

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-SECOND DAY, MONDAY, FEBRUARY 26, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Heavenly Father, to follow all the goings on in this Chamber and in these committee and hearing rooms is to follow a staggering number of ideas, proposals, opinions, viewpoints, beliefs, judgements and motivations. Only You, it seems could really bring orderliness to what seems such a collection of diversity.

Please, this day and the rest of this session, help to bring just that. These women and men want the best for this state and for their constituents, and for that they work and they pray. We trust You will help us, out of Your goodness, if we expend our best efforts, to make it so. May it be so. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 562 - Representative Crowell
House Resolution No. 563 - Representative Roark
House Resolution No. 564 - Representative Reinhart
House Resolution No. 565 - Representative Moore
House Resolution No. 566 - Representative Hickey
House Resolution No. 567 - Representative Marble
House Resolution No. 568
and
House Resolution No. 569 - Representative Miller
House Resolution No. 570 - Representatives Bartelsmeyer and Gaskill

SECOND READING OF HOUSE BILLS

HB 858 through **HB 876** were read the second time.

SECOND READING OF SENATE BILLS

SB 12, **SCS SBs 44 & 59**, **SCS SB 136**, **SB 252**, **SCS SB 301** and **SB 304** 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 (By Consent) **HB 48, HB 78, HB 133, HB 180, HB 236, HB 262, HB 266** and **HB 288**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - APPROPRIATIONS - INFORMAL

HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 15** was adopted.

On motion of Representative Green (73), **HCS HB 15** was ordered perfected and printed.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 16, relating to ozone air pollution, was taken up by Representative Green (15).

On motion of Representative Green (15), **HCR 16** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson

Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Walton

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Harding	Hoppe	Lograsso	Seigfreid
Williams				

VACANCIES: 004

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 241, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 241** was adopted.

On motion of Representative Smith, **HCS HB 241** was ordered perfected and printed.

HB 80, relating to antifraud enforcement groups, was taken up by Representative Ross.

Speaker Pro Tem Abel assumed the Chair.

Representative Hollingsworth assumed the Chair.

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

House Amendment No. 1

AMEND House Bill No. 80, Page 1, In the Title, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapter 70, RSMo, by adding thereto twenty-two new sections relating to cooperative law enforcement efforts between political subdivisions."; and

Further amend said bill, Page 1, Section A, Lines 1 to 20, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapter 70, RSMo, is amended by adding thereto twenty-two new sections, to be known as sections 70.827, 70.829, 70.831, 70.833, 70.900, 70.903, 70.906, 70.909, 70.912, 70.915, 70.918, 70.921, 70.924, 70.927, 70.930, 70.933, 70.936, 70.939, 70.942, 70.945, 70.948 and 70.951, to read as follows:"; and

Further amend said bill, Page 1, Section 70.829, Line 1, by inserting before all of said line the following:

"70.900. Sections 70.900 to 70.951 shall be known as the "Missouri Law Enforcement District Act".

70.903. As used in sections 70.900 to 70.951, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized pursuant to sections 70.900 to 70.951.

70.906. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification without a charter form of government and a population of fifty thousand inhabitants or less.

70.909. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district or who is a registered voter resident within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition or any legal voter resident within the district shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner or legal voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

70.912. 1. Any owner of real property within the proposed district and any legal voter who is a resident within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall determine and declare the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

70.915. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 70.900 to 70.951, the petitioners may be reimbursed for such costs out of the revenues received by the district.

70.918. A district created pursuant to sections 70.900 to 70.951 shall be governed by a board of directors consisting of five members to be elected as provided in section 70.921.

70.921. 1. Within thirty days after the order declaring the district organized has become final, the circuit

clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters resident within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of residents of the district.

2. The attendees, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election.

3. Each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the residents called by the board. Each successor director shall serve a three-year term. The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

70.924. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors, the board shall meet. At its first meeting and after each election of new board members the board shall elect a chairman, a secretary, a treasurer and such other officers as it deems necessary from its members. A director may fill more than one office, except that a director may not fill both the office of chairman and secretary.

3. The board may employ such employees as it deems necessary; provided, however, that the board shall not employ any employee who is related within the third degree by blood or marriage to a member of the board.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as their faithful discharge may require and may be reimbursed for such director's actual expenditures in the performance of such director's duties on behalf of the district.

