

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

EIGHTEENTH DAY, WEDNESDAY, JANUARY 31, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, You are the creator. Recreate us afresh this morning. Help this day be for us one of renewal, one of fulfillment of promises, one of rededication to You and all our brothers and sisters across this beautiful state.

If our work is for each other, then it is also in You. If our day is in You, then it will work for each other. In Your creative genius rebuild us, time and time again, in our failures, which You make right, and in our successes, in which You glory. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as corrected.

RESOLUTION

Representative Murphy offered House Resolution No. 200.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 193 - Representative Wilson (42), et al

House Resolution No. 194 - Representative Scheve

House Resolution No. 195 - Representative Cooper

House Resolution No. 196

and

House Resolution No. 197 - Representative Miller

House Resolution No. 198 - Representative Clayton

House Resolution No. 199 - Representative Enz

House Resolution No. 201 - Representative Barnitz

House Resolution No. 202

and

House Resolution No. 203 - Representative Kreider

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 578 through **HB 588** were read the second time.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTION

HCS SS SCR 2, relating to the Citizen's Commission on Compensation for Elected Officials, was taken up by Representative Crump.

On motion of Representative Crump, **HCS SS SCR 2** was adopted by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 008

Curls	Ford	Hagan-Harrell	Shelton	Skaggs
Treadway	Troupe	Wilson 42		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Kelley 47	Long	Nordwald	Patek	Reynolds
Scott				

VACANCIES: 001

On motion of Representative Crump, **HCS SS SCR 2** was read the third time and passed by the following vote:

AYES: 144

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	Dougherty
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Klindt
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Mr. Speaker	

NOES: 005

Ford	Hagan-Harrell	Shelton	Treadway	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 013

Dolan	Gambaro	Hickey	Hollingsworth	Kelley 47
Long	Nordwald	Patek	Reid	Reynolds
Scott	Wilson 42	Wright		

VACANCIES: 001

Speaker Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Boykins moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to instruct the House of Representatives that the Senate may take up any House action on **Senate Substitute for Senate Concurrent Resolution No. 2** relating to recommendations of the Citizen's Commission on Compensation for Elected Officials in its afternoon session on Wednesday, January 31, 2001, and requests the House, in view of the deadline imposed by Article XIII, Section 3 of the Missouri Constitution, to take into account the possibility of Senate action in response to House action on the resolution and the possibility of the need for further House action on the resolution in scheduling the House's business for Wednesday, January 31, 2001.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 13, introduced by Representative Shoemyer, et al, relating to the Southern Dairy Compact.

HCR 14, introduced by Representative Koller, relating to the Railroad Retirement and Survivors Improvement Act.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 12, introduced by Representatives Seigfreid, Davis, Relford and Selby, relating to the Citizen's Commission on Compensation.

INTRODUCTION OF HOUSE BILLS

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

HB 589, introduced by Representatives Monaco and Bonner, relating to joint bank accounts.

HB 590, introduced by Representative Graham, relating to tax relief for small employers.

HB 591, introduced by Representative Ladd Baker, relating to older adults publication.

HB 592, introduced by Representatives Williams, Crawford, Levin and Shelton, relating to a multicultural program and committee within the office of the lieutenant governor.

HB 593, introduced by Representative Riback Wilson (25), et al, relating to insurance coverage for mental health or chemical dependency services.

HB 594, introduced by Representatives Kennedy and Hegeman, relating to sales tax on telecommunications services.

HB 595, introduced by Representatives Kennedy and Gambaro, relating to site assessments for certain real property.

HB 596, introduced by Representatives Kennedy and Gambaro, relating to certain governmental authorities in cities not within a county.

HB 597, introduced by Representatives Lawson, Wiggins, Berkowitz, Black, Merideth, Myers, King and Hegeman, et al, relating to weights and measures.

HB 598, introduced by Representatives Shelton and Hilgemann, relating to incentives for special education teachers.

HB 599, introduced by Representatives Green (73), Hanaway, Haywood, Fraser, Reid, Hollingsworth, McKenna and George, et al, relating to tax increment financing.

HB 600, introduced by Representatives Hosmer and Marsh, to authorize the conveyance of certain property between the board of governors of Southwest Missouri State University and the Southwest Missouri Ecumenical Center.

HB 601, introduced by Representatives Reid and Shoemyer, relating to disease control for elk.

HB 602, introduced by Representatives Kelly (27) and Lawson, relating to firefighter retirement plans.

HB 603, introduced by Representatives Hilgemann, Berkowitz, Kelly (27), Lawson, Hosmer, Coleman and Johnson (61), et al, relating to the division of aging.

HB 604, introduced by Representatives Hilgemann, Shelton, Davis, Campbell, Kelly (27), Franklin, Abel, Ostmann and Fraser, et al, relating to the character education grant program and fund.

HB 605, introduced by Representatives McKenna, Wagner, Abel, O'Toole and Myers, et al, relating to driver's licenses.

HB 606, introduced by Representatives Kennedy, Smith, Crawford, Reynolds and Hoppe, relating to county recorders of deeds.

HB 607, introduced by Representatives Treadway, Johnson (90), Holand and Richardson, relating to dental services.

