

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 20, 2004

The House met pursuant to adjournment.

Representative Self in the Chair.

Prayer by Reverend Donald W. Lammers.

(Here are words from the Old Testament prophet Daniel that might come from our voices on a day like today.)

"Cold and chill, bless the Lord.
Dew and rain, bless the Lord.
Frost and chill, bless the Lord.
Ice and snow, bless the Lord.
Nights and days, bless the Lord." (*Daniel 3:67-71*)

Almighty God, Holy Lord, the political caucuses of last night and the State of the Union Address of tonight seize our attention and extend our vision all the way to the elections of November. Send Your Holy Spirit to work so deeply in the minds and hearts of all concerned, that the outcomes, all over our nation, are within the boundary of Your Holy will.

We, for our part, have our work of today and the days ahead. Help us to take up our work as women and men in public service to the people of our State. Help us engage in the politics that is wise, diplomatic, even shrewd, the politics that shows us to be true servants of all the people. Give us the courage and wisdom to respond to the demands of the common good rather than unworthy pressure, so that our work may remain within the boundary of Your Holy will.

We pray to You, our God forever and ever. 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: Ashton Luttrull and Sydney Luttrull.

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

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon

Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 47	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bivins	Brooks	Graham	Haywood
Jackson	Johnson 61	Shoemyer	Walton	

VACANCIES: 001

HOUSE RESOLUTIONS

Representative Deeken offered House Resolution No. 95.

Representatives Wilson (130), Cunningham (145), Engler, Bearden, Deeken, Barnitz, Dempsey, Stevenson, Myers, Bough, Davis (19), Reinhart, Townley, Sander, Ervin, Munzlinger, Luetkemeyer, Ruestman, Smith (14), Jackson, Kelly (144), Rupp, Hobbs, Baker, Behnen, Quinn, Wood, Schlottach, Phillips, Brown, Wilson (119) and Stefanick offered House Resolution No. 96.

Representative Crowell offered House Resolution No. 120.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 97 - Representatives Marsh, Richard and Wright
- House Resolution No. 98 - Representative Deeken

- House Resolution No. 99
through
House Resolution No. 102 - Representative Jolly
House Resolution No. 103 - Representative Dethrow
House Resolution No. 104 - Representative Luetkemeyer
House Resolution No. 105 - Representative Cooper (120)
House Resolution No. 106 - Representative Wasson
House Resolution No. 107 - Representative Willoughby
House Resolution No. 108
through
House Resolution No. 118 - Representative Lager
House Resolution No. 119 - Representative Ward
House Resolution No. 121 - Representative Cunningham (86)
House Resolution No. 122 - Representative Richard
House Resolution No. 123 - Representatives Wright, Lembke and Portwood

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 12, introduced by Representatives Kelly (36), Hobbs, Darrough, Luetkemeyer, Baker, Kratky, Rupp, Nieves, Wilson (130), Kelly (144), Yates and Bringer, relating to the designation of Miss Missouri as an official hostess of the State of Missouri.

INTRODUCTION OF HOUSE BILLS

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

HB 1152, introduced by Representatives Wilson (130), Hobbs, Smith (118), Ruestman, Sander, Behnen, Myers, Wilson (119), Stevenson, Wallace, Wood, Cunningham (145), Schlottach and Brown, relating to terrorism.

HB 1153, introduced by Representatives Wilson (130), Hobbs, Self, Smith (118), Ruestman, Sutherland, Threlkeld, Pearce, Stevenson, Skaggs, Wallace, Wood, Quinn, Sander, Schlottach, Myers, Brown and Wilson (119), relating to drug crimes.

HB 1154, introduced by Representatives Sanders Brooks, El-Amin, Hoskins, Hubbard, Boykins, Curls, Bland, Walton, Haywood, Shoemyer, Donnelly, Jones, Abel and Willoughby, relating to strip searches of public and charter school students.

HB 1155, introduced by Representatives Riback Wilson (25), Donnelly, Yaeger, Schoemehl and Page, relating to child safety restraints.

HB 1156, introduced by Representatives Byrd and Rector, relating to telecommunications companies.

