

JOURNAL OF THE HOUSE

First Extraordinary Session, 93rd GENERAL ASSEMBLY

SIXTH DAY, TUESDAY, SEPTEMBER 13, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, as we call upon You in this day of trouble, You rescue us and we honor You. You are a shelter for the oppressed, a safe haven in times of disaster. Those who know Your name trust in You, for You, O Lord, have never abandoned anyone who seeks You.

Though our hearts sorrow and we are surely distracted by the constant images of pain and suffering from the Gulf Coast region, we press forward with unwavering resolve to serve the best interests, of the people, of this great state of Missouri.

Lord God, may we continue, with uncanny wisdom, to make appropriate decisions with forethought, insight, and keen foresight.

Bless with safety all those who answered the call to serve in the Gulf Coast region; from the servers on the food lines to the police and armed forces who patrol the streets.

So we give thanks to You, merciful Father, the God [Who is the Source] of every comfort, who comforts and encourages us in every calamity and affliction, so that we may, likewise, be able to comfort and encourage those who are in any kind of trouble or distress.

We pray this in the majestic name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the first, third and fourth days were approved as printed.

The Journals of the second and fifth days were approved as corrected.

SPECIAL RECOGNITION

The House of Representatives took part in the *U.S. Department of Defense Virtual USO* broadcast to troops all over the world, including Iraq and Afghanistan, and were recognized by Representatives Jackson, Wright (137) and members of the Missouri House of Representatives, and applauded for their outstanding bravery.

PERFECTION OF HOUSE BILLS

HCS HB 2, relating to crime, was taken up by Representative Lipke.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Section 210.117, Page 6, Line 19, by striking the phrase: “**a court of competent jurisdiction determines, or**” on said line; and

Further amend said bill, Section 210.117, Page 6, Lines 20 and 21, by deleting the phrase “**that is upheld by the child abuse and neglect review board,**” on said line; and

Further amend said bill, Section 210.038, Page 7, Line 19, by deleting the word “**minor**” in the first instance and inserting in lieu thereof the word “**child**”; and

Further amend said bill, said section, said page, said line, by deleting the word “**minor**” in the second instance and in lieu thereof the words “**abusing child**”; and

Further amend said bill, Section 211.181, Page 9, Line 85, by deleting the word “**victim**” in every instance and inserting in lieu thereof the words “**abused child**”; and

Further amend said bill, said section, said page, Line 87, by deleting the word “**victim**” and inserting in lieu thereof the word “**abused**”; and

Further amend said bill, said section, Page 10, Line 88, by deleting the word “**victim**” and inserting in lieu thereof the words “**abused child**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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

On motion of Representative Lipke, **HCS HB 2, as amended**, was adopted.

On motion of Representative Lipke, **HCS HB 2, as amended**, was ordered perfected and printed by the following vote:

AYES: 146

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hubbard	Hunter	Iceet	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	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard

Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 002

Hoskins Hughes

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bland	Bowman	Boykins	Brooks
Brown 30	Marsh	Meadows	Page	Rupp
Salva	Wagner	Walton		

VACANCIES: 002

HCS HB 3, relating to personal information on the Internet, was taken up by Representative Pratt.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 3, Section 1, Page 2, Line 9, by placing brackets around the word “subsection” on said line and inserting immediately thereafter the word “**section**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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

On motion of Representative Pratt, **HCS HB 3, as amended**, was adopted.

On motion of Representative Pratt, **HCS HB 3, as amended**, was ordered perfected and printed.

RECESS

On motion of Representative Dempsey, the House recessed until 11:00 a.m.

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

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 4, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

SUPPLEMENTAL CALENDAR

SEPTEMBER 13, 2005

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 2, E.C. - Lipke
- 2 HCS HB 3, E.C. - Pratt

SENATE BILLS FOR THIRD READING

- 1 SB 1, E.C. - Cunningham (86)
- 2 SB 4, HCA 1, E.C. - Hunter

THIRD READING OF HOUSE BILLS

HCS HB 3, relating to personal information on the Internet, was taken up by Representative Pratt.

On motion of Representative Pratt, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Iceet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May

McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bland	Bowman	Boykins	Brooks
Brown 30	Curls	Johnson 61	Marsh	Page
Salva	Smith 118	Wagner	Walsh	Walton
Wright 137				

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hunter	Ice	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	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater

25 *Journal of the House*

Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 004

Hughes	Whorton	Wildberger	Wright-Jones
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PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Boykins	Brooks
Brown 30	Marsh	Page	Salva	Smith 118
Wagner	Walsh			

VACANCIES: 002

HCS HB 2, relating to crime, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hubbard	Hunter	Ice	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	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Spreng	Stefanick	Stevenson	St. Onge

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

NOES: 002

Hoskins	Hughes
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PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Bowman	Boykins	Brooks
Brown 30	Marsh	Page	Salva	Smith 118
Wagner				

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hubbard	Hunter
Ice	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	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

27 *Journal of the House*

NOES: 005

Curls	George	Hoskins	Hughes	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bland	Bowman	Boykins	Brooks
Brown 30	Haywood	Marsh	Page	Salva
Smith 118	Wagner	Wright 137		

VACANCIES: 002

The following members' presence was noted: Bland, Bowman and Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, September 14, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Wednesday, September 7, 2005, Page 8, Line 16, by inserting immediately after the word "noted:" the following:

Johnson (90), Loehner, Wallace,

Correct House Journal, Fifth Day, Monday, September 12, 2005, Page 17, Line 16, by inserting immediately after the word "noted:" the following:

Day, Fisher, Wright (137), Wright (159),

COMMITTEE MEETINGS

BUDGET

Wednesday, September 14, 2005, Hearing Room 3 upon afternoon adjournment.
Discuss letters of intent.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2005, 8:00 a.m. Hearing Room 6.

Quarterly business meeting.

Portions of this meeting may be closed pursuant to Section 610.021(3)(17).

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Wednesday, September 14, 2005, 9:00 a.m. Hearing Room 7.

Public testimony--enhancement of Homeland Security and prevention. AMENDED

MEDICAID REFORM COMMISSION

Wednesday, September 14, 2005, 8:00 a.m. Hearing Room 7.

Provider testimony.

To testify notify Senator Shield's office 573-751-9476.

MEDICAID REFORM COMMISSION

Thursday, September 15, 2005, 8:00 a.m. Hearing Room 7.

Provider testimony and prevention.

To testify notify Senator Shield's office 573-751-9476.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL

Wednesday, September 14, 2005, Hearing Room 6 upon adjournment of the Joint Committee on Legislative Research.

Portions of this meeting may be closed pursuant to Section 610.021(3).

UTILITIES

Wednesday, September 14, 2005, 4:30 p.m. Hearing Room 6.

Informational meeting with Public Service Commission.

HOUSE CALENDAR

SEVENTH DAY, WEDNESDAY, SEPTEMBER 14, 2005

HOUSE BILL FOR PERFECTION

HCS HB 1 - Cunningham (86)

SENATE CONCURRENT RESOLUTION

SCR 1, (9-09-05, Pages 11-12) - Lager

SENATE BILLS FOR THIRD READING

1 SB 1, E.C. - Cunningham (86)

2 SB 4, HCA 1, E.C. - Hunter

