grant them a light touch as they deal with the stress of service. Bless this new beginning. And to You be glory and power. 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: Alexandra Lee O'Toole, Timothy James O'Toole, Katherine Lynn O'Toole, Melissa Kleiboeker, K. Joseph "Joe" Simmons, Ashley Gillig, Brittany Gillig, Koni Weaver and Daisy Weaver.

The Journal of the third day was approved as corrected by the following vote:

AYES: 160

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Klindt	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 001

Patek

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 13 - Representative Hoppe
- House Resolution No. 14 - Representatives Ridgeway, Reinhart, Skaggs, Phillips,
Harding and Kelly (36)
- House Resolution No. 15 - Representative Purgason
- House Resolution No. 16
through
- House Resolution No. 18 - Representative Champion
- House Resolution No. 19 - Representative Troupe
- House Resolution No. 20
and
- House Resolution No. 21 - Representative Monaco
- House Resolution No. 22 - Representative Ransdall
- House Resolution No. 23 - Representative Bartelsmeyer
- House Resolution No. 24 - Representative Hoppe
- House Resolution No. 25 - Representative Purgason

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 4 was read the second time.

SECOND READING OF HOUSE BILL

HB 287 was read the second time.

MESSAGE FROM THE GOVERNOR

January 5, 2001

**REORGANIZATION PLAN
for the
Division of Aging and the Department of Health
2001**

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

By virtue of the authority vested in me by the Constitution and laws of the state of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A), which provides for the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health.

Pursuant to Section 26.510 RSMo, said plan shall become effective by Executive Order 01-02, (attachment B) not sooner than August 28, 2001, unless it is disapproved.

/s/ Roger B. Wilson
GOVERNOR

(Attachment A)
REORGANIZATION PLAN
GENERAL BACKGROUND

This plan would rename the current Missouri Department of Health to the Missouri Department of Health and Senior Services and incorporate the Division of Aging currently located within the Department of Social Services into the renamed department.

The Missouri Department of Health is responsible for protecting and promoting the health of the population of Missouri. This is carried out through the assessment of the population's health, identification of health threats and needs, development of policies and priorities, and the assurance of appropriate responses. We implement these core public health functions through collaborative relationships with public and private entities, communities and citizens.

The Division of Aging currently located in the Missouri Department of Social Services is charged with promoting, maintaining, improving, and protecting the quality of life and quality of care for Missouri's older adults and persons with disabilities so they may live as independently as possible with dignity and respect.

SPECIFIC DEPARTMENT STRUCTURE

The reorganized Department of Health and Senior Services will be directed by a Department Director who will have a Chief Operating Officer and two Deputy Directors that report directly to the Director. The Director through the Chief Operating Officer and these two deputies will be responsible for the management of the Department and administration of its programs and services. This includes daily operations and Departmental functions such as those listed below.

The Chief Operating Officer will support and provide oversight for the activities of:

- Operational Offices: *Personnel, Legal, Governmental Policy, Public Information, Training and Professional Development, Women's Health, Minority Health, Epidemiology, Emergency Response/Terrorism*
- Division of Administration: *Fiscal, Administrative and General Services support to all department units*
- Center for Community Development and Health Care Access: *Community development and enhancement of health care access*
- Center for Health Information Management and Evaluation: *Statistical support and health care assurance activities, information technology, technology research and development*

A Deputy Director will support and provide oversight for the activities of the Division of Senior Services and the Division of Health Standards and Licensure.

- Division of Senior Services: *Home and community services program and program of immediate assistance which provides support for older persons and persons with disabilities between the ages of 18 and 59, all of whom live at home. In addition, assistance for persons who encounter abuse, neglect or exploitation.*
- Division of Health Standards and Licensure: *Long term care facilities, health facility regulation, child care licensure, emergency medical services, controlled substance registration, and other institutional programs*

A Deputy Director will support and provide oversight for the activities of the health and public health functions of the Department of Health and Senior Services.

- Center for Local Public Health Services: *Local public health system support*
- Division of Chronic Disease Prevention and Health Promotion: *Combats the major causes of premature death, illness, disability and medical costs*
- Division of Environmental Health and Communicable Disease Prevention: *Investigation of cause, origin, and method of transmission of communicable diseases and diseases caused by environmental hazards*
- Division of Maternal Child and Family Health: *Promotes optimal health by programs designed to meet the health care needs of families*
- Division of Nutritional Health and Services: *Nutritional services and support, population-based surveillance to determine the nutritional status of all Missourians*

OTHER RELATED ISSUES

In addition, the following change will occur by legislation and transfer.