70.927. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 70.900 to 70.951 and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

70.930. 1. If approved by at least four-sevenths of the qualified voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents per one hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per one hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector.

The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

70.933. 1. A district may contract and incur obligations appropriate to accomplish its purposes.

2. A district may enter into any lease or lease-purchase agreement for or with respect to any real or personal property necessary or convenient for its purposes.

3. A district may borrow money for its purposes at such rates of interest as the district may determine.

4. A district may enter into labor agreements, establish all bid conditions, decide all contract awards, pay all contractors and generally supervise the operation of the district.

70.936. The district may contract with a federal agency, a state or its agencies and political subdivisions, a corporation, partnership or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining or operating a project or to assist in such activity; provided, however, that any contract providing for the overall management and operation of the district shall only be with a governmental entity or a not for profit corporation.

70.939. In addition to all other powers granted by sections 70.900 to 70.951 the district shall have the following general powers:

(1) To contract with the local sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

70.942. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

70.945. 1. The boundaries of any district organized pursuant to sections 70.900 to 70.951 may be changed in the manner prescribed in this section, but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed may file with the board a petition in writing praying that such real property be included within the district. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116, RSMo; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section

to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems it for the best interest of the district that some portion of the property in the petition not be included in the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in the district subject to the election provided in section 70.948. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

70.948. 1. If the petition to add any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 70.945, the decree of extension of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be extended to include the following described property? (Describe property)

YES NO

3. If a majority of the voters voting on the proposition vote in favor of the extension of the boundaries of the district, then the court shall enter its further order declaring the decree of extension of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend the boundaries of the district, then the court shall enter its further order declaring the decree of extension of boundaries to be void and of no effect.

70.951. 1. Whenever a petition signed by not less than one hundred voters in any district organized pursuant to sections 70.900 to 70.951 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 70.921, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

YES NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition

to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held on the general municipal election day. Returns of the election shall be certified to the court. If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a law enforcement district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 70.900 to 70.951."; and

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

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

Which motion was defeated.

On motion of Representative Ross, **HB 80** was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

HCS HB 50, relating to promotion of students, was taken up by Representative Relford.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 50, Pages 1 to 3, Section 167.645, Lines 1 to 71, by deleting all of said lines and inserting in lieu thereof the following:

"167.645. **1. Except as provided in subsection 2 of this section**, no public school student shall be promoted to a higher grade level unless that student has a reading ability level [at or above] **no more than** one grade level below the student's grade level[; except that].

2. The provisions of [this] subsection **1 of this section** shall not apply to students:

(a) Receiving special education services pursuant to sections 162.670 to 162.999, RSMo; or

(b) **Determined to have limited English proficiency for their first three years of attendance at any public school in the state; or**

(c) **Participating in a district-approved remediation program until they reach the requisite grade level ability or finish their eighth grade year; or**

(d) **Enrolled for less than two years in any alternative education program."**; and

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

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

Which motion was defeated by the following vote:

AYES: 028

Ballard	Barnett	Bearden	Boatright	Byrd
Cierpiot	Cooper	Cunningham	Enz	Froelker
Green 15	Hanaway	Hendrickson	Hohulin	Holand
Holt	Hunter	Kelly 27	Levin	Linton
Marble	Moore	Murphy	Phillips	Roark
Scott	St. Onge	Wright		

NOES: 116

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crawford
Crowell	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Ford	Franklin	Fraser
Gaskill	George	Graham	Green 73	Hagan-Harrell
Hampton	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hollingsworth	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Robirds	Ross	Schwab	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42

Mr. Speaker

PRESENT: 001

Crump

ABSENT WITH LEAVE: 014

Berkstresser	Foley	Gambaro	Gratz	Griesheimer
Harding	Hoppe	Lograsso	Long	Luetkemeyer
Rizzo	Scheve	Seigfreid	Townley	

VACANCIES: 004

HCS HB 50 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 808** - Correctional and State Institutions
- HB 846** - Judiciary
- HB 853** - Sportsmanship, Safety and Firearms

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

- HB 466** - Children, Families and Health

COMMITTEE REPORTS

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 239**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 247**, **HB 109**, **HB 99** and **HB 100**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 638**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 453**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

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 120**, 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. 120, Page 1, Section 307.173, Line 1, by deleting all of said lines and inserting in lieu thereof the following:

"**307.173. 1. Except as provided in subsections 2 and 6 of this section, no person shall**"; and

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

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 249**, 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 70**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 60**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 321**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 24, introduced by Representative Boucher, relating to fuel prices.

