

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, THURSDAY, FEBRUARY 15, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we are thankful that we are alive this day, that food is delicious to our taste, that the ground is firm beneath our feet, that rest can compensate for hard work, that goodness is stronger than evil.

We thank You for friends who care, for ways that open when every door seems shut, for the reality of forgiveness - human and divine, for major worries and problems that make life's minor irritations bearable.

Keep this House in Your care this day, and bless these men and women as they seek to serve the people of Missouri. To You be glory and honor. 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: Alicia Dungins, Anitra Lewis, Linear Lovett, Xavier Keen, Heather Cunningham, Chad Gray and Chris Schreiner.

The Journal of the twenty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 402 - Representative Kelley (47)
- House Resolution No. 403 - Representative Behnen
- House Resolution No. 404 - Representative Moore
- House Resolution No. 405 - Representative Treadway
- House Resolution No. 406 - Representative Williams
- House Resolution No. 407 - Representative Ward
- House Resolution No. 408
- and
- House Resolution No. 409 - Representative Moore
- House Resolution No. 410
- and
- House Resolution No. 411 - Representative Townley
- House Resolution No. 412 - Representative Nordwald
- House Resolution No. 413 - Representatives Harlan, Riback Wilson (25) and Graham

House Resolution No. 414

and

- House Resolution No. 415 - Representative Hampton
- House Resolution No. 416 - Representative Lograsso
- House Resolution No. 417 - Representatives Ross and Lograsso
- House Resolution No. 418 - Representative Purgason
- House Resolution No. 419 - Representative Naeger
- House Resolution No. 420 - Representatives Thompson and Shelton

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 769 through **HB 796** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 2, HB 3, HB 4, HB 5, HB 6, HB 7 and **HB 10** were read the second time.

SECOND READING OF SENATE BILLS

SB 25, SB 72, SB 87, SB 125, SCS SB 197, SCS SB 236 and **SB 256** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 328 & 88**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL

HCS HBs 302 & 38, relating to blood alcohol content violations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HBs 302 & 38** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	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	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Toole	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Van Zandt	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 019

Ford	Froelker	Green 73	Griesheimer	Hickey
Hohulin	Lograsso	Long	Naeger	O'Connor
Overschmidt	Reynolds	Ridgeway	Schwab	Shelton
Townley	Treadway	Troupe	Villa	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartle	Dolan	Mays 50	Wilson 42
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HBs 205, 323 & 549, relating to Conservation Commission, was taken up by Representative Relford.

Representative Riback Wilson (25) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 2, Section 252.038, Line 16, by inserting before the word “**Moneys**” the following: “**Seventy-five percent of the**”; and

Further amend said bill and section, Line 22, by inserting after the following “**pursuant to**”, the following “**subsection 2 of**”; and

Further amend said bill and section, Line 26, by inserting after all of said line the following:

“**6. Twenty-five percent of the moneys collected pursuant to this section shall be deposited in the state treasury to the credit of the crime victims’ compensation fund established pursuant to section 595.045, RSMo.**”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Relford raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Ballard offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 2, Section 252.038, Lines 18-22, by bracketing out lines 18-22, and placing in lieu thereof:

“**monies collected pursuant to this section shall be used for hunter education programs**”.

Representative Riback Wilson (25) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

House Amendment No. 1 was withdrawn.

Representative Reid offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 4, Section 254.225, Line 11, by inserting after all of said line the following:

"267.750. 1. Prior to January 1, 2012, no person or governmental entity shall release elk into the wild in the state of Missouri.

2. Any person or entity who intentionally or through gross negligence releases elk into the wild in violation of this section is guilty of a class A misdemeanor."; and

Further amend said bill, Page 5, Section 270.400, Line 12, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to prevent the spread of disease in this state the enactment of section 267.750 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 267.750 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Relford raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Legan offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Reid raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute.

The Chair ruled the point of order well taken.