HB 1157, introduced by Representative Cooper (120), relating to motor vehicles.

HB 1158, introduced by Representatives Portwood, Lembke and Page, relating to installment payments of property taxes in certain counties.

HB 1159, introduced by Representative Luetkemeyer, relating to exhaustion of administrative remedies for insurance-related lawsuits.

HB 1160, introduced by Representatives Parker, Deeken, King, Bruns and Nieves, relating to health insurance coverage for treatment of inherited diseases of amino and organic acids.

HB 1161, introduced by Representatives Smith (118), Wood, Harris (110), Engler, Wilson (119), Munzlinger, Lipke, Moore, Crowell, Wilson (130), Schlottach, Stevenson, Myers and Sander, relating to county ordinances and resolutions.

HB 1162, introduced by Representatives Smith (118), Moore, Crowell, Wilson (130), Bivins, Stevenson and Schlottach, relating to the salary schedule for public administrators.

HB 1163, introduced by Representatives Smith (118), Sutherland, Engler, Wilson (119), Munzlinger, Lipke, Dixon, Ruestman, Crowell, Wilson (130), Schlottach, Stevenson, Myers, Goodman and Sander, relating to classification of counties.

HB 1164, introduced by Representatives Smith (118), Morris, Dixon, Crowell, Schlottach, Stevenson, Smith (14), Goodman and Hobbs, relating to depreciable business personal property.

HB 1165, introduced by Representative Schaaf, relating to any willing providers for health insurance.

HB 1166, introduced by Representatives Pratt, Yates, Schneider, Hanaway, Dusenberg, Pearce, Rector, Dixon, Deeken, Byrd, Mayer, Cooper (120), Crowell, Ervin, Luetkemeyer, Dempsey, Hobbs, Richard, Brown, Stefanick, Bruns, Johnson (47), Emery, Wood, Parker, Roark, Jetton, Hunter, Baker, Wasson, Black, Ruestman, Wilson (130), Hubbard, Hoskins, Willoughby, Dougherty, LeVota, Bishop, Skaggs and Vogt, relating to the resolution of disputes concerning alleged defective residential construction.

HB 1167, introduced by Representatives Kelly (144), Marsh, Purgason, Quinn, Rupp, Wilson (119), Rector and Jetton, relating to special license plates.

HB 1168, introduced by Representatives Kelly (144), Purgason, Quinn, Rupp, Myers, Sander, Rector and Jetton, relating to sexual contact with a student while on public school property.

HB 1169, introduced by Representative Luetkemeyer, relating to use of Social Security numbers.

HB 1170, introduced by Representative Crawford, relating to certain department of transportation reports.

HB 1171, introduced by Representatives Rector, Emery, Angst, Willoughby, Bough and Viebrock, relating to joint municipal utility projects.

HB 1172, introduced by Representative Morris, relating to professional assessments.

HB 1173, introduced by Representatives Cunningham (86), Lembke, Threlkeld, Baker, Parker, Icet, Stefanick, Kingery, Muckler, Hubbard, Sager, Smith (118), Dixon, Ervin, Wagner, Davis (122), Walton, Ward, Hampton, Wallace, Haywood and Dusenberg, relating to the counting of pupils for school aid.

HB 1174, introduced by Representatives Stefanick, Hanaway, Crowell, Bean, Lager, Portwood, Yates, Threlkeld, Parker, Jetton, Nieves, Bearden, Myers, Pratt, Sutherland, Dusenberg, Stevenson, Hobbs, Deeken, Bruns, Guest, Shoemaker, Wilson (130), Quinn, Angst, Munzlinger, Pearce, Sander, Dempsey, Purgason, Roark, Cunningham (145), Baker, Bough, Davis (122), Goodman, Reinhart, Miller, Wilson (119), Self, Fares, King, Wallace, Dethrow, Kingery, Kelly (144), Johnson (47), Marsh, Schneider, Dougherty, Moore, Byrd, Cunningham (86) and Seigfreid, relating to the children's mental health reform act.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 46 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1100 through **HB 1151** were read the second time.

Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 5, relating to a Missouri vendor payroll deduction, was taken up by Representative Byrd.

