

# JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

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TWELFTH DAY, WEDNESDAY, JANUARY 28, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, in Your Word, You have said, "I have directed you in the way of wisdom, I have led you in upright places." So we take hold of Your instruction, guarding it in our hearts, for it is our life.

May our heart's purpose remain clear, our eyes fixed on what is true, honorable, and right and may we not mistake excitement for growth or sentimental feelings for true commitment to our vocation.

So, with Your help, we enter this day with no doubt of our abilities, no fear of making decisions that affect us all, and with patient expectation of the appropriate outcome.

Now may the grace of our Lord and the love of God be with us all.

In Your Son's name we pray. 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: Marc-Arthur Estelon, Daniel Moran, Ricardy Pierre and Alba Duarte.

The Journal of the eleventh day was approved as corrected.

## SPECIAL RECOGNITION

Tara Sparks, Missouri Teacher of the Year, was introduced by Representative Vogt and recognized as an Outstanding Missourian.

Ms. Sparks addressed the House.

Sergeant Ronald Buxton was introduced by Representatives Ransdall, Luetkemeyer, Cooper (155) and Jackson, and recognized as an Outstanding Missourian.

Representative Crowell moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 149

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	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	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icey
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker	Burnett	El-Amin	King
Lawson	Lowe	Miller	Moore	Salva
Willoughby	Madam Speaker			

VACANCIES: 001

### ESCORT COMMITTEE

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the dais: Representatives Byrd, Dempsey, Quinn, Shoemaker, Smith (118), Self, Darrough, Sager, Thompson and Swinger.

**JOINT SESSION**

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 29

Bartle	Bland	Bray	Callahan	Caskey
Cauthorn	Childers	Coleman	Days	Dolan
Dougherty	Foster	Gibbons	Goode	Griesheimer
Kennedy	Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Champion	Clemens	Gross	Jacob	Quick
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VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
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
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	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	Shoemyer	Skaggs

Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	El-Amin	King	Lawson	Mayer
Willoughby	Madam Speaker			

VACANCIES: 001

The Speaker appointed the following committee to escort Henry Hungerbeeler, Director of the Missouri Department of Transportation, to the dais: Representatives Pearce, Smith (14), Munzlinger, Dethrow, Angst, Ruestman, Kuessner, Henke, Hubbard and LeVota.

The doorkeeper announced the approach of Director Hungerbeeler, who was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the assembly in Joint Session.

### **STATE OF TRANSPORTATION ADDRESS**

**by**  
**Henry Hungerbeeler**  
**January 28, 2004**

Governor Holden, Lieutenant Governor Maxwell, Speaker Hanaway, President Pro Tem Kinder, Distinguished State Officials, Chief Justice White, Honored Members of the Missouri Supreme Court, Members of the 92nd General Assembly, Members of the Missouri Highways and Transportation Commission, MoDOT Employees and Citizens of Missouri:

It is my great honor to stand before you today on this historic occasion. Searching as far back as House and Senate journals have been printed, which is about 70 years, we have been able to identify no other director of a state agency given the humbling opportunity to address a joint session of the Missouri General Assembly.

I thank you for allowing me to come before this esteemed body and address the important issue of our transportation system.

While most people think of MoDOT as dealing primarily with roads and bridges, we are a full-service department of transportation, and must address our responsibilities to all of our citizens. Therefore, we deal with public transportation, aviation, port development, and both freight and passenger railway service.

And in each of those areas and others for which we are responsible, we see the need for more resources to provide the mobility our citizens need.

As we work together to address our transportation challenges, we should keep three broad principles in mind:  
- Soundness, Safety and Support.

## **Soundness**

The soundness of your transportation system has been called into question, as has the soundness of your department of transportation.

Distinguished ladies and gentleman, the state of Missouri's transportation system is sound, but not as sound as it needs to be.

Many of our highways are in poor condition...too narrow, or too hilly, or too curving, or have no shoulders, and for safety and economic development we need to make more highways four lanes.

At the same time, bridges that are one step away from being closed, what we call condition three bridges, are becoming unusable faster than we can get money to replace them.

Many citizens sit in long lines during rush hour traffic, wasting both time and money.

Court mandated low flows on our rivers are impacting the movement of water-borne commerce, causing more trucks on highways and a higher transportation cost for farmers.

MoDOT administers state and federal funds for 37 public transportation agencies and 200 specialized programs for the elderly and disabled, but we have a significant need to offer more public transportation options in our large cities and rural areas alike.

Unfortunately, those transportation areas funded from state general revenue have been cut 37 percent since 2002. The result is more than 1.8 million fewer transit trips and the elimination of our port improvement program. The truth is Missouri has not provided the funding necessary to adequately address most of these other modal needs or the larger dollar requirements to repair and rehabilitate highways and bridges while simultaneously constructing much-needed highway projects for economic development and congestion relief.

Our funding situation is dramatically demonstrated by the fact that 25 years ago, 17 percent of Missouri's state budget went to transportation. Now only 7.5 percent of state spending goes toward vital improvements to our highways, bridges, transit services, and other modes of transportation.

Interestingly, if our transportation budget had grown at the same rate as the rest of state government, our system today would be in outstanding condition, and long ago we would have completed projects that people are still waiting for us to schedule.

Though I believe inadequate funding is our biggest problem, I do not come before you today with a specific funding proposal. I am here to present the facts about transportation in Missouri so that state elected officials, working in conjunction with MoDOT and the citizens of this great state, can decide how best to address our inadequate transportation system.

