

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 17, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, by Your gift of wisdom, and our communication and reflection, may we continue to grow in our understanding of the state of our State.

Then, may we begin to do our part in advancing justice for all. Your Holy Word reminds us, "By justice a king gives stability to the land," (*Proverbs 29:4*). Help us, each and every one of us, to do our part so that this Holy Word may live ever more fully in the "land" that is the State of Missouri.

We thank You, O God, for every good decision and every good event that has helped decrease the violence and killing in Iraq. Protect our armed forces there, and help the leaders of that nation to establish justice for all their people.

We give You honor and glory, Almighty God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mate Chavez Daus and Vincent Chavez Daus.

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

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson

Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	

NOES: 002

Daus Talboy

PRESENT: 002

Darrough George

ABSENT WITH LEAVE: 011

Cooper 155	Donnelly	Harris 23	Haywood	Nasheed
Schneider	Skaggs	Vogt	Young	Zimmerman
Mr Speaker				

VACANCIES: 004

SPECIAL RECOGNITION

Dr. Richard Haffner, Dr. Donald Gutting, Dr. John Brown, II, Dr. Murry Germany, Dr. John Love and Dr. James Hayden were recognized for their fifty years of service to the dental profession.

HOUSE RESOLUTION

Representative Bruns offered House Resolution No. 140.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 141 through House Resolution No. 156

SECOND READING OF HOUSE BILLS

HB 1674 through **HB 1702** were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 2021, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2021** was ordered perfected and printed.

HB 2022, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2022** was ordered perfected and printed.

HB 2015, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2015** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 5 - Special Committee on Veterans

HCR 7 - Higher Education

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 39 - Elections

HJR 40 - Elections

HJR 41 - Special Committee on General Laws

HJR 42 - Ways and Means

HJR 43 - Ways and Means

HJR 44 - Elementary and Secondary Education

HJR 45 - Elections

HJR 49 - Special Committee on General Laws

HJR 51 - Special Committee on General Laws

HJR 52 - Special Committee on General Laws

HJR 53 - Transportation

HJR 55 - Special Committee on General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1306 - Special Committee on General Laws

HB 1308 - Judiciary

HB 1339 - Judiciary

HB 1340 - Special Committee on Tax Reform

HB 1387 - Judiciary

HB 1404 - Crime Prevention and Public Safety

HB 1405 - Crime Prevention and Public Safety

HB 1406 - Transportation

HB 1407 - Elections

HB 1417 - Judiciary

HB 1437 - Ways and Means

- HB 1460** - Judiciary
- HB 1468** - Crime Prevention and Public Safety
- HB 1469** - Judiciary
- HB 1482** - Transportation
- HB 1489** - Crime Prevention and Public Safety
- HB 1504** - Health Care Policy
- HB 1517** - Elections
- HB 1519** - Transportation
- HB 1526** - Elections
- HB 1532** - Transportation
- HB 1534** - Elementary and Secondary Education
- HB 1540** - Judiciary
- HB 1541** - Judiciary
- HB 1546** - Health Care Policy
- HB 1550** - Judiciary
- HB 1561** - Special Committee on Family Services
- HB 1562** - Special Committee on Veterans
- HB 1570** - Special Committee on Family Services
- HB 1575** - Transportation
- HB 1576** - Special Committee on Professional Registration and Licensing
- HB 1598** - Ways and Means
- HB 1616** - Special Committee on Professional Registration and Licensing
- HB 1618** - Special Committee on Financial Institutions
- HB 1619** - Crime Prevention and Public Safety
- HB 1620** - Special Committee on Professional Registration and Licensing
- HB 1625** - Health Care Policy
- HB 1626** - Special Committee on Immigration
- HB 1636** - Special Committee on Utilities

INTRODUCTION OF HOUSE BILLS

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

HB 1703, introduced by Representatives Bruns, Dusenberg, Schneider and Roorda, relating to prior or persistent intoxication-related traffic offenders.

HB 1704, introduced by Representatives Wallace, Robb, Thomson, Schad, Wilson (119), Loehner, Pratt, Viebrock, Sater, Denison, Nance, Wasson, Whorton, Smith (150), Fisher, Baker (25), Stream, Schieffer, Kingery, Cunningham (145), Weter, Wright, Sander, Ruestman, Munzlinger, Deeken, Swinger, Dethrow, Jetton, Moore, Wilson (130), Franz, May, Rucker, Marsh, Lampe, Pollock, Wells, Tilley, Quinn (9), Day, Hobbs, Scharnhorst, Jones (117), Witte, Richard, Guest, Schneider, Aull, Kelly, Cooper (155), Kuessner, Todd, Bandom, Hodges, Yaeger, Grisamore, Fallert, McGhee, Schlottach, Bringer and Pearce, relating to grants for small schools.