- Using the same statutory model as the Board of Health, a **Board of Senior Services** will be created. Both Boards will advise the Director of the Department of Health and Senior Services on issues relating to their respective areas of expertise.

A Memorandum of Understanding will be developed between the current Department of Health and the Department of Social Services and carried forward to the renamed Department of Health and Senior Services and the Department of Social Services that will provide guidance for the smooth transition and maintenance of specific issues that impact staff and services of both departments.

These Memorandums will include, but not be limited to, issues relating to accounting, chain of command for interim reporting, contracts, data processing, FY02 budget to be transferred, if passed, grants, hiring, legal services, office space (including leasing, utilities, telecommunications, etc.), payroll, personnel and office resources, purchasing, SAM II, state cars, any collective bargaining agreements, vacancy management and warehousing issues.

(Attachment B)
EXECUTIVE ORDER
01-02

WHEREAS, the Missouri Department of Social Services is created pursuant to Chapter 660, RSMo; and

WHEREAS, the Division of Aging is created and established as a division of the Missouri Department of Social Services pursuant to Section 660.050 RSMo; charged with aiding, assisting and safeguarding the lives of the elderly and low-income disabled adults in this State; and

WHEREAS, the Missouri Department of Health is created pursuant to Chapter 192 RSMo, and charged with safeguarding the health of the people in this state; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will benefit the citizens of the state because many of the issues impacting Missouri's senior and disabled citizens are integrally related to health and nutrition; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will allow Missouri's seniors and disabled citizens to receive information and critical services from one administrative agency of state government; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will result in better integration, closer coordination and communication regarding health, nutrition and social services for Missouri's seniors and disabled citizens that will enhance care and treatment and assure that services are provided in an expedient manner; and

WHEREAS, as part of the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health, there will be created a deputy department director of senior services and an advisory board for senior services. Each will work directly to enhance and elevate programs for Missouri's seniors and disabled citizens; and

WHEREAS, the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A) was not disapproved within sixty days of its submission to the First Regular Session of the 91st General Assembly.

NOW, THEREFORE, I, Roger Wilson, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the state of Missouri, do hereby order the Missouri Department of Social Services and the Missouri Department of Health to cooperate:

1. To transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending and other pertinent vestiges of the Division of Aging, by Type I, as defined under the Reorganization Act of 1974, to the Missouri Department of Health; and
2. To develop the mechanisms and processes necessary to effectuate the transfer of the Division of Aging to the Missouri Department of Health.

3. To implement all aspects of the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A).

This Order shall become effective no sooner than August 28, 2001 unless disapproved within sixty days of its submission to the First Regular Session of the 91st General Assembly, and shall remain in effect until rescinded by the Governor.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused to be
affixed the Great Seal of the State of
Missouri, in the City of Jefferson, on this 5th
day of January 2001.

/s/ Roger B. Wilson
GOVERNOR

ATTEST:
/s/ Rebecca McDowell Cook
SECRETARY OF STATE

JOINT SESSION

The Senate and House of Representatives met in Joint Assembly on the steps of the State Capitol and President Pro Tem Quick called the Joint Assembly to order.

Governor-elect Bob Holden was escorted to his place at the podium by the Legislative Inaugural Committee.

Robert Lee Holden III and John D. Holden led the audience in the Pledge of Allegiance to the Flag.

The Honorable Glenn A. Norton, Chief Legal Counsel to Governor-elect Bob Holden sang the National Anthem.

The Invocation was offered by Dr. James I. Spainhower, Missouri State Treasurer (1973-1981).

Remarks by the Honorable Thomas F. Eagleton, United States Senator (1969-1987).

The Honorable Jeff W. Schaeperkoetter, Judge of the 20th Judicial Circuit Court, administered the oath of office to Attorney General Jeremiah W. (Jay) Nixon.

The Honorable Barbara W. Wallace, Judge of the 21st Judicial Circuit Court, administered the oath of office to State Treasurer Nancy Farmer.

The Honorable Duane Benton, Judge of the Supreme Court, administered the oath of office to Secretary of State Matt Blunt.

The Honorable Ronnie L. White, Judge of the Supreme Court, administered the oath of office to Lieutenant Governor Joe Maxwell.

A scripture reading was offered by the Reverend Maurice J. Nutt, C.Ss.R., D.Min., St. Alphonsus “Rock” Catholic Church.

Remarks by Honorable Richard A. Gephardt, Democratic Leader, United States House of Representatives.

Presentation in Song by the Statewide Inaugural Choir, introduced by the Reverends John Modest Miles, Earl Nance and Nathan Green.

