

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTEENTH DAY, MONDAY, JANUARY 29, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, Your psalmist in the Hebrew Holy Writings says this:

If it had not been the Lord who was on our side, when our enemies attacked us, then the flood would have swept us away. (Psalm 124)

In this Chamber today let there be people who disagree in ways and means, yes, but never enemies. May these discussions and deliberations be tempered by the ambition which all these men and women have in common ----- the common benefit and continued progress of the individuals, families, and groups of our state.

If at times there are feelings of enmity, Lord, in these negotiations and consultations, may You still be, truly in their hearts and on their lips, and rightly at their side in this journey together. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Crump	Cunningham	Curls	Davis
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	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hosmer	Jetton	Johnson 61	Johnson 90

Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
Klindt	Koller	Lawson	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
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	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 017

Bartelsmeyer	Bearden	Behnen	Berkstresser	Boatright
Burcham	Cooper	Crowell	Dempsey	Henderson
Hendrickson	Holand	Hunter	King	Linton
Marble	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hoppe	Kelly 36	Long	Patek	Richardson
Walton				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 176
through
House Resolution No. 179 - Representative Dempsey
House Resolution No. 180 - Representative Henderson
House Resolution No. 181 - Representative Relford
House Resolution No. 183 - Representative Burcham
House Resolution No. 184
and
House Resolution No. 185 - Representative Smith

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 10 and **HCR 11** were read the second time.

SECOND READING OF HOUSE BILLS

HB 542 through **HB 564** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 47 - Correctional and State Institutions
HB 48 - Professional Registration and Licensing
HB 49 - Public Safety, Law Enforcement and Veteran Affairs
HB 50 - Education-Elementary and Secondary
HB 76 - Judiciary
HB 107 - Judiciary
HB 108 - Children, Families and Health
HB 195 - Local Government and Related Matters
HB 202 - Transportation
HB 203 - Public Safety, Law Enforcement and Veteran Affairs
HB 204 - Transportation
HB 205 - Conservation, State Parks and Mining
HB 207 - Public Safety, Law Enforcement and Veteran Affairs
HB 208 - Labor
HB 209 - Criminal Law
HB 210 - Local Government and Related Matters
HB 211 - Motor Vehicle and Traffic Regulations
HB 212 - Insurance
HB 213 - Ways and Means
HB 214 - Retirement
HB 215 - Ways and Means

- HB 217** - Motor Vehicle and Traffic Regulations
- HB 218** - Education-Higher
- HB 219** - Agriculture
- HB 220** - Civil and Administrative Law
- HB 221** - Ways and Means
- HB 222** - Civil and Administrative Law
- HB 223** - Fiscal Review and Government Reform
- HB 224** - Correctional and State Institutions
- HB 225** - Ways and Means
- HB 226** - Ways and Means
- HB 227** - Local Government and Related Matters
- HB 228** - Elections
- HB 229** - Judiciary
- HB 230** - Judiciary
- HB 231** - Correctional and State Institutions
- HB 236** - Civil and Administrative Law
- HB 237** - Civil and Administrative Law
- HB 238** - Motor Vehicle and Traffic Regulations
- HB 239** - Environment and Energy
- HB 240** - Ways and Means
- HB 241** - Civil and Administrative Law
- HB 242** - Tourism, Recreation and Cultural Affairs
- HB 243** - Professional Registration and Licensing
- HB 244** - Public Safety, Law Enforcement and Veteran Affairs
- HB 245** - Professional Registration and Licensing
- HB 246** - Civil and Administrative Law
- HB 247** - Elections
- HB 248** - Correctional and State Institutions
- HB 249** - Professional Registration and Licensing
- HB 250** - Education-Elementary and Secondary
- HB 251** - Transportation
- HB 252** - Miscellaneous Bills & Resolutions
- HB 253** - Public Safety, Law Enforcement and Veteran Affairs
- HB 254** - Correctional and State Institutions
- HB 256** - Critical Issues, Consumer Protection and Housing
- HB 257** - Retirement
- HB 259** - Conservation, State Parks and Mining
- HB 260** - Municipal Corporations
- HB 262** - Civil and Administrative Law
- HB 263** - Education-Elementary and Secondary
- HB 264** - Education-Elementary and Secondary
- HB 266** - Professional Registration and Licensing
- HB 267** - Professional Registration and Licensing
- HB 268** - Local Government and Related Matters
- HB 269** - Civil and Administrative Law