This body has already done much to address the problem, passing legislation dealing with accountability, MoDOT leadership, commission governance, and other issues. MoDOT and the Commission have also made changes.

The Missouri Highways and Transportation Commission has provided a better balance in our spending by shifting more adequate funding to taking better care of the existing system. A year ago the commission changed the funding allocation method to a more objective process that allocates funds to various areas of the state and various categories of spending based on such objective factors as pavement condition, vehicle miles traveled, population, employment, etc.

Changing our method of allocating funds was a wise decision. Nevertheless, we are keenly aware that the state of our transportation system is still not as sound as it needs to be.

The state of your Department of Transportation, however, is sound...not perfect by any means...but good.

An independent Blue Ribbon Panel appointed by the Missouri Highways and Transportation Commission recently recommended that a clear message must be sent indicating, "A new day has dawned at MoDOT." I believe that the new day is well on its way.

Although the department had problems with financial estimates in the past, MoDOT has now established a solid record of sound fiscal practices.

We have reduced staff by approximately 300 people over the last three years. Less than three percent of our budget goes toward administrative costs while we spend 73 percent on construction including building new highways and taking better care of existing roadways. Please note that if our budget were more adequate, that percentage for administrative costs would be even lower, and the percentage spent on construction would be even higher.

We have saved \$53 million over the last three years by streamlining our operations and we expect to save another \$21 million this year. We also saved millions last year by coming within a fraction of a percent on our highway construction cost estimates. Those savings were directed back into building and maintaining highways.

Part of our efficiency comes from our constitutional form of governance...the bipartisan watchdog group of citizens who oversee us. As you know, the Missouri Highways and Transportation Commission is made up of unpaid citizen volunteers who are among the leading members of their communities. Commissioners are appointed by the Governor with approval of the Senate and they conduct business in full view of taxpayers.

This system of transportation oversight and decision-making by members of the public has served the people of Missouri well for more than 80 years by limiting political influence and parochialism in transportation decision-making, and it has become more open to public involvement in recent years than ever before in our history. We should keep the Missouri Highways and Transportation Commission in its current form.

Members of the Commission are here today and will be available in the rotunda following this speech to answer your questions. I applaud their unselfish service to this state and their commitment to providing all Missourians with better transportation options.

MoDOT is scrupulously held accountable through numerous audits each year. The State Auditor reviews our operations on an ongoing basis, as do our internal auditors. Additionally, an independent firm audits us annually. In 2003, they gave MoDOT their highest rating for the fourth straight year and said our financial practices are "as good as it gets."

At the same time, MoDOT employs an inspector general to root out fraud, waste, and abuse and objectively investigate grievances independent of management. An external inspector general position was created by the state legislature last year, and we look forward to working closely with that person. Additionally, we are accountable to the Senate and House Transportation Committees and the Joint Committee on Transportation Oversight. Plus, the Senate Appropriations Committee and House Budget Committee review MoDOT each year.

Most importantly, we are, and want to be, accountable to the people of Missouri. Whether at the ballot box, on the phone, at their computers or attending one of the hundreds of public meetings we hold each year, the citizens of this state have direct input into what we do. We have pledged to listen to them and we are fulfilling that pledge.

We have embarked on a new project planning process that will permit even more public involvement in transportation decisions than ever before. No longer will MoDOT alone make project decisions and inform citizens after the fact. We are committed to having local representatives at the table from the beginning to the end.

MoDOT's construction and maintenance practices are also sound.

In 2003, we completed 268 construction projects, all of which, taken together, were within two percent of cost estimates. This record is part of a four-year trend during which your department of transportation completed projects at a cost that came within one-third of one percent of the estimated cost on a program that totaled more than \$2 billion.

In other words, for the last four fiscal years, we have told you in advance what we were going to do...and we have done it.

Others have confirmed the soundness of our construction practices. The Federal Highway Administration has labeled MoDOT as one of the best transportation agencies among all 50 states at delivering promised highway and bridge improvements at the promised price to taxpayers.

Citizens tell us good visibility on highways is very important to them. They especially want to see highway stripes. We listened, and took action. In 2003, we quietly promised to paint centerline stripes on all roads, and paint edge lines on more roads. We delivered on that promise by putting down 82,000 miles of stripes last year. That's an increase of 13,000 miles.

Our improvements, however, are not limited to highways. In the last 18 months, MoDOT improved aviation safety by installing nine Automated Weather Observation Systems to provide accurate and real time weather information to pilots. Four more are currently under construction.

Our state aviation improvement program is funded through dedicated aviation fuel tax revenue, which is down over 25 percent since 9-11. Despite the funding decrease, MoDOT was able to install additional navigational aids or make runway pavement improvements at nine Missouri airports.

That is a sound record of significant accomplishment, and much of it is in direct response to concerns citizens have expressed to us.

In addition, MoDOT is sound in its commitment to inclusiveness.

MoDOT has been cited as a leader in state government regarding the award of contracts to Minority- and Women-owned businesses. Between 1996 and 2002, the department awarded nearly half a billion dollars in contracts to disadvantaged business enterprises. In 2002, MoDOT contracts with these businesses amounted to approximately 73 million dollars, almost twice as much as in 1996. We are committed to doing even better.

At the same time, we are aggressively leading efforts to increase the number of minorities, females and underemployed and low-income individuals entering the construction industry on which this department is so heavily dependent. We are extremely proud of our active involvement in the St. Louis Construction Prep Center that is preparing members of these groups to succeed in the construction field through training for the work place and for life. Graduates of the center are actively sought out by the construction industry due to the excellent training it provides.

