

# JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

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FIFTEENTH DAY, TUESDAY, FEBRUARY 3, 2004

The House met pursuant to adjournment.

Representative Dethrow in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord our God, we thank You for the blessing of a society where every vote counts.

We give thanks for the thousands of votes in the past elections that placed us in public office. We pray for the wisdom and the courage today to participate in the political life of the State of Missouri in ways that are always in harmony with Your Holy will.

We pray for the people, the citizens of our state. Give them the vision that every voice matters in the public forum, and that every vote has meaning. Inspire them on this voting Tuesday to prove themselves faithful citizens by going to the polls to vote. In this simple act, help them experience their personal dignity, their individual power, and the fulfillment of their duty before all the people and even before their God.

When the voting is over, give us the humility to discern the meaning of the results. May those results help us to continue our work in this House of Representatives in harmony with Your will.

We pray to You, who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kate Portwood.

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

AYES: 158

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	Ice	Jackson	Jetton	Johnson 47
Johnson 61	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
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	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery El-Amin Shoemaker

VACANCIES: 001

Speaker Hanaway assumed the Chair.

Representative Dethrow resumed the Chair.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 351	-	Representative Angst
House Resolution No. 352	-	Representative Crawford
House Resolution No. 353	-	Representative Whorton
House Resolution No. 354	-	Representative Sander
House Resolution No. 355	-	Representative Liese
House Resolution No. 356	-	Representative Carnahan
House Resolution No. 357	-	Representative Baker

### INTRODUCTION OF HOUSE BILLS

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

**HB 1356**, introduced by Representatives Skaggs and Deeken, relating to public retirement systems.

**HB 1357**, introduced by Representatives Skaggs and Deeken, relating to public retirement systems.

**HB 1358**, introduced by Representatives Wasson, Quinn, Bivins, Dethrow, Bringer, Munzlinger, Guest, Schlottach, Hobbs, Barnitz, Bland, Schaaf, Page, Carnahan, Burnett and Behnen, relating to dental assistants.

**HB 1359**, introduced by Representatives Lowe, Walsh, Bough, Cooper (155), LeVota, Wildberger, Jackson, Smith (14), Shoemaker, Ruestman, Kratky, Burnett, Vogt, Brown, Witte, Self, Schoemehl, Salva and Bearden, relating to Korean War Veterans' license plates.

**HB 1360**, introduced by Representatives Jackson and Davis (122), relating to eligible pupil counts.

**HB 1361**, introduced by Representatives Hobbs, Kelly (144), Dethrow and Townley, relating to the joint municipal utility commission act.

**HB 1362**, introduced by Representatives Hobbs, Rector, Rupp, Roark, Riback Wilson (25), Emery, Graham and Harris (23), relating to regulation of subdivisions in unincorporated areas.

**HB 1363**, introduced by Representatives Fares, Bivins, Hanaway, Moore, Jackson, Sutherland, Stefanick, Wright, Lembke, Parker, Bearden, Threlkeld, Fraser, Nieves, Portwood, Donnelly, Corcoran, Schoemehl, Smith (14), Kratky, Daus, Jones, George, Boykins, Icet, Carnahan, Yaeger, St. Onge, Hilgemann, Byrd, Schlottach, Page, Spreng, Hoskins, Thompson, Liese, Vogt, Walsh, Lowe, Rupp, Davis (19), Dempsey and Zweifel, relating to an archival facility in St. Louis.

**HB 1364**, introduced by Representatives Bishop, Donnelly, Burnett and Vogt, relating to parenting plans.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 48** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1349** through **HB 1355** were read the second time.

## **PERFECTION OF HOUSE BILLS**

**HCS HB 980**, relating to environmental rules, was taken up by Representative Myers.

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

**House Amendment No. 1** was withdrawn.

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 980, Page 1, Section 640.014, Line 12, by deleting the words “**peer-reviewed**”; and

Further amend said bill, Page 2, Section 640.014, Line 12, by deleting the words “**peer-reviewed and**”; and

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

On motion of Representative Myers, **House Amendment No. 2** was adopted.

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

Representative Stevenson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dethrow requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Myers, **HCS HB 980, as amended**, was adopted.

On motion of Representative Myers, **HCS HB 980, as amended**, was ordered perfected and printed.

**HCS HB 1182**, relating to tax credits, was taken up by Representative Munzlinger.

**HCS HB 1182** was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Hanaway.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 358	-	Representative Portwood
House Resolution No. 359	-	Representative Campbell
House Resolution No. 360	-	Representative Black
House Resolution No. 361	-	Representative Villa
House Resolution No. 362	-	Representative Munzlinger
House Resolution No. 363	-	Representative Wasson
House Resolution No. 364	-	Representative Brown
House Resolution No. 365		
through		
House Resolution No. 368	-	Representative Dusenberg

House Resolution No. 369  
through  
House Resolution No. 371 - Representative Dethrow

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

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

**HJR 49**, introduced by Representatives Lager, Bearden, Wasson, Morris, Dixon, Icet, Wright, Ervin, Schneider, Baker, Wood, Roark, Wilson (130), Stevenson, Portwood, Crawford, Bough, King, Sander, Reinhart, Hunter, Stefanick, Goodman, Jetton, Deeken, Moore, Phillips, Shoemaker, Munzlinger, Sutherland, Myers, Cunningham (86), Bivins, Quinn, Davis (19) and Brown, relating to limits on state appropriations.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1365**, introduced by Representatives McKenna, Wagner, Johnson (90), Harris (110) and Selby, relating to mechanical codes.