Representative Reid moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 022

Baker	Burcham	Cunningham	Dempsey	Enz
Green 73	Griesheimer	Henderson	Hendrickson	Hohulin
Hunter	Kelly 144	Levin	Linton	Lograsso
Luetkemeyer	Nordwald	Reid	Robirds	Shoemyer
Smith	St. Onge			

NOES: 131

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

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

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartle	Ford	Lawson	Long	Luetkenhaus
Murphy				

VACANCIES: 004

Representative Legan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Section 252.035, by striking all the words and inserting in lieu thereof the following words:

“252.035. The Department of Conservation shall provide financial responsible for verifiable damage caused by wild elk reintroduced to the state as part of any experimental reintroduction program by the Department. Financial responsibility shall include but not be limited to:

- (1) The value of crops and pasture damaged or destroyed by wild elk;**
- (2) Indemnification of losses suffered by livestock producers as a result of disease spread from wild elk;**
- (3) The value of fencing and other private property damaged by wild elk;**
- (4) Damages incurred to motor vehicles when such vehicles are involved in a collision with a wild elk; and”**

Representative Gambaro raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Legan, **House Amendment No. 2** was adopted by the following vote:

AYES: 110

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Bowman	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Froelker	Gaskill	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Murphy	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Thompson	Townley	Troupe	Vogel
Wagner	Ward	Wiggins	Wright	Mr. Speaker

NOES: 037

Boucher	Boykins	Bray 84	Campbell	Coleman
Crump	Cunningham	Curls	Foley	Franklin
Fraser	Gambaro	George	Hagan-Harrell	Harlan
Holand	Hollingsworth	Johnson 90	Jolly	Liese
Lowe	McKenna	Monaco	Moore	Myers
O'Toole	Overschmidt	Relford	Seigfreid	Skaggs
Van Zandt	Villa	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 011

Abel	Baker	Bartle	Ford	Hickey
Lawson	Long	Luetkenhaus	O'Connor	Surface
Treadway				

VACANCIES: 004

On motion of Representative Relford, **HCS HBs 205, 323 & 549, as amended**, was adopted.

On motion of Representative Relford, **HCS HBs 205, 323 & 549, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

- HB 2** - Budget
- HB 3** - Budget
- HB 4** - Budget
- HB 5** - Budget
- HB 6** - Budget
- HB 7** - Budget
- HB 10** - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HS HCS HBs 328 & 88** - Fiscal Review and Government Reform (Fiscal Note)
- HB 458** - Critical Issues, Consumer Protection and Housing
- HB 602** - Retirement
- HB 603** - Social Services, Medicaid and the Elderly
- HB 604** - Education-Elementary and Secondary
- HB 605** - Miscellaneous Bills & Resolutions
- HB 606** - Local Government and Related Matters
- HB 607** - Professional Registration and Licensing
- HB 608** - Municipal Corporations
- HB 610** - Critical Issues, Consumer Protection and Housing
- HB 611** - Local Government and Related Matters
- HB 612** - Social Services, Medicaid and the Elderly
- HB 614** - Municipal Corporations
- HB 615** - Local Government and Related Matters
- HB 616** - Conservation, State Parks and Mining
- HB 617** - Commerce and Economic Development
- HB 618** - Local Government and Related Matters
- HB 619** - Miscellaneous Bills & Resolutions
- HB 620** - Children, Families and Health
- HB 622** - Municipal Corporations
- HB 623** - Transportation
- HB 624** - Municipal Corporations
- HB 625** - Education-Elementary and Secondary
- HB 626** - Civil and Administrative Law
- HB 627** - Elections
- HB 628** - Ways and Means
- HB 629** - Motor Vehicle and Traffic Regulations
- HB 630** - Children, Families and Health
- HB 631** - Professional Registration and Licensing

