

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-THIRD DAY, TUESDAY, FEBRUARY 27, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty God, on this "Fat-Tuesday" much of our nation will try to celebrate in order to move on to new discipline tomorrow. May we too, in this grand room, remember all for which we can celebrate. For the ability to serve people here in our state, our representatives rejoice.

For Your challenge to bring their best abilities to play in office, committee and in this Chamber, we praise You. For all who care for them and all for whom they care, we are truly grateful. May our thankfulness move us to diligent, thorough, conscientious, and yes, even joyful, service today and always. 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: Andrew Morton, Gabriel Farrar, David Breed, Daniel Breed, Jonathan Breed, Andrew Vines, Tawannia Atkinson, Sheri Frost, Sharon Auffenberg and Delores Jackson.

The Journal of the thirty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 571

through

House Resolution No. 580 - Representatives Dempsey and Ostmann

House Resolution No. 581 - Representative Legan

House Resolution No. 582

through

House Resolution No. 642 - Representative Crowell

House Resolution No. 643

and

House Resolution No. 644 - Representative Clayton

House Resolution No. 645

and

House Resolution No. 646 - Representative Boucher

House Resolution No. 647 - Representatives Green (15) and Holt

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 24 was read the second time.

SECOND READING OF HOUSE BILLS

HB 877 through **HB 880** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SS SCR 6 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 36, SS SCS SBs 46 & 47, SB 128, SB 203 and **SCS SB 241** 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 **HCS HB 15, HB 80** and **HCS HB 241**, 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.

THIRD READING OF HOUSE BILLS - CONSENT

HB 288, relating to design-build contractors, was taken up by Representative Campbell.

On motion of Representative Campbell, **HB 288** was read the third time and passed by the following vote:

AYES: 156

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	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson

Hickey	Hilgemann	Hohulin	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
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
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	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Purgason

PRESENT: 000

ABSENT WITH LEAVE: 002

Gambaro Seigfreid

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 266, relating to real estate brokers, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 266** was read the third time and passed by the following vote:

AYES: 155

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	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	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	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	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Champion	Gambaro	Seigfreid	Williams
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 236, relating to juvenile information systems, was taken up by Representative Smith.

On motion of Representative Smith, **HB 236** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	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	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	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	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	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	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Boatright	Hohulin	Hunter	Lograsso	Murphy
Phillips	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 002

Gambaro	Seigfreid
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 180, relating to women's offender program, was taken up by Representative Thompson.

On motion of Representative Thompson, **HB 180** was read the third time and passed by the following vote:

AYES: 151

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	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid

Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hohulin	Portwood	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 004

Gambaro	May 149	Seigfreid	St. Onge
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL

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

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

Representative Kennedy raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

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

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

The Chair ruled the point of order well taken.

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 34, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 2, Section 167.645, Line 37, by deleting the word "**may**" and inserting in lieu thereof the word "**shall**"; and

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

Representative Jetton moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstesser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 082

Abel	Baker	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Ford	Franklin	Fraser	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 003

Gambaro	Holand	Seigfreid
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VACANCIES: 004

Representative Shields offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 71, by adding after all of said line the following:

"Section 1. The performance of a limited English proficiency student on the statewide assessments pursuant to section 160.518 RSMo shall be disaggregated from the district's performance for five years after such student enters a Missouri public school for the purposes of determining a district's performance for accreditation."; and

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

On motion of Representative Shields, **House Amendment No. 3** was adopted.

Representative Cunningham offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 68, by deleting the "." at the end of the line and inserting in lieu thereof the following:

“; provided, however, each district shall make available, upon the request of any parent, patron, or media outlet within the district, the number and percentage of students receiving remediation pursuant to this section. The information shall be presented in a way that does not permit personal identification of any student or educational personnel.”.

On motion of Representative Cunningham, **House Amendment No. 4** was adopted.

Representative Reid offered **House Amendment No. 5**.

Representative Kennedy raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Holand offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 71, by adding after all of said line the following:

“Section 1. Students who receive special education services pursuant to sections 162.670 to 162.999, RSMo, shall be exempt from the retake provisions as required by section 167.640, RSMo.”; and

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

On motion of Representative Holand, **House Amendment No. 5** was adopted.

Representative Levin offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 33, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Line 35, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Lines 37 and 38, by deleting all of said lines and inserting in lieu thereof the following: "**this subsection.**"; and

Further amend said bill, Page 2, Section 167.645, Line 41, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Line 42, by deleting the words "**third-grade**" and inserting in lieu thereof "**the required**"; and

Further amend said bill, Page 2, Section 167.645, Line 45, by deleting the words "**third-grade**" and inserting in lieu thereof "**the required**" and by adding, immediately after the word "**shall**" the following: "**retain the student and**"; and

Further amend said bill, Page 2, Section 167.645, Line 46, by deleting the words "**fifth-grade**" and inserting in lieu thereof "**next**".