- HB 270** - Civil and Administrative Law
- HB 271** - Education-Elementary and Secondary
- HB 272** - Judiciary
- HB 273** - Education-Elementary and Secondary
- HB 274** - Education-Elementary and Secondary
- HB 275** - Motor Vehicle and Traffic Regulations
- HB 276** - Public Safety, Law Enforcement and Veteran Affairs
- HB 277** - Criminal Law
- HB 278** - Criminal Law
- HB 279** - Children, Families and Health
- HB 280** - Local Government and Related Matters
- HB 281** - Elections
- HB 282** - Elections
- HB 284** - Criminal Law
- HB 285** - Children, Families and Health
- HB 286** - Ways and Means
- HB 287** - Correctional and State Institutions
- HB 288** - Professional Registration and Licensing
- HB 289** - Utilities Regulation
- HB 290** - Education-Elementary and Secondary
- HB 291** - Children, Families and Health
- HB 293** - Municipal Corporations
- HB 294** - Critical Issues, Consumer Protection and Housing
- HB 295** - Local Government and Related Matters
- HB 296** - Environment and Energy
- HB 297** - Elections
- HB 298** - Labor
- HB 299** - Criminal Law
- HB 300** - Education-Elementary and Secondary
- HB 441** - Public Safety, Law Enforcement and Veteran Affairs

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **CITY OF ST. LOUIS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton

FROM: State Representative Russ Carnahan

DATE: January 16, 2001

RE: City of St. Louis 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 City of St. Louis Caucus.

<i>Representative</i>	<i>District</i>
/s/ Boykins, Amber	60
/s/ Carnahan, Russ	59
/s/ Coleman, Maida	63
/s/ Dougherty, Patrick	67
/s/ Ford, Louis	58
/s/ Gambaro, Derio	65
/s/ Hilgemann, Robert	64
/s/ Johnson, Connie LaJoyce	61
/s/ Kennedy, Harry	66
/s/ O'Toole, James	68
/s/ Shelton, O.L.	57
/s/ Troupe, Charles	62
/s/ Villa, Thomas	108

Mr. Speaker: Your Committee on Ethics, to which was referred **HOUSE FRESHMAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Robert Clayton, Chairman House Ethics Committee

FROM: Representative Carl Bearden
Freshman Caucus Chairman

DATE: January 22, 2001

RE: House Freshman Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives Freshman 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.

The officers were elected at follows:

Carl Bearden, District 16	Chairman
Jane Cunningham, District 86	Vice-Chairman
Richard Byrd, District 94	Secretary/Treasurer

I will serve as a designated member to present the request to the Committee. Please contact me at (573) 751-2949 if you have any questions concerning this caucus organization.

Sincerely,

/s/ Rep. Carl Bearden

Members of the Freshman Caucus

/s/ Frank A. Barnitz - 150	/s/ Carl Bearden - 16
/s/ Robert J. Behnen - 2	/s/ John L. Bowman - 70
/s/ Sharon Sanders Brooks - 37	/s/ Tom Burcham - 106
/s/ Richard G. Byrd - 94	/s/ Russ Carnahan - 59
/s/ Maida Coleman - 63	/s/ Shannon Cooper - 120
/s/ Nancy Copenhaver - 22	/s/ Jason Crowell - 158
/s/ Jane Cunningham - 86	/s/ Tom Dempsey - 18
/s/ Kathlyn Fares - 91	/s/ Tom Green - 15
/s/ Meg Harding - 30	/s/ Esther Haywood - 71
/s/ Steve Henderson - 116	/s/ Bruce W. Holt - 17
/s/ Steve Hunter - 127	/s/ Rod Jetton - 156
/s/ Connie "LaJoyce" Johnson - 61	/s/ Richard K. Johnson - 90
/s/ Cathy Jolly - 45	/s/ Gary Kelly - 36
/s/ Van Kelly - 144	/s/ Jenee' Lowe - 44
/s/ B. J. Marsh - 136	/s/ Bob May - 149
/s/ Robert N. Mayer - 159	/s/ Danielle Moore - 20
/s/ Charles R. Portwood - 92	/s/ Rex Rector - 124
/s/ Brad Roark - 139	/s/ Wes Shoemyer - 9
/s/ Neal C. St. Onge - 88	/s/ Thomas A. Villa - 108
/s/ Juanita Head Walton - 69	/s/ Philip Willoughby - 33