- HB 632** - Criminal Law
- HB 633** - Judiciary
- HB 634** - Civil and Administrative Law
- HB 635** - Children, Families and Health
- HB 636** - Education-Higher
- HB 637** - Education-Elementary and Secondary
- HB 638** - Elections
- HB 640** - Professional Registration and Licensing
- HB 641** - Criminal Law
- HB 642** - Correctional and State Institutions
- HB 643** - Ways and Means
- HB 644** - Insurance
- HB 645** - Correctional and State Institutions
- HB 647** - Municipal Corporations
- HB 648** - Motor Vehicle and Traffic Regulations
- HB 649** - Education-Elementary and Secondary
- HB 650** - Local Government and Related Matters
- HB 651** - Judiciary
- HB 652** - Elections
- HB 653** - Workers Compensation and Employment Security
- HB 654** - Motor Vehicle and Traffic Regulations
- HB 655** - Local Government and Related Matters
- HB 656** - Fiscal Review and Government Reform
- HB 657** - Judiciary
- HB 658** - Miscellaneous Bills & Resolutions
- HB 661** - Labor
- HB 662** - Labor
- HB 663** - Ways and Means
- HB 664** - Insurance
- HB 665** - Judiciary
- HB 666** - Education-Elementary and Secondary
- HB 667** - Ways and Means
- HB 668** - Education-Elementary and Secondary
- HB 673** - Insurance
- HB 675** - Banks and Financial Institutions
- HB 676** - Utilities Regulation
- HB 677** - Judiciary
- HB 678** - Elections
- HB 679** - Labor
- HB 680** - Social Services, Medicaid and the Elderly
- HB 681** - Motor Vehicle and Traffic Regulations
- HB 682** - Ways and Means
- HB 683** - Education-Higher
- HB 684** - Motor Vehicle and Traffic Regulations
- HB 685** - Transportation

- HB 686** - Critical Issues, Consumer Protection and Housing
- HB 687** - Motor Vehicle and Traffic Regulations
- HB 688** - Insurance
- HB 689** - Local Government and Related Matters
- HB 690** - Agriculture
- HB 691** - Motor Vehicle and Traffic Regulations
- HB 692** - Motor Vehicle and Traffic Regulations
- HB 693** - Civil and Administrative Law
- HB 695** - Professional Registration and Licensing
- HB 696** - Elections
- HB 697** - Elections
- HB 698** - Local Government and Related Matters
- HB 699** - Municipal Corporations
- HB 700** - Motor Vehicle and Traffic Regulations
- HB 736** - Banks and Financial Institutions
- HB 738** - Banks and Financial Institutions
- HB 745** - Local Government and Related Matters
- HB 746** - Social Services, Medicaid and the Elderly
- HB 751** - Ways and Means
- HB 754** - Education-Elementary and Secondary
- HB 762** - Children, Families and Health

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 241**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 262**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 180**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 621**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 621, Page 1, Section 217.900, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following: "**resident of Cole County or Jefferson City to be the chair of the commission.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 50**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ethics, Chairman Clayton reporting:

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

TO: Chairman, Ethics Committee
FROM: State Representative Wes Shoemyer
DATE: January 10, 2001
RE: Freshman Democratic Caucus

In accordance with Section 105.473.3(2)(c)d RSMo2000, we are listing the following members of the General Assembly as members of the Freshman Democrat Caucus.

Representative	District
/s/ Barnitz, Frank	150
/s/ Bowman, John	70
/s/ Brooks, Sharon Sanders	37
/s/ Carnahan, Russ	59
/s/ Coleman, Maida	63
/s/ Copenhaver, Nancy	22
/s/ Green, Tom	15
/s/ Harding, Meg	30
/s/ Haywood, Esther	71
/s/ Holt, Bruce	17
/s/ Johnson, Richard	90

/s/ Johnson, Connie LaJoyce	61
/s/ Jolly, Cathy	45
/s/ Kelly, Gary	36
/s/ Lowe, Jenee	44
/s/ Shoemyer, Wes	9
/s/ Villa, Thomas	108
/s/ Walton, Juanita	69
/s/ Willoughby, Philip	33

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 113**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 381**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 102**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 102

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chambers at our State Capitol, where the students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Jefferson City Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on March 19, 2001, from 10:00 a.m. until 11:30a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 186**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 186

WHEREAS, the members of the Missouri House of Representatives take great pride in rendering assistance to Missouri's Silver Haired Legislature; and

WHEREAS, the Silver Haired Legislature consists of older Missourians who are elected by their peers to participate in an annual, statewide work session in Jefferson City to determine and advocate for legislative priorities before the Missouri General Assembly; and

WHEREAS, the recommendations made by the Silver Haired Legislature have contributed to a better understanding of the merits and limitations of many popular proposals and have provided a meaningful opportunity for the elderly in Missouri to get involved in current issues of consequence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission to the Silver Haired Legislature to use the House Chamber for their upcoming session to be held on October 25, 2001, from 9:00 a.m. to 4:30 p.m. and on October 26, 2001, from 9:00 a.m. to 1:00 p.m. and House Hearing Rooms 1 through 5 during the lunch hour on October 25 and October 26, 2001:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 200**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 200