Representative Relford raised a point of order that **House Amendment No. 6** is dilatory.

The Chair ruled the point of order not well taken.

Representative Levin moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Ballard	Bartelsmeyer	Bearden	Berkstresser	Boatright
Burton	Cooper	Cunningham	Dempsey	Dolan
Froelker	Henderson	Hendrickson	Hohulin	Hunter
Levin	Linton	Marble	Moore	Murphy
Phillips	Portwood	Purgason	Rector	Reid
Roark	Scott	Secrest	St. Onge	Surface

NOES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	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 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	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

Carnahan	Ford	Gambaro	Green 73	Long
Seigfreid				

VACANCIES: 004

Representative Crowell offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 38, by inserting the following:

“The Department of Elementary and Secondary Education shall be required to reimburse all verifiable costs associated with or incurred by school districts in the implementation and execution of said thirty hours of additional reading instruction program.”; and

Further amend said title, enacting clause and the sectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 7** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Boykins	Britt	Burcham	Burton
Byrd	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36

Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	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
Shields	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Bowman	Bray 84	Brooks	Coleman	Franklin
Green 73	Hagan-Harrell	Harlan	Johnson 61	Mays 50
Shelton	Skaggs	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 005

Carnahan	Ford	Gambaro	Hoppe	Seigfreid
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VACANCIES: 004

On motion of Representative Relford, **HCS HB 50, as amended**, was adopted.

On motion of Representative Relford, **HCS HB 50, as amended**, was ordered perfected and printed.

Speaker Kreider assumed the Chair.

PERFECTION OF HOUSE BILL - INFORMAL

HB 381, with Part I of House Amendment No. 4 to HS, Part II of House Amendment No. 4 to HS and HS, as amended, pending, relating to gray market tobacco, was taken up by Representative Hoppe.

Part I of House Amendment No. 4 to HS was withdrawn.

Part II of House Amendment No. 4 to HS was withdrawn.

Representative Hosmer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 381, Page 17, Section 407.933, Line 23 of said page, by deleting all of said line and inserting in lieu thereof the following: "**infraction**"; and

Further amend said bill, Page 18, Section 407.933, Lines 1 and 2 of said page, by deleting all of said lines; and

Further amend said bill, Page 18, Section 407.933, Lines 5 to 10 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"or tobacco products confiscated and shall complete a tobacco education or smoking cessation program, if available."; and

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

On motion of Representative Hosmer, **House Amendment No. 4** was adopted.

Representative Legan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 381, Page 19, Section 407.934, Line 12 of said page, by deleting all of said line and inserting in lieu thereof the following:

"division may employ a person seventeen years of age to attempt to purchase tobacco but not complete the transaction for"; and

Further amend said bill, Page 19, Section 407.934, Line 14 of said page, by inserting after all of said line the following:

"6. The supervisor of the division of liquor control shall not use minors to enforce the provisions of this chapter unless the supervisor promulgates rules that establish standards for the use of minors. The supervisor shall establish mandatory guidelines for the use of minors in investigations by a state, county, municipal or other local law enforcement authority which shall be followed by such authority and which shall, at a minimum, provide for the following:

- (1) The minor shall be seventeen years of age;**
- (2) The minor shall have a youthful appearance, and the minor, if a male, shall not have facial hair or a receding hairline and if a female, shall not wear excessive makeup or excessive jewelry;**
- (3) The state, county, municipal or other local law enforcement agency shall obtain the consent of the minor's parent or legal guardian before the use of such minor on a form approved by the supervisor;**
- (4) The state, county, municipal or other local law enforcement agency shall make a photocopy of the minor's valid identification showing the minor's correct date of birth;**
- (5) Any attempt by such minor to purchase tobacco products shall be videotaped or audiotaped with equipment sufficient to record all statements made by the minor and the seller of the tobacco product;**
- (6) The minor shall carry his or her own identification showing the minor's correct date of birth and shall, upon request, produce such identification to the seller of the tobacco product;**
- (7) The minor shall answer truthfully any questions about his or her age and shall not remain silent when asked questions regarding his or her age;**
- (8) The minor shall not lie to the seller of the tobacco product to induce a sale of tobacco products;**
- (9) The minor shall not be employed by the state, county, municipal or other local law enforcement agency on an incentive or quota basis;**
- (10) The state, county, municipal or other local law enforcement agency shall, within forty-eight hours, contact or take all reasonable steps to contact the owner or manager of the establishment if a violation occurs;**
- (11) The state, county, municipal or other local law enforcement agency shall maintain records of each visit to an establishment where a minor is used by the state, county, municipal or other local law enforcement agency for a period of at least one year following the incident, regardless of whether a violation occurs at each visit, and such records shall, at a minimum, include the following information:**
 - (a) The signed consent form of the minor's parent or legal guardian;**

- (b) A Polaroid photograph of the minor;
- (c) A photocopy of the minor's valid identification, showing the minor's correct date of birth;
- (d) An information sheet completed by the minor on a form approved by the supervisor; and
- (e) The name of each establishment visited by the minor, and the date and time of each visit.