Representative Behnen assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

HCR 5 was laid over.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 71 - Rules

HR 120 - Rules

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 45 - Transportation and Motor Vehicles

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 774 - Tax Policy
HB 946 - Transportation and Motor Vehicles
HB 1074 - Special Committee on Urban Issues
HB 1100 - Communications, Energy and Technology
HB 1105 - Transportation and Motor Vehicles
HB 1106 - Transportation and Motor Vehicles
HB 1107 - Transportation and Motor Vehicles
HB 1108 - Transportation and Motor Vehicles
HB 1111 - Transportation and Motor Vehicles
HB 1112 - Transportation and Motor Vehicles
HB 1113 - Transportation and Motor Vehicles
HB 1119 - Transportation and Motor Vehicles
HB 1129 - Special Committee on Urban Issues

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HJR 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative El-Amin is no longer a member of the Children and Families Committee.

Representative Walker has been appointed a member of the Children and Families Committee.

Representative Dusenberg is no longer a member of the Communications, Energy and Technology Committee.

Representative Pratt has been appointed a member of the Communications, Energy and Technology Committee.

Representative Swinger has been appointed a member of the Education Committee.

Representative Avery is no longer a member of the Homeland Security and Veterans Affairs Committee and the Transportation and Motor Vehicles Committee.

Representative Morris has been appointed a member of the Homeland Security and Veterans Affairs Committee.

Representative Walker is no longer a member of the Tourism and Cultural Affairs Committee.

Representative El-Amin has been appointed a member of the Tourism and Cultural Affairs Committee.

Representative Sutherland has been appointed a member of the Transportation and Motor Vehicles Committee.

SUPPLEMENTAL CALENDAR

January 20, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark

The following members' presence was noted: Graham and Sanders Brooks.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, January 21, 2004.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 21, 2004, 2:30 p.m. Hearing Room 4.

Public testimony for Department of Natural Resources.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 2004, 2:30 p.m. Hearing Room 7. AMENDED

Department of Revenue and Office of Administration.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 21, 2004, 3:00 p.m. Truman Building 4th floor.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 22, 2004, 8:15 a.m. Hearing Room 5

Testimony from the Department of Insurance.

BUDGET

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 3.

Presentation of Governor's Budget Recommendations, House Appropriations Staff Presentation. Committee will reconvene upon adjournment.

EDUCATION

Wednesday, January 21, 2004, 5:00 p.m. Hearing Room 3.

Executive Session may follow. Continuation of January 14th's hearing.

Public hearings to be held on: HB 1040, HB 1041.

EDUCATION

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 4.

Possible Executive Session on HB 1040 and HB 1041.

ETHICS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 4.

109 Caucus. Executive Session may follow.

HEALTH CARE POLICY

Wednesday, January 21, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 923

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, Hearing Room 1 upon morning adjournment.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, January 22, 2004, Hearing Room 3 upon adjournment of both Chambers.

Report of Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State Leasing Practices. AMENDED

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

JUDICIARY

Wednesday, January 21, 2004, Hearing Room 1 upon adjournment.

No Executive Session. AMENDED

Public hearings to be held on: HB 798, HB 974, HB 994, HB 1077 and HB 1079.

LOCAL GOVERNMENT

Thursday, January 22, 2004, 8:30 a.m. Hearing Room 6.

Public hearings to be held on: HB 795, HB 932, HB 948 and HB 950.

RULES

Wednesday, January 21, 2004, 8:30 a.m. Hearing Room 3.

Executive Session may follow. AMENDED

Public hearings to be held on: HR 71 and HR 120.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, January 21, 2004, Hearing Room 7 upon adjournment.

Public hearings to be held on: HB 803, HB 946, HB 952, HB 1062, HJR 45, HB 1105, HB 1106, HB 1107, HB 1111, HB 1113 and HB 1119.

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 21, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 12

HOUSE BILLS FOR SECOND READING

HB 1152 through HB 1174

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILL FOR PERFECTION

HB 969 - Cooper (120)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-13-04, Pages 50-51), E.C. - Byrd (94)