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission for the House Chamber to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on March 2, 2001, March 9, 2001, and March 16, 2001, from 12:00 p.m. to 2:00 p.m.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 575**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 575, Page 4, Section 407.817, Line 52, by inserting after all of said line the following:

"8. This section shall not apply to recreational motor vehicle franchisors and franchisees."; and

Further amend said Bill, Page 15, Section 407.825, Line 263, by deleting the phrase "**subdivision (17)**" and inserting in lieu thereof the following: "**subdivisions (17) and (18)**"; and

Further amend said Bill, Page 15, Section 407.826, Line 7, by inserting after the word "**months**" the following:

". For franchisors of recreational vehicles, the period of temporary ownership of a dealership may be extended in twelve-month increments for a maximum extension of sixty months, if good cause is shown"; and

Further amend said Bill, Page 16, Section 407.826, Line 35, by deleting the word "**and**"; and

Further amend said Bill, Page 16, Section 407.826, Line 38, by deleting the period, "." and replacing it with the following "**; and**"; and

Further amend said Bill, Page 16, Section 407.826, Line 38, by inserting after all of said line the following:

"(i) The provisions of this subdivision shall not apply to recreational motor vehicle franchisors and franchisees."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 48**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 78**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 288**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 567**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 80**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 202**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 129**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 22, introduced by Representative Barnitz, relating to bovine brucellosis.

INTRODUCTION OF HOUSE BILLS

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

HB 797, introduced by Representatives Green (15), Koller and Green (73), relating to traffic regulations.

HB 798, introduced by Representatives Ward, Abel, Luetkenhaus, Luetkemeyer, Liese, Surface and Burton, et al, relating to the licensing of insurance producers.

HB 799, introduced by Representative Byrd, et al, relating to harassment of judicial officials.

HB 800, introduced by Representatives Reid, Coleman and George, relating to motor vehicle merchandising practices.

HB 801, introduced by Representatives Liese and Wagner, relating to compliance with Title V of the Federal Gramm-Leach-Bliley Financial Modernization Act of 1999.

HB 802, introduced by Representatives Ransdall, Ostmann, Smith, Relford, Green (15), Marble and Linton, et al, relating to emissions banking and trading.

HB 803, introduced by Representatives Bray and Kennedy, relating to sales and use tax administration.

HB 804, introduced by Representatives McKenna, Wagner, Abel, Selby, Hollingsworth and Johnson (90), relating to abatement and removal of a nuisance.

HB 805, introduced by Representatives Mayer and Richardson, relating to driver's licenses.

HB 806, introduced by Representative Troupe, relating to occupations and professions.

HB 807, introduced by Representatives Naeger, Secrest, Reinhart, Shields, Hanaway, Luetkemeyer, Dolan and Reid, et al, relating to pharmacy discount program.

HB 808, introduced by Representatives Gratz and Vogel, to authorize the conveyance of two parcels of property owned by the state in Cole County to the City of Jefferson for the purpose of wastewater treatment.

HB 809, introduced by Representatives Carnahan, Dolan, Kelly (36), Ostmann and Britt, et al, relating to discipline of law enforcement officers.

HB 810, introduced by Representative Carnahan, relating to land conservation and development in certain metropolitan areas.

HB 811, introduced by Representative Portwood, relating to the crime of involuntary manslaughter.

HB 812, introduced by Representatives Selby, Ward and Thompson, et al, relating to the protection of certain citizens from termination of utility services.

HB 813, introduced by Representative Selby, relating to prescribing psychiatric medication for a minor.

HB 814, introduced by Representative Shields, relating to certification of teachers.

HB 815, introduced by Representatives Burcham and Crowell, relating to venue in criminal credit card fraud cases.

HB 816, introduced by Representatives Kennedy and Gambaro, relating to authenticating claims for tax refunds.

HB 817, introduced by Representative Kennedy, relating to the regulation and licensing of professional addiction counselors.