I am honored to have a graduate of the center, Mr. Tyrone Gibbs, here today. With Mr. Gibbs' permission, let me tell you a little bit about him. Mr. Gibbs grew up in three different foster homes and three different boys' homes. He spent 12 years on the streets, which resulted in his being incarcerated on three different occasions. Just one week after his last stint in the state penitentiary, Mr. Gibbs got the news that would change his life. He was accepted to the Construction Prep Center.

Second only to his wife, Barbara, Mr. Gibbs credits the Construction Prep Center with keeping him from continuing down the wrong path in life. Mr. Gibbs' "No Day Off, No Lay Off" attitude allowed him to work 40 hours per week at the center and another 50 hours supporting his family. It also allowed him to advance quickly.

He is now a crew chief - one of only three African-American foremen out of hundreds of carpenters where he works. He hopes to have his own construction company some day. Mr. Gibbs is what the Construction Prep Center is all about. Tyrone and Barbara Gibbs... please stand up and get the recognition you both deserve.

The state of your MoDOT is sound and that is due primarily to one thing - our outstanding workforce. I was proud to serve my country in the United States Air Force for more than 30 years. I can say unequivocally, however, that I have never had the honor to serve with a harder-working, more dedicated group of people than I have at MoDOT.

Throughout our great state, your friends, family and neighbors who work for MoDOT get up early everyday proudly striving for a better, safer transportation system for all Missourians. They toil with limited resources, yet they deliver on the promises we have made to taxpayers.

I am proud to work with “everyday heroes” at MoDOT, some of whom put their lives on the line everyday.

Bill Pappademos works for MoDOT’s Motorist Assist service in St. Louis, a service that cost effectively helps to reduce congestion. On December 8 of last year, Bill looked in his rearview mirror and noticed a vehicle rolling over several times behind him. He carefully stopped and backed up and discovered that the driver, an off-duty police officer, had been thrown from his car and was lying in one of the traffic lanes. Bill placed himself between the seriously injured officer and on coming traffic to protect him until emergency responders could arrive.

When a record number of tornadoes ripped through southwest Missouri in 2003, our employees reacted without hesitation. Maintenance crews from Bolivar in our District 8 region gathered quickly and headed to Stockton, which is in District 7, the night of May 4 following one of the most devastating tornadoes our state has ever experienced. They pulled trees and debris out of the road to allow emergency crews to access victims and to allow motorists to use our highways safely.

We also responded to the human needs of our neighbors during this challenging time. Garland DeWitt, a MoDOT maintenance specialist in Ozark, was working north of Cleaver when he discovered a series of personal items. He recovered family photos, cups from a silver tea set and clothing items for a family who lost a loved one and their home in the storm. This was a priceless discovery for that family.

Heroes also work in the offices of MoDOT. Rebecca Jackson, a MoDOT General Services Manager here in Jefferson City, led efforts to develop a new purchasing method for the department. Her innovative and diligent efforts have saved time and countless taxpayer dollars. This great achievement recently earned her the Distinguished Service Award from the Missouri Association of Public Purchasing.

Bill, Garland and Rebecca are here today. I would like to ask them to stand.

I am so proud to be associated with folks like Bill, Garland and Rebecca. They are typical of everyday heroes who work throughout the Missouri Department of Transportation. Whether they are helping a customer on the phone, clearing snow from our highways, finding ways to save money or risking their life for an injured motorist, MoDOT employees consistently answer the call of duty. Their commitment is sound.

There is one final “everyday hero” I personally could not live without and want you to meet... the “first lady” in my life...my lovely wife, Anne. Her commitment is sound.

Tragically, 68 MoDOT employees have given their lives since 1945 fulfilling their call to duty. Our most recent loss was just a few months ago. On September 30, 2003, Karla Baublitz, a maintenance worker, was repairing mowing equipment several feet from a roadway in Joplin when a driver fell asleep, ran off the road and struck her.

Karla was hard working and well liked by her colleagues. She was dedicated to her MoDOT family, but she couldn’t wait to get home to her own family, which included three children.

MoDOT employees have difficult, sometimes dangerous, jobs and face many challenges. Yet they persevere together in cooperation with the customers they serve, local citizens and our elected officials. I have started to see the positive effects of their determination.

In every county of this state, the good work of MoDOT professionals is turning the tide of public opinion.

Last year, MoDOT officials again embarked on a listening tour of Missouri. We visited cities and towns throughout this beautiful state and heard a familiar refrain, “we love our local MoDOT”. The praise for our district employees and the district engineers who lead them was profuse. And they frequently helped make the point that all of



us in MoDOT are on the same team. Those district engineers are here today. You know them and they are at your service. They, too, will be available in the rotunda to answer questions about transportation in their areas.

As we traveled the state late last year, people said that the MoDOT they know is open to their inquiries and responsive to their concerns. While members of the public don't always get the answers they want, they do get answers in a timely and courteous way.

They also get results. MoDOT employees are dedicated to finding ways to say "yes" more often and to ending the perception that we automatically say "no". While we sometimes have a professional responsibility to say "no", we are working very hard on saying "yes".

Ladies and gentlemen, we are your neighborhood MoDOT. We care about the safety of the people who use our state highways. We care about the elderly and disabled who rely on the transit services we administer. **And we care about providing reliable options in all modes of transportation.**

We realize, however, that we are not perfect and we must constantly strive to improve the way we do business and build credibility with the public. With this thought always at the forefront of our minds, we are taking steps to further improve our effectiveness as an organization.