INTRODUCTION OF HOUSE BILLS

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

HB 877, introduced by Representative Hosmer, relating to the Medicaid home and community-based waiver.

HB 878, introduced by Representative Ballard, relating to the giving of incentives to students or their parents for certain purposes.

HB 879, introduced by Representatives Black and Myers, et al, to authorize the conveyance of property owned by the state in Scott County to the Village of Commerce.

HB 880, introduced by Representatives Crawford and Black, relating to probation services.

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 203**, entitled:

An act to repeal section 32.085, RSMo 2000, relating to the sales tax imposed by the metropolitan park and recreation system, and to enact in lieu thereof two new sections 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 **SCS SB 241**, entitled:

An act to repeal section 375.355, RSMo 2000, relating to mergers of insurance companies, 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 **SCS SB 36**, entitled:

An act to repeal sections 302.130, 302.178, 302.302, 302.309, 302.505, 302.510, 302.520, 302.535, 302.540, 302.541, 479.500, 577.012, 577.021, 577.023, 577.037, 577.600 and 577.602, RSMo 2000, relating to traffic offenses, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions and an effective date.

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 **SS SCS SBs 46 & 47**, entitled:

An act to repeal sections 167.181, 191.600, 191.603, 191.605, 191.607, 191.609, 191.611, 191.614, 191.615, 192.070 and 332.311, RSMo 2000, relating to dental care, and to enact in lieu thereof fourteen new sections relating to the same subject, with a termination date and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 128**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to torts and actions for damages.

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 third read and passed **SS SCR 6**:

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 6

Establishes April 6th of each year as Tartan Day in Missouri.

WHEREAS, the Declaration of Arbroath, the Scottish Declaration of Independence, from which the American Declaration of Independence was modeled, was signed on April 6, 1320; and

WHEREAS, Scottish Americans played a major role in the founding of this Nation, almost half of the signers of our Declaration of Independence and the governors of nine of the original 13 states were of Scottish descent; and

WHEREAS, Scottish Americans helped shape this nation in its formative years, guided it through troubled times, and have made invaluable contributions to America in the fields of science, technology, medicine, government and many other areas; and

WHEREAS, the members of the Missouri General Assembly wish to salute to all Americans of Scottish descent as they celebrate their heritage:

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 declare April 6th of each year as Tartan Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for St. Andrews Society of St. Louis; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate shall submit this resolution to the Governor for his approval or rejection pursuant to the Constitution of Missouri.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Wilson (42) has been appointed to the Joint Committee on Capital Improvements.

WITHDRAWAL OF HOUSE BILLS

February 21, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Ted:

I hereby respectfully request that **HB 30**, relating to defense of the United States flag, be withdrawn.

Sincerely,

/s/ Sam Gaskill

February 26, 2001

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

Dear Mr. Speaker:

I respectfully request the withdrawal of **House Bill 851**. Thank you.

Sincerely,

/s/ Lanie G. Black, III
District 161

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 27, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-first Day, Thursday, February 22, 2001, page 463, roll call, by showing Representatives Kelley (47) and Kelly (27) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 27, 2001. Hearing Room 3 upon adjournment.

Mark-up and possible Executive Session. CANCELLED.

To be considered - HB 11

BUDGET

Tuesday, February 27, 2001, 8:00 am. Hearing Room 3.
To be considered - HB 4, HB 5, HB 6

BUDGET

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 5, HB 6, HB 7

BUDGET

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 3.
To be considered - HB 6, HB 7, HB 8

BUDGET

Wednesday, February 28, 2001, 8:00 am. Hearing Room 3.
To be considered - HB 7, HB 8, HB 9

BUDGET

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 8, HB 9, HB 10

BUDGET

Wednesday, February 28, 2001, 7:30 pm. Hearing Room 3.
To be considered - HB 9, HB 10, HB 11, HB 12

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 4.
Possible Executive Session.
To be considered - HB 106, HB 355, HB 384, HB 461, HB 486, HB 526

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 467, HB 537, HB 693, HB 712, Executive Session - HB 464

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 6.
Executive Session may follow.
To be considered - HB 780

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 28, 2001, 8:30 am. Hearing Room 1.
Informational meeting - Doug Eiken - Division of State Parks

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 27, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 152, HB 528, HB 531, HB 600, HB 779

CRIMINAL LAW

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 7. AMENDED NOTICE.