HB 818, introduced by Representative Kennedy, relating to the elimination of state sales tax on coffins, caskets and urns.

HB 819, introduced by Representatives Hosmer, Gaskill, Kelley (47), Skaggs, Boucher and Williams, et al, relating to driving with excessive blood alcohol content.

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 **SB 7**, entitled:

An act to repeal section 71.794, RSMo 2000, relating to business districts, and to enact in lieu thereof one new section relating to the same subject.

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 passed **SB 58**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to “Bird Appreciation Day”.

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 passed **SB 207**, entitled:

An act to repeal section 334.128, RSMo 2000, relating to the state board of registration for the healing arts, and to enact in lieu thereof one new section relating to the same subject.

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 **SCR 3**.

SENATE CONCURRENT RESOLUTION NO. 3

WHEREAS, on May 14, 1804, at the request of President Thomas Jefferson, Meriwether Lewis and William Clark set out on an amazing expedition across the Louisiana Territory to explore the country west of the Mississippi by following the Missouri River to its headwaters in order to discover a water route to the Pacific Ocean; and

WHEREAS, Lewis and Clark faced unknown people, harsh conditions and unexplored lands to secure a place in history as two of the world's greatest explorers; and

WHEREAS, the Lewis and Clark Expedition was successful in not only discovering a westward river route to the Pacific, but also in mapping the new territory and describing previously unknown plant and animal life; and

WHEREAS, as a result of the expedition, claims were established to Oregon, Washington and Idaho, our knowledge of the land west of the Mississippi was greatly expanded and new opportunities were provided for settlement and trade along the Missouri River; and

WHEREAS, the bicentennial of the Lewis and Clark Expedition is approaching with towns along the expedition route planning festivals, parties and commemorations of the explorers that helped to shape their history:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby request the Department of Elementary and Secondary Education to develop a model curriculum for public school instruction concerning the Lewis and Clark Expedition which includes age-appropriate content for elementary and secondary grade levels and hereby request all school districts to include age-appropriate curriculum and instruction regarding the Lewis and Clark Expedition in regular courses of instruction beginning with the 2002-2003 school year; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Education and the President of the State Board of Education.

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 **SS SCS SCR 5**.

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, the state abuse and neglect hotline received approximately 46,270 reports of child abuse or neglect, involving nearly 71,500 children in Missouri in 1999; and

WHEREAS, approximately, 17,700 reports were assigned for further investigation in 1999 and, of those investigated, 54 percent were found to be unsubstantiated; and

WHEREAS, there exists a need for continued accountability in the review and investigation of child abuse and neglect cases; and

WHEREAS, there exists an additional need for assistance within and oversight of the agencies handling child abuse and neglect reports in order to ensure that every child's case is appropriately handled; and

WHEREAS, a need for clarification, uniformity, accountability and standardization of what constitutes the best interest of the child exists; and

WHEREAS, there is a general presumption pursuant to Chapters 210, 452, 453, 454, 455 and 487, RSMo, that the courts of the state of Missouri in consideration of matters involving domestic relations and particularly those matters concerning child custody and visitation shall under the law use their discretion to protect the best interest of the child; and

WHEREAS, there exists a need for families to be able to have expectations on how the law will be applied and to not rely solely upon the discretion of the court without accountability for the court's findings; and

WHEREAS, there exists a need for specific statutory guidelines directing the court in their consideration and deliberation of child custody and visitation when determining the best interest of the child and a required format for reporting the court's findings to provide for uniformity and accountability and to reduce arbitrary discretion; and

WHEREAS, there exists a need to prevent arbitrary discretion in the termination of parental rights without uniformity and accountability for the findings of the court:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a Child Abuse and Neglect Commission in the office of the Governor which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child; and

BE IT FURTHER RESOLVED that the Child Abuse and Neglect Commission shall be composed of 12 members to be appointed by the Governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, an educator, the chairman of the Childrens Services Commission, a Division of Family Services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, three shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years; and

BE IT FURTHER RESOLVED that the Commission shall make its first report to the Governor, the chief justice of the Supreme Court, and the General Assembly by February 1, 2002, and any subsequent reports shall be made to the Governor and the General Assembly as necessary; and

BE IT FURTHER RESOLVED that all members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the Commission; and

BE IT FURTHER RESOLVED that the office of the Governor shall provide funding, administrative support, and staff for the effective operation of the Commission; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, February 19, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-sixth Day, Wednesday, February 14, 2001, page 383, line 7, by deleting all of said line and inserting in lieu thereof the following:

The following members' presence was noted: Cooper and Kelley (47).