HB 1705, introduced by Representative Scharnhorst, relating to condominium property.

HB 1706, introduced by Representatives Baker (123), Scavuzzo, Dusenberg, Nance, Sander, Fisher, Whorton, Flook, Faith, Sater, Smith (150), Schieffer, Rucker, McGhee, Ervin and Moore, relating to employment of retirees of the public school retirement system.

HB 1707, introduced by Representatives Baker (123), Dusenberg, Wells, Nance, Sander, Whorton, Scavuzzo, Flook, Faith, Sater, Cunningham (86), Rucker, McGhee, Ervin and Moore, relating to the procurement of construction by the design-build method by school districts.

HB 1708, introduced by Representative Pollock, relating to commercial drivers' licenses.

HB 1709, introduced by Representatives Sater, Nance, Funderburk, Weter, Moore, Dougherty and Oxford, relating to the use of moneys from certain payments received from the master settlement agreement.

HB 1710, introduced by Representative Flook, relating to police retirement.

HB 1711, introduced by Representatives Weter, Wasson and Tilley, relating to emergency service boards.

HB 1712, introduced by Representatives Sander, McGhee, Jones (117), Parson, Deeken, Nance, Wallace, Bruns and Baker (123), relating to emergency services.

HB 1713, introduced by Representatives Norr, Todd, Hodges, Quinn (9), Casey, Zimmerman, Wildberger, Roorda and Darrough, relating to rebates.

HB 1714, introduced by Representatives Norr, Brown (50), Scavuzzo, Schieffer, Casey, Todd, Hodges, Quinn (9), Zimmerman, Roorda and Schoeller, relating to a tax credit for natural disaster costs.

HB 1715, introduced by Representatives Schad, Cooper (155), Wallace, Fisher, Faith, Lembke, Nance, Bruns, Bivins, Wilson (119), Sander, Jones (117), Robb, Smith (150), Kingery, Dusenberg, Day, Scharnhorst, Ruestman, Denison, Deeken, May, Loehner, Cunningham (86), Wilson (130), Moore, Nolte, Kraus, McGhee, Munzlinger, Sater, Weter, Muschany, Kelly, Schlottach, Ruzicka, Jones (89), Wright, Guest, Silvey, Grisamore, Flook, Onder, Baker (123), Viebrock, Schoeller, Pollock, Parson, Pratt, Tilley, Ervin, Quinn (7), Stevenson, Sutherland, Schaaf, St. Onge, Franz, Threlkeld, Cox, Wells, Stream, Thomson, Wasson, Hobbs, Smith (14) and Brandom, relating to watercraft.

HB 1716, introduced by Representatives Guest, Ruestman, Tilley, Talboy, McGhee, Harris (110), Funderburk, Yates, Davis, Dougherty, Schieffer, Baker (123), Portwood, Whorton, Nieves, Low (39), Smith (150), Meiners, Lowe (44), Wallace, Wilson (119), Swinger, Darrough, Onder, Wells, Weter, Dusenberg, Cooper (155), Rucker, Oxford, Brown (50), Meadows, Schad, Daus, Stream, Bivins and Nance, relating to noncompliance with the federal REAL ID Act of 2005.

HB 1717, introduced by Representatives Guest, Sander, Wood, Wallace, Ruestman, Kingery, Jones (117), Smith (150), Robb, Nance, Deeken, Fisher and Hunter, relating to driver's licenses.

HB 1718, introduced by Representatives Brandom, Tilley, Pollock, Grisamore, Wells, Schoeller, Day, Wright, Thomson, Franz, Smith (150), Muschany, Sander, Nolte and Denison, relating to gift certificates.

HB 1719, introduced by Representatives Talboy, Holsman, Burnett, Bland, Curls, Skaggs, Zimmerman, Meiners, Roorda, Wildberger, Lowe (44), Lampe, Darrough, Low (39), Yaeger, Oxford, Bowman, Fallert, Walton, Meadows and Baker (25), relating to election procedures.