We are seeking to measure our progress toward goals such as reducing injury and fatal crash rates; increasing the number of highways in good or better condition; reducing the percentage of deficient bridges; alleviating congestion in St. Louis and Kansas City; and avoiding depreciation in the value of our highway system.

We are also measuring the percentage of highway and bridge construction commitments we are meeting within budget, on time and as promised in our 5-year plan. We have high standards in these areas and even higher expectations for meeting our commitments.

All of the goals I have outlined are imperative to rebuilding confidence in MoDOT. We must be diligent in tracking our progress toward them and ultimately achieving them. That will be a sound investment in our future.

## Safety

Earlier I mentioned three broad areas for discussion today - soundness, safety and support. Though I've spoken of "soundness" first, safety is the foundation principle we seek in every department activity. It is MoDOT's number one objective. We are constantly exploring ways to make our highways and other transportation services safer for everyone. We have instituted better work zone guidelines to limit the number of crashes in highway construction areas. We emphasize internal safety practices to keep our employees and customers safe. And now we, with safety partners such as the Highway Patrol and many others, are developing Missouri's first Comprehensive Highway Safety Plan.

Too many people are dying on Missouri's roads. Over the past three years we have lost 3,463 Missourians to traffic accidents. That averages out to 1,154 per year. If we lost that many people in airplane crashes, it would be totally unacceptable. We need that same level of concern regarding the unacceptable number of motorists who don't make it to their destinations safely.

Working with our transportation partners, we will seek to channel the heartache of past traffic accidents into a safety plan that prevents pain and tears in the future. Our goal is to reduce the number of fatalities on our roads significantly by the end of 2008. Failing to meet this objective is not an option. **We can do it together. It's a goal we can and must reach!**

In order to reduce roadway deaths appreciably each year, we will need the help of our friends in highway safety. Cooperation is vital to achieving our goal of saving more motorists' lives.

By this summer, Missouri will have a Comprehensive Highway Safety Plan that focuses on the four "Es" - Engineering, Enforcement, Education, and Emergency services. The plan will outline ways to engineer safer roads, to

better enforce vital traffic laws, to educate the public about how they can operate vehicles more safely, and to improve the emergency services that respond to traffic crashes.

The lives of those who use our highways are too precious to not act. Safety must be a priority and your support is essential to achieving our safety goals.

### **Support**

Your MoDOT is poised to make great strides toward improving the soundness and safety of the transportation system of this state, but we need the **support** of the Governor, statewide officials, the General Assembly and every citizen of Missouri to move toward better highways, bridges and public transportation options.

We need your support to end the diversion of fuel tax funds to purposes other than building and maintaining state highways and bridges, and enforcing the laws relating to them. The people of Missouri pay fuel taxes as well as other taxes, licensing charges and fees with the expectation that their hard-earned money is going toward highway improvements and traffic enforcement, and that's what the public wants the money to go for.

We understand the fiscal constraints the state is in, but reducing diversions is a course we must all pursue.

It will take an act of this state legislature and perhaps a statewide vote of the people of Missouri to end some of these diversions, but I repeat...**it is a course we must pursue**. The vital functions of other state agencies should be funded through sources outside of transportation dollars. Missourians expect highway revenues to go toward improving our highway system and that is where they should be used.

Another initiative we could take to address our extensive highway needs is utilizing toll roads to a limited extent. This too would require action by the General Assembly and statewide voter approval.

Many people fear that giving MoDOT the authority to use tolls will mean a tollbooth on every street corner. I can assure you that will not happen. In actuality, it would be feasible to place tolls on only a few major projects in Missouri. Legislation already filed lists only six specific projects. Those projects are certainly subject to debate. They have not yet been approved by anyone. But in every case, they are projects that are not currently funded and may never exist without some additional form of substantial revenue.

Tolling should be a tool in Missouri's transportation toolbox. It will not solve our funding problems, but it will be another step toward meeting our highway needs.

Tolling could help us provide sounder, safer highways, but highway safety is also the responsibility of each of us who set foot in a motor vehicle. Therefore, it is imperative that we enact legislation to encourage safer conduct when driving or when a passenger in a vehicle on our state's roads. The unsafe conduct of a few imposes enormous suffering and costs on the rest of us.

Two safety-related issues, banning open containers of alcohol in vehicles and passing and enforcing a primary seat belt law, will save lives and money and won't cost us a cent. Not only does it make sense to ban open containers from vehicles, but also it would end the mandatory diversion of three percent of our federal highway construction funds to other purposes.

We must also pass a primary seat belt law. That means enacting a measure allowing law enforcement officers to pull people over and ticket them solely for not wearing a safety belt. The United States Department of Transportation estimates that if seat belt usage were to increase from 75 percent to 90 percent, 4,000 lives would be saved nationally each year. No state has ever approached that usage level, however, without a primary seat belt law. One loss of life is too high a price to pay. We must act and give new meaning to the phrase "click it or ticket."

There is a clear humanitarian incentive to save lives through a primary safety belt law. At the same time, an additional financial incentive may come from the federal government. Every version of the federal transportation reauthorization bill currently being considered in Congress recognizes the enormous costs to society of traffic crashes,

and therefore contains financial incentives for enacting primary safety belt laws. Missouri could miss out on millions of additional dollars for our highways, if we do not act.