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 308, HB 411, HB 581, Executive Session - HB 473

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 20, 2001, 8:00 am. Hearing Room 1.

Mark-up House Bill 8 and House Bill 9.

Department of Corrections and Public Safety.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 21, 2001, 8:00 am. Hearing Room 1.

Mark-up House Bill 8 and House Bill 9.

Possible Executive Session.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 22, 2001, 8:00 am. Hearing Room 1. Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 19, 2001, 1:00 pm. Hearing Room 7. Continue mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 7. Continue mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 19, 2001, 12:00 pm. Hearing Room 6.

Executive Session on Departments of Health and Mental Health.

APPROPRIATIONS - SOCIAL SERVICES

Monday, February 19, 2001, 12:00 pm. Hearing Room 3.

House Bill 11 Department of Social Services.

Mark-up and possible Executive Session.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 21, 2001, 8:00 am. Hearing Room 7. Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 22, 2001, 8:00 am. Hearing Room 7. Mark-up if needed.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 403, HB 442, HB 464, HB 467, Executive Session - HB 237,

Executive Session - HB 399, Executive Session - HB 403, Executive Session - HB 442

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 20, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 402, HB 409, HB 452, HB 502

CRIMINAL LAW

Tuesday, February 20, 2001. Side gallery upon adjournment.
Executive Session.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 19, 2001, 8:00 pm. Hearing Room 3.
Executive Session may follow.
To be considered - HB 593

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 29, HB 300, HB 457, HB 505, HB 754, HCR 10

EDUCATION - HIGHER

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 5.
Possible Executive Session.
To be considered - HB 424, HB 435, HB 489

ELECTIONS

Tuesday, February 20, 2001, 7:30 pm. Hearing Room 5.
Executive Session to follow.
To be considered - HB 538, HB 541

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 20, 2001, 8:30 am. Hearing Room 7.
HCS HB 144 & 46 (Fiscal)
To be considered - HB 554, HB 592, Executive Session - HB 309, Executive Session - HB 315,
Executive Session - HB 363, Executive Session - HJR 3, Executive Session - HJR 4,
Executive Session - HJR 10

INSURANCE

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 5.
To be considered - HB 341, HB 459, HB 542, HB 646

JUDICIARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 5.
Executive Session may follow.
To be considered - HB 229, HB 230, HB 342, HB 383, HB 454

LABOR

Tuesday, February 20, 2001, 5:00 pm. Hearing Room 3.
To be considered - HB 63, HB 64, HB 527

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 182, HB 477, Executive Session - HB 126, Executive Session - HB 158

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 20, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 420, HB 428, HB 479, HB 524

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 19, 2001. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 445, HB 446, HB 570

HOUSE CALENDAR

TWENTY-EIGHTH DAY, MONDAY, FEBRUARY 19, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 22

HOUSE BILLS FOR SECOND READING

HB 797 through HB 819

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 5 - Barry

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HB 219, HCA 1 - Townley
- 2 HCS HB 441, 94 & 244 - Holt
- 3 HCS HB 207 - Ross
- 4 HB 163 - Berkowitz
- 5 HCS HB 113 - Hickey
- 6 HB 381 - Hoppe
- 7 HB 621, HCA 1 - Gratz
- 8 HB 287 - Williams
- 9 HB 575, HCA 1 - O'Connor
- 10 HCS HB 567 - Treadway
- 11 HCS HB 241 - Smith
- 12 HB 80 - Ross
- 13 HCS HB 50 - Relford

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 3
- 2 SS SCS SCR 5

SENATE BILLS FOR SECOND READING

- 1 SB 7
- 2 SB 58
- 3 SB 207

HOUSE RESOLUTIONS

- 1 HR 200, (2-15-01) - Murphy
- 2 HR 102, (2-15-01) - Gratz
- 3 HR 186, (2-15-01) - Kreider