To be considered - HB 378, HB 471, HB 510, HB 533, HB 563, HB 572, HB 641, HB 707, HB 724

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 28, 2001. Hearing Room 5.

Upon morning adjournment. Possible Executive Session.

To be considered - HB 81, HB 198, HB 274, HB 457, Executive Session - HB 29,

Executive Session - HB 300, Executive Session - HB 505, Executive Session - HB 754

EDUCATION - HIGHER

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 636, HB 683, HB 769

ELECTIONS

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 5.

To be considered - HB 538, HB 541, HB 577, HB 627, HB 678

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 144, HB 207, HB 223, HB 328, HB 656, HJR 12,

Executive Session - HB 592

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 5:30 pm. Hearing Room 6.

Governing for Results.

Speaker Ron Snell, Director of Economics, Fiscal & Human Resources - NCSL

INSURANCE

Tuesday, February 27, 2001. Hearing Room 5 upon morning adjournment.

To be considered - HB 673, HB 713, HB 764, HB 793, HB 798, Executive session - HB 212,

Executive Session - HB 459, Executive Session - HB 542, Executive Session - HB 646

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 28, 2001, 12:30 pm. Hearing Room 6.

Presentation of Oversight Evaluation Reports:

1) Adoption Services Program & CAPCO Program.

JUDICIARY

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 183, HB 456, HB 529, HB 540, HB 677

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 7.

Executive Session to follow.

To be considered - HB 515, HB 520, HB 534, HB 553, HB 571, HB 578, HB 606, HB 611, HB 727, HB 728, HB 745

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, February 27, 2001. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 444, HR 152, HR 223, HR 537

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 172, HB 186, HB 545

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 681, HB 684, HB 687, HB 691, HB 692, HB 708

MUNICIPAL CORPORATIONS

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 622, HB 647, HB 699, HB 704, HB 770

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 28, 2001, 5:00 pm. Hearing Room 5.

To be considered - HB 401, HB 416, HB 484, HB 500, HB 640, HB 716, HB 757

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 27, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 731, HB 732, HB 733

RETIREMENT

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 1. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 318, HB 426, HB 514, HB 548, HB 602, HB 660, HB 705, HB 750

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, February 27, 2001. Side gallery upon adjournment.

To be considered - Executive Session - HB 242

TRANSPORTATION

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 6. CORRECTED.

To be considered - HB 518, HB 523, HB 714

WAYS AND MEANS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 2.

Executive Session will be first.

To be considered - HB 59, HB 171, HB 225, HB 319, HB 344, HB 366, HB 590

HOUSE CALENDAR

THIRTY-THIRD DAY, TUESDAY, FEBRUARY 27, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 24

HOUSE BILLS FOR SECOND READING

HB 877 through HB 880

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 50 - Relford
- 3 HCS HB 26 - Wilson (42)
- 4 HCS HB 194 - Hosmer
- 5 HB 166 - Troupe
- 6 HB 218 - Farnen
- 7 HB 114 - Hickey
- 8 HB 421 - Graham
- 9 HCS HB 265 & 369 - Hosmer
- 10 HCS HB 237, 270, 403 & 442 - Smith
- 11 HCS HB 425 - O'Toole

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 381, Pt. I of HA 4 to HS, Pt. II of HA 4 to HS, and HS, as amended, pending - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

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
- 3 HCS HB 207, E.C. (Fiscal Review 2-20-01) - Ross
- 4 HCS HB 567 - Treadway

HOUSE BILLS FOR THIRD READING - CONSENT

- 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

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SS SCR 6

SENATE BILLS FOR SECOND READING

- 1 SCS SB 36
- 2 SS SCS SB 46 & 47
- 3 SB 128
- 4 SB 203
- 5 SCS SB 241