Mr. Speaker: Your Committee on Ethics, to which was referred **House Resolution No. 182, Rules of Procedure for the Ethics Committee**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo, with House Committee Amendment No. 1.**

House Resolution No. 182

RULE 1. Scope and Authority - These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 38.

RULE 2. Definitions

As used in these rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of the office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorums

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

- (1) The name and legal address of the member or members acting as complainant;
- (2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct", means:
 - (a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;
 - (b) Any conduct constituting a conflict of interest under chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 4.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

- (1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit;
- (2) An objection to the jurisdiction of the Committee to investigate the complaint; or
- (3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day-period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be give an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

- (1) Dismiss the complaint; or
- (2) Proceed by
 - (a) undertaking an investigative hearing; or
 - (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the committee may, by a majority vote, recommend one of the following sanctions:

- (a) Letter of reproof;
- (b) Reprimand; or
- (c) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

- (1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear or affirm that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters not covered in these Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Standards of Official Conduct of the 103rd Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

House Committee Amendment No. 1

AMEND House Resolution No. 182 (1481L.011), Page 2, Section 5(E), Line 5 of said subsection, by deleting the words "**Rule 4.C.**" and by inserting in lieu thereof the following: "**Rule 5.C.**".

INTRODUCTION OF HOUSE BILLS

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

HB 565, introduced by Representative Monaco, relating to disclosure of prior methamphetamine activities on certain real property.

HB 566, introduced by Representatives Hanaway, Sanders Brooks, Bowman, Linton, May (149) and Behnen, et al, relating to honorary high school diplomas for World War II veterans.

HB 567, introduced by Representative Treadway, relating to professional registration.

HB 568, introduced by Representative Treadway, relating to professional registration.

HB 569, introduced by Representative Green (73), relating to funds for certain convention and sports complexes.

HB 570, introduced by Representative Green (73), relating to employment security.

HB 571, introduced by Representatives Dolan and Lowe, relating to the TWA Flight 800 International Memorial.

HB 572, introduced by Representative Dolan, relating to the crime of passing a bad check.

HB 573, introduced by Representative O'Toole, relating to Missouri commission on total compensation.

HB 574, introduced by Representatives Selby, Jolly and Ward, relating to statutes of limitation for the prosecution for certain offenses.

HB 575, introduced by Representatives O'Connor, Abel and Foley, relating to motor vehicle franchise practices.

HB 576, introduced by Representatives Willoughby, Mays (50), Johnson (90), Harding and Skaggs, et al, relating to funding utilicare.

HB 577, introduced by Representative Bray, et al, relating to contributions to political party committees.

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 adopted **HCR 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 2**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 2

Rejecting the amount of increase in compensation for public officials as recommended by the Citizen's Commission on Compensation for Elected Officials.