HB 1720, introduced by Representatives Talboy, Lowe (44), Lampe, Chappelle-Nadal, Low (39), Oxford, Bowman, Walton, Daus, Curls and Johnson, relating to the duty of a pharmacy to fill prescriptions.

HB 1721, introduced by Representatives Talboy, Schieffer, Meiners, Wildberger, Burnett, Bland, Curls, Skaggs and Hughes, relating to the capping of nautural gas and gasoline prices.

HB 1722, introduced by Representatives Wallace, Jetton, Robb, Schad, Thomson, Wilson (119), Pratt, Viebrock, Loehner, Sater, Denison, Whorton, Fisher, Stream, Wasson, Schieffer, Kingery, Cunningham (145), Portwood, Faith, Dusenber, Sander, Ruestman, Munzlinger, Flook, Yates, Deeken, Ervin, Emery, Cox, Swinger, Dethrow, Wilson (130), Franz, May, Baker (123), Marsh, Lampe, Pollock, Wells, Tilley, Quinn (9), Day, Scharnhorst, Hobbs, Jones (117), Witte, Richard, Guest, Schneider, Aull, Kelly, Cooper (155), Kuessner, Todd, Brandom, Hodges, Ruzicka, Nance, Wright, Yaeger, Jones (89), Grisamore, Smith (150), Weter, McGhee, Schlottach, Bivins, Pearce, Wood, Quinn (7), St. Onge, Dixon, Sutherland and Self, relating to school protection measures.

HB 1723, introduced by Representative Franz, relating to collection of taxes.

HB 1724, introduced by Representatives Davis, McGhee, Funderburk, Ruestman, Kraus, Emery, Sander, Nieves, Bivins, Moore, Faith, Wells, Thomson, Wallace, Wood, Cox, Scharnhorst, Lembke, Jones (89), Meiners, Casey, Walton, Smith (14), Smith (150) and May, relating to sexual offender registration.

HB 1725, introduced by Representative Villa, relating to jury service.

HB 1726, introduced by Representatives Robb, Page, Cunningham (86), Portwood, Meiners, Villa and Moore, relating to classroom placement of children.

HB 1727, introduced by Representatives Bivins, Holsman, Grill and Darrough, relating to light pollution.

HB 1728, introduced by Representatives Bivins, Sater, Ruestman and Moore, relating to strategic litigation against public participation.

HB 1729, introduced by Representatives Bivins and Villa, relating to stormwater control bonds.

HB 1730, introduced by Representatives Bivins, Lembke, Cunningham (86), Sater, Brown (30), Ruestman, Faith and Moore, relating to fire protection district tax rates.

HB 1731, introduced by Representatives Walsh, Daus, Whorton, Schieffer, Corcoran, Lowe (44), Wildberger, Yaeger, Low (39), Harris (110), Roorda, Spreng, Meadows, Lampe and Brown (50), relating to the safe staffing and quality care accountability acts.

HB 1732, introduced by Representatives Walsh, Daus, Lowe (44), Wildberger, Yaeger, Low (39), Baker (25), Roorda, Young, Hughes, Spreng and Meadows, relating to oversight of public privatization contracts.

HB 1733, introduced by Representatives Walsh, George, Chappelle-Nadal, Darrough, Meadows, Roorda, Schoemehl, Hodges, Zweifel and Yaeger, relating to property taxation.

HB 1734, introduced by Representatives Fallert, George, Zimmerman, Dougherty, Salva, Tilley and Frame, relating to the sale of liquor.

HB 1735, introduced by Representatives Nolte and Silvey, relating to educational facilities.

HB 1736, introduced by Representatives Schneider, Jetton, Nolte, Pratt, Avery, George, Nance, Dougherty, Davis, Bivins, Munzlinger, Wallace, Smith (150), Lembke, Schoeller, Yates, Fisher, Moore, Brown (30), Ruestman and Nieves, relating to illegal immigration.

HB 1737, introduced by Representatives Wallace, Viebrock, Schad, Wilson (119), Loehner, Sater, Pratt, Denison, Dixon, Wilson (130), Thomson, Kingery, Munzlinger, Deeken, Swinger, Franz, Baker (123), Self and Wood, relating to a motor fuel tax exemption for school districts.

HB 1738, introduced by Representatives Holsman, Oxford and Schieffer, relating to tobacco paraphernalia.