MoDOT has been working closely with Missouri's congressional delegation for more than a year to ensure that our state's share of federal transportation funds increases during the reauthorization process underway. We are encouraged by the funding levels in federal legislation being discussed that could hold the promise of about \$233 million more per year for transportation in Missouri over the next six years.

All funds received from the federal government for highway purposes, however, must be matched at a 20 percent rate with state funds. It is imperative that we make sure we have enough state funding to avoid losing a dollar of federal funds. Additional state revenue will have to be identified.

We are aware of the severe funds shortage in state government, but it is time to make constructive plans for the critical transportation needs of this state. We cannot leave our transportation system in worse shape than we found it and pass our problems on to our children and grandchildren. We must act now to provide for safer, smoother highways, better bridges and expanded public transportation options.

We in MoDOT will soon be coming to the citizens of Missouri with pleas to help us update the vision for transportation that all of us should share. As we update our long-range transportation plan, we must be guided by the needs that citizens feel and the opportunities our state's geographic location present to us.

As most of you know, my days with MoDOT are coming to a close. When I began this job, I was a newcomer to Missouri. Over the past five years, this great state has become my home and many of you have become my friends. I have come to believe certain things very passionately.

I believe that the employees of MoDOT are well-meaning, committed public servants and they want nothing more than to provide Missourians with the world-class transportation system they deserve.

I believe that our state and federal elected officials are dedicated to improving the lives of all Missourians and will not rest until steps are taken to dramatically improve transportation in this state.

And I believe in the people of this great state. I have quoted several numbers regarding the needs of our transportation system and various funding facts. Transportation, however, is not about numbers. It is about people.

It is about the mothers and fathers who drive to work each morning and the sons and daughters who count on them to return home safely every evening. It is about grandparents who rely on OATS buses to get to the grocery store and to the health care services they need. It is about children on school buses, walking on sidewalks or riding their bikes. It is about safety, jobs, commerce, security, recreation and all the other factors that contribute to a high quality of life.

These reasons are why I believe so strongly that we must improve our transportation system for all Missourians. And the people of this state are why I believe we can do it. Missourians personify the show-me spirit of our state and, when it comes to transportation, they have said, "If you don't show us, we will show you."

The citizens of Kirksville overwhelmingly voted to increase their local taxes to help pay for a four-lane highway that will be completed in 2005. Hollister, a town of 2,600 people, is contributing \$6.5 million to help us build an interchange. High school students in Canton lost friends in traffic accidents and resolved to do all they could to keep it from happening to someone else. Concerned citizens in O'Fallon, Poplar Bluff, St. Roberts, Washington, Hannibal, Lebanon, Springfield and countless other communities are stepping forward to say, "How can we help build the highway projects that we so desperately need?"

It is this can-do attitude that makes me believe in the people of Missouri. And I believe that, if we all work together, then we will truly witness a new day dawning on Missouri's transportation horizon. Let's make it happen in this capitol, at the ballot box and on every highway and byway of this great state. The **soundness** of our transportation system and the **safety** of our citizens depend on the **support** we give each other.

Thank you and may God bless your travels.

The Joint Session was dissolved by Senator Gibbons.

Speaker Pro Tem Jetton resumed the Chair.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 213

and

House Resolution No. 214 - Representative Bearden

House Resolution No. 215 - Representative Johnson (90)

House Resolution No. 216

and

House Resolution No. 217 - Representative Liese

House Resolution No. 218 - Representative George

House Resolution No. 219 - Representative Pearce

House Resolution No. 220 - Representative Ransdall

House Resolution No. 221 - Representative Smith (14)

House Resolution No. 222 - Representatives Luetkemeyer, Cooper (155), Jackson and Ransdall

House Resolution No. 223

and

House Resolution No. 224 - Representative Pratt

House Resolution No. 225

and

House Resolution No. 226 - Representative Witte

House Resolution No. 227 - Representative Riback Wilson (25)

House Resolution No. 228 - Representative LeVota

House Resolution No. 229 - Representative Daus

House Resolution No. 230

and

House Resolution No. 231 - Representative Hanaway

House Resolution No. 232 - Representatives Cunningham (145) and Dixon

House Resolution No. 233 - Representative Johnson (90)

### **HOUSE CONCURRENT RESOLUTION**

Representatives Baker, Brown, Dusenberg, Johnson (47), Ervin, Yates, Lager, LeVota, Skaggs, Pratt, Phillips, Walker, Jolly, Curls, Hoskins, Dougherty, Sanders Brooks and Wilson (42) offered House Concurrent Resolution No. 16.

## INTRODUCTION OF HOUSE BILLS

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

**HB 1286**, introduced by Representatives Guest, Whorton, Cooper (155) and Ervin, relating to marine franchise dealers.

**HB 1287**, introduced by Representatives Jolly, Schoemehl, Witte, LeVota, Harris (110), Willoughby, Wildberger, Donnelly, Sanders Brooks, Dusenberg and Moore, relating to sexual offenses.

**HB 1288**, introduced by Representative Threlkeld, relating to compensation agreements between franchisors and franchisees who engage in the sale of motorcycles, all-terrain vehicles and personal watercraft.

**HB 1289**, introduced by Representative Cooper (120), relating to coroners' reports.

**HB 1290**, introduced by Representatives Portwood, LeVota, Stefanick, Sutherland, Rupp, Pratt, Davis (122), George, Cooper (120), Dempsey, Nieves, Hunter, Smith (14), McKenna, Wagner, Wright, Icet, Smith (118), Yates, Mayer, Baker, Wasson, Riback Wilson (25), Daus, Spreng, Johnson (47), Shoemaker, Hilgemann, Lembke, Kingery, Salva and Jolly, relating to contributions to certain nonprofit organizations.