The Honorable Ann Covington, Judge of the Supreme Court, introduced the Honorable Calvin R. Holden.

The oath of office was administered to Governor-elect Bob Holden by the Honorable Calvin R. Holden, Judge of the 31st Judicial Circuit Court.

Immediately after the administration of the oath, military honors were rendered to Governor Holden with the firing of a nineteen gun salute by the Battery D, First Battalion, 129th Field Artillery, MOARNG, Independence, Missouri and the flyover by four F-15 Fighter Jets, 131st Fighter Wing, MOANG, Lambert Field, St. Louis, Missouri.

Governor Bob Holden delivered his Inaugural Address.

**INAUGURAL ADDRESS
BY GOVERNOR BOB HOLDEN**

One Bright Future, One Missouri

Today we observe the beginning of a new century. But more importantly, we bear witness to the beginning of a new vision: one bright future, one Missouri.

Only three short months ago, Missourians stood together with the Carnahan and Sifford families in their hour of need. The power of our shared grief made us all stronger.

Thank you, Jean, for the grace you have shown during these difficult days. You have made all of us proud.

Through these challenging times, we have supported our new Governor as he carried out his duties with honor and dignity. His compassion and good humor have lifted our spirits. Thank you, Governor Wilson, for your leadership.

As we reflect on these events, we realize that sometimes it's in the worst of times that we discover the best in ourselves. We came together and moved Missouri forward.

That same power that brought us forward in sorrow can now bring us forward in success. The power of shared common goals can break down any walls that separate us, whether those walls are constructed from personal ideology, special interests, or regional concerns.

The dawn of this new day brings new hopes and new beginnings. Today our dawn has come...the awakening of a new century and a better Missouri.

Our past sunsets have brought us a multitude of gifts. We have unlimited resources—a central location, two international cities, two magnificent rivers, rich farmland, an evolving life sciences corridor, and one of the most talented and productive workforces in the world. These resources and the excellent leadership of the past eight years have carried us far.

Missourians are safer, healthier, and better educated than at any time in our history.

But we cannot...we must not...rest on these accomplishments. Our prosperous past only holds meaning for Missouri if we fulfill our potential for a glorious future.

As we begin this first administration of a new century, I call on all Missourians to reach new heights. Do we have the will? Will we have the courage? Can we summon the imagination to lead?

Missourians of the past have provided the example for us to follow. We live in a state that has produced pioneers such as Harry Truman, George Washington Carver, and Phoebe Apperson Hearst. A state that built the first mile of interstate highway and established the nation's first kindergarten. A state that educated a young woman named Linda Godwin in rural Missouri and sent her into space.

Our history has prepared us...Almighty God has blessed us...with the opportunity to make a difference.

In the words of the famous poet Robert Frost, it is time Missouri took "the road less traveled by" and that will make "all the difference" for our future generations.

With this shining new century, let us think anew. Let us dream anew. Let us build anew.

The ideas, principles, and progress of our past architects have provided a solid foundation. Now we must build a Missouri that we will be proud to pass on to the generations to come. One Missouri that supports the most vulnerable citizens—our young, our poor, our sick, and our elderly. One Missouri that offers the opportunities for our Missouri families and businesses to grow. One Missouri that gives all our citizens the chance to succeed.

Our one Missouri will find its character in our resolve to foster healthy bodies, strong minds, and respect for each other...

its strength in our commitment to giving every child the best possible education...

its prosperity in fostering a well-trained and highly skilled work force.

Our one Missouri will find new prominence in the world marketplace by developing a broader transportation system that is second to none.

Our one Missouri will preserve its future for our families by protecting the environment.

However, the greatest barrier we have to building one Missouri is ourselves. We can no longer think in terms of urban vs. rural, black vs. white, Democrat vs. Republican, St. Louis vs. Kansas City, or the countless other interests that seek to divide us. We must come together to find common ground.

It is time Kansas City and St. Louis realize they live in the same state. These two urban titans must work together to make Missouri competitive in the global marketplace of a new century.

It is time our rural communities and urban centers work together for the good of all our citizens. It is time we judge people by the "content of their character", not by "the color of their skin".

It is time we respect all people—paying respect to the integrity of their views, even if we disagree with the substance of their policies. For we are one Missouri—one bright future.

One of my personal heroes in public service, Robert Kennedy, was fond of quoting English writer George Bernard Shaw, who said: “Some men see things as they are and ask why. I dream things that never were and ask why not”.

Over the next four years, this administration will continue to dream of those possibilities and dare to ask “why not”. We will set our sights on what can be, not what has been.