WHEREAS, in November 1994, the people of Missouri established in the Missouri Constitution an independent citizen's commission that was given primary responsibility to establish a schedule of compensation for public officials based upon a review and study of the duties of elected state officials, judges and members of the General Assembly; and

WHEREAS, the Commission has faithfully undertaken its responsibility and submitted a compensation schedule that provides for a maximum increase in compensation for the affected public officials up to the amount of 5.5%; and

WHEREAS, the percentage increase recommended by the Citizen's Commission on Compensation for Elected Officials was based upon recommendations made by the Personnel Advisory Board and the Ad Hoc Task Force on Total Compensation for all state employees for fiscal years 2001-2002 and 2002-2003; and

WHEREAS, the Citizen's Commission report makes clear that the Commission intended public officials should be treated the same as all other state employees; and

WHEREAS, the increases ultimately adopted for all state employees may well not be those recommended by the Commission when its schedule was approved and filed; and

WHEREAS, the General Assembly believes that public officials should not receive any cost-of-living increase in compensation, if at all, in excess of the average salary adjustment provided to other state employees; and

WHEREAS, the Missouri Constitution clearly provides that the recommendations of the Commission are subject to appropriations, and therefore may be reduced or rejected by the General Assembly and no increase shall take effect unless and until appropriated:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate of the First Regular Session of the Ninety-first General Assembly, the House of Representatives concurring therein, that no increase in compensation for public officials shall be approved or appropriated for fiscal year 2002, if at all, in excess of the average provided to state employees as authorized by Section 105.005, RSMo; and

BE IT FURTHER RESOLVED that the General Assembly hereby rejects the increase in compensation recommended by the Citizen's Commission on Compensation for Elected Officials for fiscal year 2002 to the extent that it exceeds the average amount of increase in compensation as may be provided to state employees for fiscal year 2002; and

BE IT FURTHER RESOLVED that nothing in this resolution shall be interpreted to require that any cost-of-living increase shall be provided to public officials, the recommendation of the Citizen's Commission on Compensation for Elected Officials notwithstanding.

In which the concurrence of the House is respectfully requested.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber for Joint Session at 10:30 a.m., Tuesday, January 30, 2001: Representatives Boucher, Sanders Brooks, Kennedy, Davis, Monaco, Gambaro, Nordwald, Robirds, Ballard and Boatright.

The Speaker appointed the following committee to escort Governor Bob Holden to the dais in Joint Session at 10:30 a.m., Tuesday, January 30, 2001: Representatives Skaggs, Crump, Shelton, Ford, Treadway, Troupe, Griesheimer, Hartzler, Ostmann and Enz.

COMMITTEE ASSIGNMENTS

HOUSE TRAVEL COMMITTEE

Rep. William (Bill) Gratz - Chairman

Marsha Campbell

O. L. Shelton

John Griesheimer

Ed Hartzler

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Farnen is no longer a member of the Agriculture Committee.

Representative Crowell is no longer a member of the Appropriations-Corrections and Public Safety Committee.

Representative Bearden is no longer a member of the Appropriations-Education Committee.

Representative Bartle is no longer a member of the Appropriations-Social Services Committee.

Representative Kelly (27) is no longer a member of the Banks and Financial Institutions Committee.

Representative Hampton is no longer a member of the Children, Families and Health Committee.

Representative Gambaro is no longer vice-chair or a member of the Commerce and Economic Development Committee.

Representative Copenhaver is no longer a member of the Correctional and State Institutions Committee.

Representative Barry is no longer a member of the Critical Issues, Consumer Protection and Housing Committee.

Representative Bowman is no longer vice-chair of the Education-Higher Committee, but will remain a member.

Representative Walton is no longer a member of the Environment and Energy Committee.

Representative Hollingsworth is no longer a member of the Judiciary Committee.

Representative Willoughby is no longer a member of the Urban Affairs Committee.

Representative Copenhaver has been appointed a member of the Agriculture Committee.

Representative Bearden has been appointed a member of the Appropriations-Corrections and Public Safety Committee.

Representative Crowell has been appointed a member of the Appropriations-Education Committee.

Representative Holand has been appointed a member of the Appropriations-Social Services Committee.

Representative Luetkenhaus has been appointed a member of the Banks and Financial Institutions Committee.

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

Representative Kelley (47) has been appointed a member of the Budget Committee.

Representative Copenhaver has been appointed a member of the Children, Families and Health Committee.

Representative Bowman has been appointed vice-chair of the Commerce and Economic Development Committee.

Representative Thompson has been appointed a member of the Correctional and State Institutions Committee.

Representative Kelly (27) has been appointed a member of the Critical Issues, Consumer Protection and Housing Committee.