**HB 1291**, introduced by Representatives Pearce, Dixon, Richard, Luetkemeyer, Wilson (119), Hobbs, Ward and Parker, relating to unfair insurance practice and fraud.

**HB 1292**, introduced by Representative Johnson (47), relating to birth and death records.

**HB 1293**, introduced by Representatives Deeken, Muckler, Villa, Harris (110), Kelly (36), Liese, Schoemehl, Bruns, Morris, Meiners, Rupp, Stevenson, Smith (118), Wilson (119), Engler, Threlkeld, Sutherland, Guest, Dusenberg, Brown, Goodman, Schneider, Dempsey, Sander, Hobbs, Kelly (144), Icet, Roark, Nieves, May, Mayer, Henke, Selby, Corcoran, Schaaf, Schlottach, Portwood, Dougherty, Black, Viebrock, Ervin, Luetkemeyer, Dixon, Hanaway and Bivins, relating to the promotion of childbirth.

**HB 1294**, introduced by Representative Rector, relating to public water supply districts.

**HB 1295**, introduced by Representative Selby, relating to political campaign fund-raising activities.

**HB 1296**, introduced by Representatives Ruestman, Dixon, Wilson (130), Goodman, Schaaf, King, Emery, Moore, Nieves, Sander, Cunningham (145), Wood, Self, Cunningham (86), Richard, Marsh, Hunter, Miller, May, Stevenson, Pearce, Smith (14), Smith (118) and Lembke, relating to physical therapists and physical therapist assistants.

**HB 1297**, introduced by Representatives Seigfreid, Barnitz, Kelly (36), Shoemyer, Carnahan and Whorton, relating to motor fuel taxes.

**HB 1298**, introduced by Representatives Riback Wilson (25), Curls, Davis (122), Bland, Daus, Zweifel, Yaeger, Donnelly, Fraser, Walker, Page, Walton, Wilson (42), Boykins, Walsh, Schoemehl, Darrough, Meiners and Abel, relating to limitations on firearms possession for domestic violence offenses.

**HB 1299**, introduced by Representative Riback Wilson (25), relating to taxes on the sale of cigarettes and tobacco products.

**HB 1300**, introduced by Representatives Riback Wilson (25), Graham, Carnahan and Walker, relating solely to the creation of an earned income tax credit.

**HB 1301**, introduced by Representative Sutherland, relating to motor vehicle operation.

**HB 1302**, introduced by Representatives Lager, Jetton, Dempsey, Parker, Richard, Crowell, Lipke, Yates, Hanaway, Sutherland, Ervin, Byrd, Dixon, Hubbard, Hoskins, Bean, Deeken, Cooper (155), Guest, Stefanick, Emery, Phillips, Angst, Cooper (120), Mayer, Stevenson, Wasson, Portwood, Myers, Kingery, Wilson (130), Ruestman, Hobbs, Bearden, Viebrock, Sander, Quinn, Cunningham (145), Behnen, Smith (118), Rector, Kelly (144), Rupp, Icet, Goodman, Bough, Lembke, Munzlinger, May, Roark, Townley, Wilson (119), Nieves, Schlottach, Pratt, Morris, Moore, Bruns, Purgason, Wright, Luetkemeyer, Hunter, Crawford, Jackson, Black, Cunningham (86), Shoemaker, Davis (122), Wildberger, Bland, Seigfreid, Barnitz, Page, Marsh, McKenna, Villa, Willoughby, Schaaf, Reinhart, St. Onge, Taylor, Schneider and Bivins, relating to the elder-care protection act of 2004.

**HB 1303**, introduced by Representatives Rector, Emery, Corcoran, Jackson, Stevenson, Viebrock, Bivins, Wagner, Spreng, Dempsey, Ward, Hunter, Schlottach, Skaggs, Smith (118), Page, Smith (14), Munzlinger, Luetkemeyer, Jones, Henke, Seigfreid and Ransdall, relating to telecommunications price flexibility.

**HB 1304**, introduced by Representatives Byrd, Hanaway, Jetton, Crowell, Page, Hubbard, Baker, Schaaf, Portwood, Jackson, Bearden, Pratt, Johnson (47), Crawford, Smith (14), Brown, Nieves, Davis (19), Icet, Ruestman, Stevenson, Quinn, Bean, Kingery, Engler, St. Onge, Shoemaker, Pearce, Schlottach, Cooper (155), Threlkeld, Phillips, Ervin, Holand, Lipke, Lembke, Rector, Dusenberg, Guest, Luetkemeyer, Dethrow, Purgason, Miller, Rupp, Emery, Smith (118), Stefanick, Munzlinger, Dempsey, Deeken, Kelly (144), May, Dixon, Richard, Behnen, Wilson (119), Wood, Cunningham (145), Sander, Yates, Bruns, Cooper (120), Roark, Hunter, Mayer, Wright, Self, Angst, Wallace, Cunningham (86), Lager, Hobbs, Wilson (130), Reinhart, Moore, Marsh, Wasson, Townley, Sutherland, Black, Morris, Viebrock, Bivins, Fares and Taylor, relating to claims for damages and the payment thereof.