This administration will lead by example, guided by the principles instilled in me by my parents, my teachers, my heroes, and my family.

Those principles taught me that this administration should never be about any one person—it is about all of us. As a young boy growing up on a farm in southern Missouri, I had parents I love and respect more than they will ever realize.

They believed each generation bears a responsibility to both the generation past and the generation to come. So to our seniors and our children, let me say: my administration will work for you.

As a student who started in a one-room schoolhouse and became the first in my family to graduate from a state university, I was fortunate to learn at the hands of excellent teachers who unlocked doors to opportunity with the knowledge they gave me. Our second son is named for one of those teachers. My administration values those teachers and the future minds they will mold. My administration is for them.

As a college student inspired by heroes such as Robert Kennedy, who sacrificed his life on behalf of a better life for others, I dedicated my life to public service. My administration is for all public servants who believe they can make a difference.

As a partner to my wife Lori and father to our sons, Robert and John D., I have found that nothing is more important than shaping a world where families can share bonds of love and success. To our Missouri families, let me say: we are families who share common backgrounds and uncommon opportunities.

And I will use that knowledge and understanding we have been given to improve Missouri for all families. My administration is for you.

The goal of my administration is to unite all Missourians in forging a bright future that holds maximum opportunities for each of us. I understand your concerns, and I share your aspirations.

I was born in Kansas City, raised on a farm in south central Missouri near a town called Birch Tree, represented Springfield in the Missouri General Assembly, worked in St. Louis, and am glad to be able to say that for the next four years we can continue to call Jefferson City our home.

Yet no matter where I have lived or worked, no matter what the regional interests or issues, I have seen one common conviction that all Missourians share: a faith in our capacity to do better.

This optimism and determination have brought us far in the past, and I believe they can propel us to greatness in the future. The world witnessed such optimism and determination from Great Britain during World War II. At that time, when this island nation was fighting alone to keep freedom alive, the British people were inspired by the new leadership of Sir Winston Churchill. As he stepped forward to assume the role of Prime Minister, Sir Winston said: “I felt as if I were walking with destiny and that all my past life had been but a preparation for this hour.”.

History holds many lessons, and this chapter certainly sends a powerful message to us today. If unity of the human spirit can lift a people to triumph in a time of such turmoil, just think...just think what we can accomplish if our hands, our hearts, and our minds are joined in this time of unparalleled opportunity.

Our past has prepared us for this hour, and from this day forward, we will direct its destiny. We have the vision and the passion to make this our “finest hour”, as we embark on a journey of opportunities. Let us take that journey together. With your help and with God as our compass...let us meet the responsibilities that lie ahead.

Let us walk confidently into the 21st century and make it Missouri’s century. Let our legacy be one bright future—one Missouri.

Thank you.

Presentation in Song by the Statewide Inaugural Choir.

The Benediction was pronounced by Rabbi Susan Talve, Central Reform Congregation, St. Louis, Missouri.

Presentation in Song by the Statewide Inaugural Choir.

On motion of Senate Co-President Pro Tem Kinder, the Joint Assembly was dissolved.

Speaker Kreider resumed the Chair.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 10, introduced by Representative Graham, relating to taxation.

INTRODUCTION OF HOUSE BILLS

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

HB 288, introduced by Representative Campbell, relating to architects and engineers.

HB 289, introduced by Representatives Farnen, Clayton and Hegeman, relating to the phase-in of water corporation rates.

HB 290, introduced by Representative Troupe, relating to school audits in certain metropolitan school districts.

HB 291, introduced by Representative Graham, for the purpose of enacting the dedication to donation act.

HB 292, introduced by Representative Overschmidt, relating to the tourism supplemental revenue fund.

COMMITTEE ASSIGNMENTS

The Speaker announced the following Committee Assignments:

Representative Green (73) has been appointed Chairman of the Budget Committee.

Representative Legan has been appointed a member of the Budget Committee.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bryd has been appointed a member of the Rules, Joint Rules, and Bills Perfected and Printed Committee.

Representative Hosmer has been appointed a member of the Rules, Joint Rules, and Bills Perfected and Printed Committee.

The following member's presence was noted: Patek.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 12:00 noon, Tuesday, January 9, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Sunday, January 7, 2001, pages 84 and 85, roll call, by showing Representatives Bowman, Haywood and Wilson (42) voting "aye" rather than "absent with leave".

HOUSE CALENDAR

FIFTH DAY, TUESDAY, JANUARY 9, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 10

HOUSE BILLS FOR SECOND READING

HB 288 through HB 292