

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 25, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

God of progress and Lord of growth, in the discussions and even the arguments that are possible here in this House, remind our representatives that their laws make an impact on all the people of Missouri.

If some may be enticed to contest or compare or show jealousy, help them reorganize their attention towards a balance found in truly first-rate legislation.

We know not only party loyalty, but also devotion to the truth and to the common good also moves their hearts. The improvement their legislation will bring to our state will derive much from sharp brains, broad minds, big hearts, and the bold confidence to stand for what each understands as true.

Help them towards that rightness which does not claim righteousness. We ask for Your inner light and energy and peace, this day, and throughout the Session. 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: Joe Paine, Denny Niebaum and Kevin Hornbeck.

The Journal of the tenth day was approved as printed.

Speaker Pro Tem Bearden assumed the Chair.

HOUSE RESOLUTION

Representative Dixon, et al., offered House Resolution No. 222.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 212	-	Representative Bruns
House Resolution No. 213	-	Representative Cooper (158)
House Resolution No. 214	-	Representatives Avery and Bivins
House Resolution No. 215	-	Representative Hoskins
House Resolution No. 216	-	Representative Fraser

House Resolution No. 217

through

House Resolution No. 221 - Representative Avery

House Resolution No. 223 - Representative Richard

House Resolution No. 224

through

House Resolution No. 232 - Representative Lager

House Resolution No. 233 - Representative Day

House Resolution No. 234 - Representative Yaeger, et al.

House Resolution No. 235

through

House Resolution No. 239 - Representative Lager

SECOND READING OF HOUSE BILLS

HB 296 through **HB 305** were read the second time.

HOUSE BILL WITH SENATE AMENDMENT

HCR 2, with Senate Amendment No. 1, relating to the State of the State address, was taken up by Representative Dempsey.

On motion of Representative Dempsey, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge

Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Darrough	Daus	Skaggs	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Cooper 120	Schneider	Stevenson
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VACANCIES: 001

On motion of Representative Dempsey, **HCR 2, as amended**, was adopted by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
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Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones

Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Darrough	Daus	Skaggs	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Cooper 120	Schneider	Stevenson
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VACANCIES: 001

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 10, introduced by Representative Wright (137), relating to the judicial department.

INTRODUCTION OF HOUSE BILLS

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

HB 306, introduced by Representative Dempsey, relating to aviation.

HB 307, introduced by Representatives Dusenberg, Baker (123), Wood, Brown (30), Sater, Munzlinger, Behnen, Wilson (119), Johnson (47), McGhee, Moore, Dougherty, Young and Page, relating to wearing protective headgear while operating a motorcycle or motortricycle.

HB 308, introduced by Representatives Skaggs, Baker (123), Brown (30), Bringer and Phillips, relating to state buildings.

HB 309, introduced by Representatives Wilson (130), Ruestman, Brown (30), Munzlinger and Wilson (119), relating to terrorism.

HB 310, introduced by Representatives Wilson (130), Brown (30), Daus and Weter, relating to impounding vehicles.

HB 311, introduced by Representatives May, Wildberger, Sater, Baker, Schaaf and Portwood, relating to the registered surgical assistant and registered surgical technologist title protection act.

HB 312, introduced by Representatives Smith (118), Sander and Schaaf, relating to state purchases.

HB 313, introduced by Representatives Smith (14), Smith (118), Page, Sutherland, Jetton, Yates, Byrd, Faith, Ruestman, Hughes, Icet, Portwood, Rupp, Davis, Parker and Moore, relating to a tutoring program for public schools.

HB 314, introduced by Representative Kelly, relating to sexual contact with a student while on public school property.

HB 315, introduced by Representative Kelly, relating to compensation of road district commissioners.

HB 316, introduced by Representatives Hoskins, Hubbard, Bland and Sanders Brooks, relating to absentee voting.

HB 317, introduced by Representatives Shoemyer, Wildberger, Whorton, Darrough, Selby, Harris (110), Dougherty, Fraser, Aull, Kuessner, Baker (25), Spreng, Robinson and Henke, relating to the seed availability and competition act.

HB 318, introduced by Representatives Schaaf, Hubbard, Oxford and Hoskins, relating to prevention, screening, and treatment of lead poisoning.

HB 319, introduced by Representatives Muschany and Cunningham (86), relating to school credit.

HB 320, introduced by Representatives Muschany, Cunningham (86) and Moore, relating to lapse of district corporate organization.

HB 321, introduced by Representative Yates, relating to the advisory assistive technology council.

HB 322, introduced by Representatives Oxford, Roorda, Page, Chappelle-Nadal, Young, Daus and Harris (110), relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 323, introduced by Representative Johnson (47), relating to Kansas City police retirement.

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 8 - Conservation and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 40 - Local Government

HB 43 - Transportation

HB 47 - Local Government

HB 48 - Ways and Means

HB 62 - Transportation

HB 63 - Ways and Means

HB 69 - Insurance Policy

HB 85 - Judiciary
HB 94 - Veterans
HB 119 - Veterans
HB 131 - Health Care Policy
HB 136 - Elementary and Secondary Education
HB 148 - Workforce Development and Workplace Safety
HB 154 - Transportation
HB 162 - Veterans
HB 163 - Veterans
HB 171 - Ways and Means
HB 172 - Elementary and Secondary Education
HB 186 - Ways and Means
HB 190 - Small Business
HB 191 - Agriculture Policy
HB 210 - Transportation
HB 213 - Veterans
HB 216 - Veterans
HB 217 - Health Care Policy
HB 220 - Higher Education
HB 229 - Senior Citizen Advocacy
HB 236 - Corrections and Public Institutions
HB 243 - Transportation
HB 248 - Financial Institutions
HB 259 - Elections
HB 272 - Crime Prevention and Public Safety
HB 276 - Elementary and Secondary Education
HB 281 - Conservation and Natural Resources
HB 283 - Local Government
HB 295 - Children and Families
HB 297 - Elementary and Secondary Education
HB 302 - Judiciary

COMMITTEE ASSIGNMENT

Representative Curls has been appointed Vice-chair of the Ethics Committee.

RECESS

Representative Dempsey moved that the House stand in recess for the purpose of receiving messages from the Senate.

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

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 176**, entitled:

An act to repeal 57.080, RSMo, and to enact in lieu thereof two new sections relating to political subdivision elections, with an emergency clause and an expiration date.

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 President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**: Senators Gibbons, Shields, Coleman, Crowell, Clemens, Nodler, Days, Callahan, Wheeler and Kennedy.

The following members' presence was noted: Boykins, Cooper (120) and Schneider.

ADJOURNMENT

On motion of Speaker Pro Tem Bearden, the House adjourned until 10:00 a.m., Wednesday, January 26, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.
Department overviews will begin promptly at 8:00 a.m.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2005, 8:00 a.m. Hearing Room 3.
Organizational meeting.

LOCAL GOVERNMENT

Thursday, January 27, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.
Public hearings to be held on: HB 47, HB 40

RETIREMENT

Wednesday, January 26, 2005, 9:00 a.m. Hearing Room 6.
Organizational meeting. AMENDED

UTILITIES

Wednesday, January 26, 2005, 12:00 p.m. Hearing Room 6.

Organizational meeting. AMENDED

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 10

HOUSE BILLS FOR SECOND READING

HB 306 through HB 323

SENATE BILL FOR SECOND READING

SB 176