**HB 1305**, introduced by Representatives Byrd, Hanaway, Jetton, Crowell, Jackson, Johnson (47), Crawford, Pratt, Page, Hubbard, Baker, Schaaf, Brown, Bearden, Smith (14), Nieves, Davis (19), Portwood, Icet, Ruestman, Stevenson, Quinn, Bean, Kingery, Engler, St. Onge, Shoemaker, Pearce, Schlottach, Cooper (155), Threlkeld, Phillips, Ervin, Holand, May, Richard, Lipke, Lembke, Rector, Dusenberg, Guest, Luetkemeyer, Dethrow, Purgason, Miller, Rupp, Emery, Smith (118),

Munzlinger, Dempsey, Kelly (144), Stefanick, Deeken, Dixon, Behnen, Wilson (119), Wood, Cunningham (145), Sander, Yates, Bruns, Cooper (120), Roark, Hunter, Mayer, Wright, Self, Angst, Wallace, Cunningham (86), Lager, Hobbs, Wilson (130), Reinhart, Moore, Marsh, Wasson, Townley, Sutherland, Black, Viebrock, Bivins and Taylor, relating to insurance for health care providers in Missouri.

**HB 1306**, introduced by Representative Campbell, relating to taxation.

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 1001** and **HB 1014** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1271** through **HB 1285** were read the second time.

## PERFECTION OF HOUSE BILL

**HB 969, as amended**, relating to income tax: intangible property, was taken up by Representative Cooper (120).

Representative Purgason assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Kelly 144	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates			

## NOES: 065

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	LeVota	Liese
Lowe	McKenna	Meiners	Muckler	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

## PRESENT: 000

## ABSENT WITH LEAVE: 010

Avery	Boykins	El-Amin	Johnson 47	King
Kratky	Lawson	Page	Walton	Madam Speaker

## VACANCIES: 001

On motion of Representative Cooper (120), **HB 969, as amended**, was ordered perfected and printed by the following vote:

## AYES: 093

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Henke	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Kelly 144	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wood
Wright	Yates	Young		

## NOES: 060

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Hilgemann	Hoskins



Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Wildberger
Wilson 25	Wilson 42	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	El-Amin	Johnson 47	King
Kratky	Lawson	Walton	Madam Speaker	

VACANCIES: 001

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 1095** - Local Government

### COMMITTEE REPORTS

**Committee on Ethics**, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred the **Democrat Lawyers Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO:            Rep. Jason Crowell, Chairman  
                 House Ethics Committee

FROM:        Rep. John Burnett

DATE:         January 21, 2004

Pursuant to Section 105.473(2)(c)d RSMo 1998, a listing of a new caucus, The Democrat Lawyer Caucus is attached. Your acceptance of this Caucus is appreciated.

I will serve as the designated member to present this request to the Ethics Committee. Please contact me if you have questions.

<u>NAME</u>	<u>DISTRICT</u>
/s/ John Burnett	40
/s/ Rick Johnson	90
/s/ Jeff Harris	23
/s/ Terry L. Witte	10
/s/ Daniel P. Bishop	38
/s/ Michael Vogt	66
/s/ Rachel Bringer	6
/s/ Cathy Jolly	45

/s/ Russ Carnahan 59  
 /s/ Margaret Donnelly 73

Madam Speaker: Your Committee on Ethics, to which was referred the **District 4 MoDOT Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chairman  
 House Ethics Committee

FROM: Representative Gary Kelly

DATE: January 13, 2004

RE: District 4 MoDOT Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo 1998 and the rules of the Missouri House of Representatives, a listing of members of the District 4 MoDOT Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-9757 if you have any questions.

<u>Representative</u>	<u>District</u>	<u>Representative</u>	<u>District</u>
/s/ Gary Kelly	36	/s/ Mike Sager	48
/s/ Kate Meiners	46	/s/ Brian Baker	123
/s/ David Pearce	121	/s/ Doug Ervin	35
/s/ Daniel P. Bishop	38	/s/ Marsha Campbell	39
/s/ John Burnett	40	/s/ Melba Curls	41
/s/ Annie Reinhart	34	/s/ Sharon Sanders Brooks	37
/s/ D.J. Davis	122	/s/ Jim Seigfreid	26
/s/ Robert Thane Johnson	47	/s/ Vicki Walker	50
/s/ Cathy Jolly	45	/s/ Susan Phillips	32
/s/ Curt Dougherty	53	/s/ Jenee Lowe	44
/s/ Trent Skaggs	31	/s/ Gary Dusenberg	54
/s/ Bryan Pratt	55	/s/ Brian Yates	56
/s/ Phil Willoughby	33	/s/ Yvonne Wilson	42
/s/ Craig Bland	43	/s/ Rex Rector	124
/s/ Ray Salva	51	/s/ Todd Smith	118
/s/ Terry Young	49	/s/ Shannon Cooper	120
/s/ Jason Brown	30	/s/ Paul LeVota	52
/s/ Maurice Lawson	29		

Madam Speaker: Your Committee on Ethics, to which was referred the **House 109 Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

<u>Representative</u>	<u>District</u>
/s/ Bill Ransdall	148
/s/ Harold Selby	105
/s/ Mark Hampton	147
/s/ Betty Thompson	72

/s/ Kate Meiners 46  
/s/ Michael Vogt 66  
/s/ Rodney Hubbard 58  
/s/ Dan Bishop 38  
/s/ Matt Muckler 70  
/s/ Michael Spreng 76

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the 115 Capitol Complex Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chair  
Ethics Committee

FROM: Representative Yvonne S. Wilson

DATE: 115 Capitol Complex Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, we are requesting the addition of Representative Terry Swinger as a member of the 115 Capitol Complex Caucus and the removal of Representative Ray Adams (Deceased).