**HB 1366**, introduced by Representatives Dougherty, LeVota, Young, Whorton and Meiners, relating to biennial license plates.

**HB 1367**, introduced by Representatives Lembke, Schneider, Portwood, Dusenberg, Dempsey, Bivins, Townley, Dixon, Lipke, Ervin, LeVota, Green, Reinhart, Icet, Cooper (120), Threlkeld, Nieves, Cunningham (86), Kelly (144), Baker, Dethrow, Bishop, Rector, Emery, Phillips, Wood, Cunningham (145), Angst, Richard, Wright, Crowell, Jetton, Hunter, Pearce, Parker, Byrd, Jackson, Rupp, Hobbs, May, Schaaf, Bearden, Roark, Bean, Brown, Ruestman, Wilson (119), Stevenson, Moore, Marsh, Goodman, Engler, Dougherty, Hubbard, Smith (14), Stefanick, Cooper (155), Purgason, Vogt, Yaeger, Bruns, Johnson (47), Willoughby, Hanaway, Munzlinger, Pratt, Yates, Kingery, Lager, Darrough, Quinn, Young, Schlottach, Ward and Carnahan, relating to a homestead exemption for the elderly.

**HB 1368**, introduced by Representatives Salva and Portwood, relating to licensure of massage therapists.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 1182**, relating to tax credits, was again taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 1182** was adopted.

On motion of Representative Munzlinger, **HCS HB 1182** was ordered perfected and printed.

**HCS HB 1177**, relating to concentrated animal feeding operations, was taken up by Representative Guest.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1177, Page 10, Section 644.016, Line 98, by deleting the open bracket "[" and Line 99 by deleting the closed bracket "]"; and

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

On motion of Representative Guest, **House Amendment No. 1** was adopted.

Representative Wright assumed the Chair.

**HCS HB 1177, as amended**, was laid over.

**RE-REFERRAL OF HOUSE BILL**

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

**HB 777** - Special Committee on General Laws

**ADJOURNMENT**

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, February 4, 2004.

**COMMITTEE MEETINGS**

APPROPRIATIONS - GENERAL ADMINISTRATION  
Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 7.  
Testimony from the Department of Revenue. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION  
Wednesday, February 4, 2004, 2:45 p.m. Hearing Room 7.  
Department of Revenue and the Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION  
Thursday, February 5, 2004, 8:00 a.m. Hearing Room 7.  
Department of Revenue and the Office of Administration.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS  
Monday, February 9, 2004, 2:00 p.m. Hearing Room 6.  
Public testimony solely for the purpose of the possible closing of the Chillicothe prison.

BUDGET

Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 3.  
Presentation of Supplemental Bill.  
Public hearing to be held on: HB 1014

CONSERVATION AND NATURAL RESOURCES

Thursday, February 5, 2004, 8:15 a.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: HB 1277

EDUCATION

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 3. AMENDED  
Public hearings to be held on: HB 773, HB 1033, HB 853, HB 854  
Executive session will be held on: HB 1040

EDUCATION

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 7.  
CANCELLED

HEALTH CARE POLICY

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 6.  
Public hearing to be held on: HB 852  
Executive session will be held on: HB 855

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearing to be held on: HCR 16

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 5, 2004, Senate Lounge upon adjournment.  
19 CSR 20-28.010 Department of Health and Senior Services.  
Division of Environmental Health and Communicable Disease Prevention.  
Immunization Requirements for School Children.

JUDICIARY

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 1.  
Hearing may be continued later in the day if needed.  
Public hearing to be held on: HB 1304

LOCAL GOVERNMENT

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 762, HB 913, HB 1070, HB 1071, HB 1095, HB 1161

**RULES**

Wednesday, February 4, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HR 350, HR 196, HR 6

**SMALL BUSINESS**

Wednesday, February 4, 2004, Side Gallery upon morning adjournment.

Executive session will be held on: HB 978

**SPECIAL COMMITTEE ON GENERAL LAWS**

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 5.

Executive session possible.

Public hearings to be held on: HB 777

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 844

**HOUSE CALENDAR**

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 4, 2004

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 49

**HOUSE BILLS FOR SECOND READING**

HB 1356 through HB 1368

**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 1177, as amended - Guest (5)
- 4 HCS HB 1041 - Cunningham (86)



**HOUSE BILL FOR PERFECTION - CONSENT**

(2/02/2004)

HB 994 - Cunningham (145)

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 950 & 948, E.C. - Mayer (159)
- 2 HCS HB 980 - Myers (160)
- 3 HCS HB 1182 - Munzlinger (1)

**HOUSE RESOLUTIONS**

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