7. If the state, county, municipal or other local law enforcement authority uses minors in investigations or in enforcing or determining violations of this chapter or any local ordinance and does not comply with the mandatory guidelines established by the supervisor of liquor control in subsection 6 of this section, the supervisor of liquor control shall not take any disciplinary action against the establishment or seller pursuant to this chapter based on an alleged violation discovered when using a minor and shall not cooperate in any way with the state, county, municipal or other local law enforcement authority in prosecuting any alleged violation discovered when using a minor."; and

Further amend said bill, Page 19, Section 407.934, Line 15 of said page, by deleting the number "6." and inserting in lieu thereof the number "8."; and

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

On motion of Representative Legan, **House Amendment No. 5** was adopted.

Representative Koller offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Bill No. 381, Pages 18 and 19, Section 407.934, by deleting all of said section.; and

Further amend title and enacting clause accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Bill No. 381, Page 19, Section 407.934, Lines 1, 2, and 3, by deleting all of said lines; and

Further amend said bill, Page 19, Section 407.934, Line 18, by deleting all of said line and inserting in lieu thereof the following: "**infraction**"; and

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

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 085

Baker	Ballard	Barnett	Barry 100	Bartle
Berkowitz	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Coleman	Copenhaver	Crump	Cunningham	Curls

Davis	Dempsey	Dolan	Enz	Fares
Farnen	Fraser	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Harding	Haywood	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelley 47	Kelly 36
Kennedy	Legan	Liese	Linton	Marsh
May 149	Mays 50	McKenna	Miller	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Ransdall	Relford	Ridgeway
Ross	Scheve	Secret	Selby	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 063

Abel	Barnitz	Bartelsmeyer	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Clayton	Cooper	Crawford
Crowell	Foley	Franklin	Froelker	George
Green 15	Green 73	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hickey	Hohulin	Hunter
Jetton	Kelly 144	Kelly 27	King	Koller
Lawson	Levin	Lowe	Luetkemeyer	Marble
Mayer	Merideth	Murphy	Myers	Overschmidt
Portwood	Purgason	Rector	Reinhart	Reynolds
Richardson	Rizzo	Roark	Robirds	Schwab
Scott	Shelton	Shields	St. Onge	Surface
Townley	Vogel	Wagner		

PRESENT: 000

ABSENT WITH LEAVE: 011

Carnahan	Ford	Gambaro	Harlan	Johnson 61
Lograsso	Long	Luetkenhaus	Reid	Seigfreid
Troupe				

VACANCIES: 004

Representative Hohulin, having voted on the prevailing side, moved that the vote by which **House Amendment No. 3 to HB 381** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 133

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
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gaskill	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding

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

NOES: 014

Dempsey	Froelker	George	Graham	Green 73
Hagan-Harrell	Hegeman	Murphy	Purgason	Reid
Reynolds	Ridgeway	Wagner	Wiggins	

PRESENT: 000

ABSENT WITH LEAVE: 012

Carnahan	Crawford	Ford	Gambaro	Johnson 61
Kelley 47	Kelly 144	Lograsso	Luetkenhaus	Seigfreid
Townley	Troupe			

VACANCIES: 004

On motion of Representative Monaco, **House Amendment No. 3** was adopted.

On motion of Representative Hoppe, **HS HB 381, as amended**, was adopted.

On motion of Representative Hoppe, **HS HB 381, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 394 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 24 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 80 - Fiscal Review and Government Reform (Fiscal Note)

HB 660 - Retirement

RE-REFERRAL OF HOUSE BILL

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

HB 774 - Civil and Administrative Law

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HBs 144 & 46** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 207** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 328 & 88** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 242**, 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 25, introduced by Representative Graham, relating to authorization for the issuance of bonds for university arena projects.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 17, introduced by Representatives Scheve and Van Zandt, relating to the tobacco settlement trust fund.

INTRODUCTION OF HOUSE BILLS

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

HB 881, introduced by Representatives Scott, Crawford and Henderson, relating to nursing home districts.

HB 882, introduced by Representatives Crump, Foley, Hickey, McKenna, Bowman, Ford, Haywood and Thompson, et al, relating to horse racing and pari-mutuel wagering.

HB 883, introduced by Representatives Barnitz, Ransdall, Boatright, Townley, Coleman, Merideth and Legan, et al, relating to trespass.

HB 884, introduced by Representative Kelly (36), relating to registration of motor vehicles.