<u>Representative</u>	<u>District</u>
/s/Terry Swinger	162

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to the Rural Democrats Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

January 28, 2004

Representative Jason Crowell  
Chairman, House Ethics Commission  
Room 309  
State Capitol Building

Dear Chairman Crowell:

Representative Maurice Lawson, District 29, Representative Ray Salva, District 51, and Representative Terry Swinger, District 162, have requested that their names be added to the roster of the Rural Democrats Caucus.

Please consider this letter as approval for the above-named to be considered as members of this Caucus.

Sincerely,

/s/ Jim Seigfreid  
State Representative  
District 26

Requested by:

/s/ Rep. Maurice Lawson  
District 29

/s/ Rep. Ray Salva  
District 51

/s/ Rep. Terry Swinger  
District 162

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Veterans Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

January 21, 2004

Jason Crowell  
Majority Floor Leader  
State Capitol, Room 309  
201 West Capitol Avenue  
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Ed Emery has requested to join the Veterans Caucus.

Representative Danielle "Danie" Moore has requested to join the Veterans Caucus.

Representative Dan Ward has requested to join the Veterans Caucus.

I respectfully request that Representatives Ed Emery, Danielle "Danie" Moore and Dan Ward be added as members of the Veterans Caucus.

Sincerely,

/s/ Representative Gary Dusenberg

/s/ Ed Emery  
/s/ Danie Moore  
/s/ Dan Ward

-----  
January 14, 2004

Jason Crowell  
Majority Floor Leader  
State Capitol, Room 309  
201 West Capitol Avenue  
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Terry Swinger has requested to join the Veterans Caucus.

I respectfully request that Representative Terry Swinger be added as a member of the Veterans Caucus.

Sincerely,

/s/ Gary Dusenberg

/s/ Terry Swinger  
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January 8, 2004

Jason Crowell  
Majority Floor Leader  
State Capitol, Room 309  
201 West Capitol Avenue  
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Bob May has requested to join the Veterans Caucus.

Representative Christopher Shoemaker has requested to join the Veterans Caucus.

I respectfully request that Representatives Bob May and Christopher Shoemaker be added as members of the Veterans Caucus.

Sincerely,

/s/ Gary Dusenberg

/s/ Bob May

/s/ Christopher Shoemaker

## **COMMITTEE ASSIGNMENT**

### **JOINT COMMITTEE ON LIFE SCIENCES**

Hanaway, Catherine  
Munzlinger, Brian  
Jackson, Jack  
Pratt, Bryan

## **COMMUNICATION**

January 27, 2004

Steve Davis  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Steve:

Pursuant to Section 105.461 of RSMo this is to certify that I own no more than ten percent of shares in the New Generation Cooperative in Macon, Missouri, and the Ozark Mountain Pork Cooperative.

Sincerely,

/s/ Wes Shoemyer

**WITHDRAWAL OF HOUSE BILL**

January 28, 2004

Mr. Stephen Davis, Chief Clerk  
State Capitol Building, Room 306B  
Jefferson City, MO 65101

Dear Mr. Clerk:

I ask that **HB 1057** be withdrawn. I do plan to re-file shortly.

Thank you.

Regards,

/s/ Jack Goodman

The following member's presence was noted: Lawson.

**ADJOURNMENT**

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, January 29, 2004.

**CORRECTIONS TO THE HOUSE JOURNAL**

**AFFIDAVITS**

I, State Representative Rod Jetton, District 156, hereby state and affirm that my vote as recorded on Pages 148 and 149 of the House Journal for Tuesday, January 27, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of January 2004.

/s/ Rod Jetton  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 28th day of January in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

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I, State Representative Marsha Campbell, District 39, hereby state and affirm that my vote as recorded on Pages 148 and 149 of the House Journal for Tuesday, January 27, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of January 2004.

/s/ Marsha Campbell  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 28th day of January in the year 2004.

/s/ Stephen S. Davis  
Chief Clerk

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### COMMITTEE MEETINGS

#### AGRICULTURE

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 7.  
Executive Session.

#### APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 3.  
Departments of Mental Health, Health, and Social Services.  
Review of the Governor's recommendations. CANCELLED

#### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 29, 2004, 8:15 a.m. Hearing Room 5.  
Testimony from the Departments of Insurance, Labor, Transportation,  
and Economic Development.

#### EDUCATION

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 4.  
Possible continuation of hearing on HB 1040.  
Executive Sessions may be held on: HB 1040, HB 1041

#### LOCAL GOVERNMENT

Thursday, January 29, 2004, 8:30 a.m. Hearing Room 6.  
Executive Session may follow.  
Public hearings to be held on: HB 801, HB 802, HB 841, HB 895, HB 989

#### TAX POLICY

Thursday, January 29, 2004, Right Gallery upon adjournment.  
Executive Session.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY  
Thursday, January 29, 2004, South Side Gallery upon morning adjournment.  
Public hearings to be held on: HB 1268 and HB 1211. AMENDED  
Executive Session.

## **HOUSE CALENDAR**

THIRTEENTH DAY, THURSDAY, JANUARY 29, 2004

### **HOUSE BILLS FOR SECOND READING**

HB 1286 through HB 1306

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 28 - Roark (139)

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 950 & 948 - Mayer (159)

### **HOUSE BILL FOR THIRD READING**

HB 969 - Cooper (120)

### **HOUSE RESOLUTIONS**

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)