Representative Haywood has been appointed vice-chair of the Education-Higher Committee.

Representative Luetkenhaus has been appointed a member of the Environment and Energy Committee.

Representative Johnson (90) has been appointed a member of the Judiciary Committee.

Representative Abel has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Foley has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Gambaro has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Liese has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Green (15) has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Farnen has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Bowman has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Walton has been appointed a member of the Municipal Corporations Committee.

Representative Hampton has been appointed a member of the Professional Registration and Licensing Committee.

Representative Sanders Brooks has been appointed a member of the Social Services, Medicaid and the Elderly Committee.

Representative Sanders Brooks has been appointed a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Hollingsworth has been appointed a member of the Transportation Committee.

Representative Johnson (61) has been appointed a member of the Transportation Committee.

Representative Jolly has been appointed a member of the Urban Affairs Committee.

Representative Kelly (27) has been appointed a member of the Utilities Regulation Committee.

Representative Lowe has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative McKenna has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Monaco has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Wagner has been appointed a member of the Workers Compensation and Employment Security Committee.

WITHDRAWAL OF HOUSE BILL

January 29, 2001

Ted Wedel
Chief Clerk
Missouri House of Representatives
Jefferson City, Missouri 65101

Dear Mr. Wedel:

I hereby respectfully request that **House Bill 298** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Timothy P. Green
State Representative
District 73

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 30, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 7.
To be considered - HB 130, HB 219

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, January 30, 2001, 8:00 am. Hearing Room 1.
Brief committee orientation.
Public testimony Department of Public Safety.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, January 31, 2001, 8:00 am. Hearing Room 1.

Public testimony Department of Corrections.

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2001. Hearing Room 1 upon adjournment.

University of MO, Lincoln University, Linn State, Coordinating Board-Operating Budget.

APPROPRIATIONS - EDUCATION

Wednesday, January 31, 2001. Hearing Room 1 upon adjournment.

Community Colleges. Public testimony for Higher Education.

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.

Public testimony for Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 30, 2001. Hearing Room 7 upon adjournment.

Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 31, 2001. Hearing Room 7 upon adjournment.

Elected Officials.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 30, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 30, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, January 31, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment.

Public testimony Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Tuesday, January 30, 2001, 8:30 am. Hearing Room 7.

Organizational meeting.

BUDGET

Wednesday, January 31, 2001, 7:00 pm. Hearing Room 3.
Budget overview presentation.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 4.
To be considered - HB 111, HB 142, HB 157

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 143, HB 161, HB 193

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 6. CORRECTED NOTICE.
To be considered - HB 189

CONSERVATION, STATE PARKS AND MINING

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 2.
Organizational meeting.
To be considered - HB 184

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 199, HB 200, HJR 5

EDUCATION - HIGHER

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 26, HB 166, HB 192, HB 194

ELECTIONS

Tuesday, January 30, 2001, 7:30 pm. Hearing Room 7.
To be considered - HB 99, HB 100, HB 109

JUDICIARY

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 5. AMENDED NOTICE.
To be considered - HB 141, HB 183

LABOR

Tuesday, January 30, 2001, 8:00 pm. Hearing Room 3.
To be considered - HB 113

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 52, HB 69, HB 84, HB 140

MUNICIPAL CORPORATIONS

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 82, HB 133

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 54, HB 80, HB 94, HB 177, HB 441

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 3.

Joint meeting with House and Senate Veterans Committee members.

Guest speaker Lt. Gov. Joe Maxwell.

TRANSPORTATION

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 71, HB 196, HJR 7

WAYS AND MEANS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 2.

Presentations by State Tax Commission, Department of Revenue.

To be considered - HB 79, HB 114, HB 116, HB 129, HB 170, HB 175

HOUSE CALENDAR

SEVENTEENTH DAY, TUESDAY, JANUARY 30, 2001

HOUSE BILLS FOR SECOND READING

HB 565 through HB 577

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SS SCR 2

HOUSE RESOLUTION

HR 182, HCA 1, (1-29-01) - Clayton