HB 885, introduced by Representative Kelly (36), relating to signs permitted on certain highways.

HB 886, introduced by Representatives Kelly (144), Cooper, Hunter, Moore, Reinhart and Portwood, et al, relating to sales and use taxation.

HB 887, introduced by Representatives Troupe, Reinhart, Berkowitz, Kelley (47), Naeger, Hilgemann, Kennedy, Black, Portwood, Sanders Brooks and Holand, relating to a Medicaid pharmacy management program.

HB 888, introduced by Representatives Scheve and Van Zandt, relating to tobacco.

HB 889, introduced by Representative Rizzo, relating to tax credits for new or expanded business facilities.

HB 890, introduced by Representative Hendrickson, relating to the regulation of adult establishments.

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 **SCS SB 186**, entitled:

An act to amend chapter 367, RSMo, by adding thereto five new sections relating to deferred presentment services.

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 227**, entitled:

An act to repeal section 461.051, RSMo 2000, relating to nonprobate transfers, 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 382**, entitled:

An act relating to compliance with Title V of the Federal Gramm-Leach Bliley Financial Modernization Act of 1999, with an emergency clause.

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 adopted **SCR 19**.

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, the Child Citizenship Act of 2000, effective February 27, 2001, will grant automatic citizenship to foreign-born children who have been adopted abroad, with stipulations that the child meet basic eligibility criteria and that one of the parents hold United States citizenship; and

WHEREAS, prior to the passage of the Child Citizenship Act, obtaining United States citizenship for foreign-born children who were adopted abroad was a complex and burdensome task that could take years to complete; and

WHEREAS, foreign-born children adopted abroad have already experienced long journeys to become treasured members of many families within Missouri and throughout the United States; and

WHEREAS, given the large number of foreign-born children who have been adopted by United States parents, February 27, 2001, will be designated as a day in our nation's history when the largest number of persons become United States citizens; and

WHEREAS, parents, siblings and extended families throughout the state and the nation who have experienced the joy of adding members to their families through adoption of foreign-born children are elated at the passage of the

Child Citizenship Act of 2000, which is being celebrated throughout the nation:

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 February 27, 2001, to be Child Citizenship Day; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Social Services and the Commissioner of Education and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 27, 2001

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

Dear Mr. Speaker:

I respectfully request to withdraw **House Bill 653** that requires applicants for unemployment insurance benefits to submit to a drug test.

Your consideration of this matter is appreciated.

Sincerely,

/s/ Estel Robirds
State Representative

The following member's presence was noted: Gambaro.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 28, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 412, HB 580, Executive Session - HB 307, Executive Session - HB 411, Executive Session - HB 473

BUDGET

Wednesday, February 28, 2001, 8:00 am. Hearing Room 3. CANCELLED.

To be considered - HB 7, HB 8, HB 9

BUDGET

Wednesday, February 28, 2001, 1:00 pm. Hearing Room 3. AMENDED.
To be considered - HB 8, HB 9, HB 10, HB 11

BUDGET

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

BUDGET

Thursday, March 1, 2001. Hearing Room 3 upon morning adjournment.
To be considered - HB 11, HB 12

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 1. AMENDED.
To be considered - HB 407, HB 467, HB 537, HB 693, HB 712, Executive Session - HB 464

CONSERVATION, STATE PARKS AND MINING

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

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. AMENDED.
To be considered - HB 45, HB 81, HB 132, HB 274, 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

ENVIRONMENT AND ENERGY

Thursday, March 1, 2001, 8:30 am. Hearing Room 5.
To be considered - HB 437, HB 438, HB 721, Executive Session - HB 296,
Executive Session - HB 597

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.

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

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. AMENDED.

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

Executive Session - HB 400, Executive Session - HB 607

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

SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Wednesday, February 28, 2001, 1:00 pm. Hearing Room 6.

Subcommittee on Revision.

Closed meeting within the meeting of Chapter 610, RSMo.

TRANSPORTATION

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

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

UTILITIES REGULATION

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

Executive Session to follow.

To be considered - HB 676

HOUSE CALENDAR

THIRTY-FOURTH DAY, WEDNESDAY, FEBRUARY 28, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 25

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 17

HOUSE BILLS FOR SECOND READING

HB 881 through HB 890

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 BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

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 BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46 - Bonner
- 2 HS HCS HB 328 & 88 - Harlan
- 3 HCS HB 207, E.C. - Ross
- 4 HCS HB 567 - Treadway
- 5 HCS HB 241 - Smith
- 6 HB 80 - Ross (Fiscal Review 2-27-01)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 133 - Gambaro
- 2 HB 48 - Relford
- 3 HB 78 - Kennedy
- 4 HB 262 - Linton

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 19

SENATE BILLS FOR SECOND READING

- 1 SCS SB 186
- 2 SB 227
- 3 SCS SB 382