HB 608, introduced by Representative Gambaro, relating to the qualification and conditions of service of members of the St. Louis police department.

HB 609, introduced by Representatives Gratz and Richardson, relating to rulemaking authority of the department of natural resources and commissions housed therein.

HB 610, introduced by Representatives Bray and Fraser, et al, relating to certain health care benefits.

HB 611, introduced by Representatives Wiggins, Shoemyer, Berkstresser and Ransdall, et al, relating to assessment of real property.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hosmer is no longer a member of the Appropriations-Transportation Committee.

Representative Burton is no longer a member of the Banks and Financial Institutions Committee.

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

Representative Klindt is no longer a member of the Education-Higher Committee.

Representative Murphy is no longer a member of the Local Government and Related Matters Committee.

Representative Surface is no longer a member of the Public Safety, Law Enforcement and Veteran Affairs Committee.

Representative Johnson (61) is no longer a member of the Social Services, Medicaid and the Elderly Committee.

Representative Luetkemeyer is no longer a member of the Budget Committee.

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

Representative Clayton has been appointed a member of the Appropriations-Transportation Committee.

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

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

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

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

Representative Bearden has been appointed a member of the Education-Higher Committee.

Representative Behnen has been appointed a member of the Education-Higher Committee.

Representative Clayton has been appointed a member of the Judiciary Committee.

Representative Hohulin has been appointed a member of the Local Government and Related Matters Committee.

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

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

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

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

Representative Kelly (144) has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

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

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

Representative Reinhart has been appointed a member of the Public Safety, Law Enforcement and Veteran Affairs Committee.

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

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

Representative Byrd has been appointed a member of the Utilities Regulation Committee.

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

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

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

Representative Linton has been appointed a member of the Missouri Job Training Joint Legislative Oversight Committee.

Representative George has been appointed Chairman of the Missouri Job Training Joint Legislative Oversight Committee.

Representative Hickey has been appointed a member of the Missouri Job Training Joint Legislative Oversight Committee.

LETTERS OF RESIGNATION

January 31, 2001

The Honorable Jim Kreider
Speaker of the House of Representatives
Room 308, State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I am resigning my position as Representative for the 67th St. Louis District effective upon swearing-in today as Senator of the 4th St. Louis District. It has been my honor to serve in the House of Representatives for going on 23 years. Thank you!

Sincerely,

/s/ Pat Dougherty

January 31, 2001

The Honorable James Kreider
Speaker of the House of Representatives
Room 308
State Capitol
Jefferson City, Missouri 65101

Dear Honorable Speaker Kreider:

I hereby on this 31st day of January 2001, announce my resignation from the Missouri House of Representatives, District 3 effective at 2:00 p.m. I will proudly take the oath to serve the people of Missouri's 12th District in the Missouri Senate.

Sincerely,

/s/ David Klindt
State Representative
District 3

WITHDRAWAL OF HOUSE BILLS

January 31, 2001

The Honorable Jim Kreider
Speaker of the House
Room 308, State Capitol
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Bill 310** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Cindy Ostmann

January 31, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Wedel:

I respectfully request that **House Bill No. 47** be withdrawn. Your attention to this matter is greatly appreciated.

Sincerely,

/s/ Randall Relford
Sixth District

The following member's presence was noted: Reynolds.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 1, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventeenth Day, Tuesday, January 30, 2001, pages 238 and 239, roll call, by showing Representative Williams voting "aye" rather than "absent with leave".

Pages 241 and 242, roll call, by showing Representatives Copenhaver, Levin and Portwood voting "aye" rather than "absent with leave".

Pages 243 and 244, roll call, by showing Representatives Crawford and Ostmann voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.
Public testimony for Department Of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 7.
Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 6, 2001. Hearing Room 7 upon adjournment.
Public Debt and Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001. Hearing Room 7 upon adjournment.
Public Defender, Judiciary and Attorney General.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 2001. Hearing Room 6 upon adjournment.
Brief work session.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 2001, 12:00 pm. Hearing Room 5.
Department of Agriculture, Department of Conservation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.
Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.
Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 1, 2001. Upon adjournment site visits to MoDOT facilities.
Headquarters, 105 W. Capitol Ave.
Training facility, 601 W. Main St.

BUDGET

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.
Possible Executive Session to follow.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 5, 2001, 7:30 pm. Hearing Room 3.
To be considered - HB 88, HB 294, HB 328

JUDICIARY

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 53, HB 76, HB 141, HB 183

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 6, 2001, 8:00 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 163, HB 203, HB 207, HB 244, HB 253

SUBCOMMITTEE ON SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Monday, February 5, 2001. Hearing Room 4 upon adjournment.
TANF time limits.

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

UTILITIES REGULATION

Thursday, February 1, 2001, 8:30 am. Hearing Room 6.

State of the Public Service Commission.

Speaker Chair Shelia Lumpe.

HOUSE CALENDAR

NINETEENTH DAY, THURSDAY, FEBRUARY 1, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 13 and HCR 14

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 12

HOUSE BILLS FOR SECOND READING

HB 589 through HB 611

HOUSE RESOLUTION

HR 182, HCA 1, (1-29-01, pgs. 223-228) - Clayton