HB 1739, introduced by Representatives Moore, Lampe, Parson, Wood, Brown (50), Bivins, Denison, Sander, Faith, May, Wilson (119), Bruns, Dougherty, Schoemehl, Munzlinger, Hodges, Fisher, Threlkeld, Fares, Wildberger, Ruestman, Kuessner, Schieffer, Sater, Grisamore, Richard, Wasson, Meadows, Viebrock, Kingery, McGhee, Sutherland, Walton, Fallert, Funderburk, Smith (150), Schoeller, Pearce, Norr, Casey, Lembke, Low (39), St. Onge, Wallace, Robb, Tilley, Ruzicka, Jones (89), Wright, Emery, Dixon, Cooper (120), Harris (110), Weter, Burnett, Young, Villa, Haywood, Whorton, Robinson, Aull, Scavuzzo, Grill, Shively, Yaeger, Lowe (44), Johnson, Quinn (9), Schad, Hunter, Kelly, Ervin, Hobbs, Stevenson, Day, Deeken, Jones (117), Avery, Thomson, Curls, Wilson (130), Franz and Schneider, relating to psychologist licensing.

HB 1740, introduced by Representative Meiners, relating to recording fees.

HB 1741, introduced by Representative Meiners, relating to certain persons being excused from jury service.

HB 1742, introduced by Representatives Dusenberg, Nolte, Schieffer, Darrough, Lowe (44), Aull and Talboy, relating to the selling of tickets.

HB 1743, introduced by Representatives Dusenberg and Yates, relating to income tax credits for surviving spouses of public safety officers.

HB 1744, introduced by Representatives McGhee, Kraus, Day, Meadows, Grisamore, Portwood, Stream, Scharnhorst, Komo, Schieffer, Weter, Ruestman, Darrough, Sater, Whorton, Wallace, Low (39), Schneider and Sander, relating to the telemarketing no-call list.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Richard is no longer a member of the Special Committee on Utilities.

Representative Schoemehl is no longer a member of the Special Committee on Immigration.

WITHDRAWAL OF HOUSE BILL

January 17, 2008

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Adam,

I respectfully request that **House Bill No. 1687** be pulled at this time.

Thank you for your consideration.

Sincerely,

/s/ Jerry Nolte
Representative
District 33

The following members' presence was noted: Cooper (155), Donnelly, Jetton, Nasheed, Schneider and Vogt.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Tuesday, January 22, 2008.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-business.
Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

APPROPRIATIONS - EDUCATION

Tuesday, January 22, 2008, 11:00 a.m. Hearing Room 3.

Overview presentation from the Department of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 1.

Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 3.

Office of Administration statewide real estate and other
Office of Administration divisions as time permits.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 22, 2008, 9:00 a.m. Hearing Room 5.

Budget overview for the Department of Health and Senior Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 22, 2008, Hearing Room 3 upon adjournment.

Organizational meeting.

Discuss report and review Governor's decision item recommendations.

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, January 22, 2008, Upon adjournment. Hearing Room 4.

Informational meeting.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 23, 2008, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1314

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.

Specialty License Plate Applications: Rocky Mount Elk Foundation,
Missouri Parks and Recreation Association, Missouri Association of Realtors.
Request for Proposal (RFP).

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, January 22, 2008, 6:00 p.m. Hearing Room 5.

Organizational meeting.

Report on Missouri Health Insurance Pool Alternative Financing Study.

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Tuesday, January 22, 2008, 12:00 p.m. Hearing Room 6.

Committee will study all aspects of healthcare and how they relate to
the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment. HR6 AMENDED

Public hearing to be held on: HB 1332

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 4.

Committee will study all aspects of healthcare and how they relate to
the problem of the uninsured in Missouri.

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to
the problem of the uninsured in Missouri.

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 23, 2008, 8:00 a.m. Hearing Room 1.

Organizational meeting.

Mr. Greg Steinhoff, Director of Economic Development and staff will address the committee.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 23, 2008, 8:00 a.m.

Division of Professional Registration and Licensing, 3605 Missouri Blvd., Jefferson City, MO.
Informational meeting.

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 1.

Executive session to follow.

Public hearings to be held on: HB 1320, HB 1310, HB 1311

SPECIAL COMMITTEE ON UTILITIES

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1426, HB 1430

TRANSPORTATION

Tuesday, January 22, 2008, 10:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1423

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 22, 2008

HOUSE BILLS FOR SECOND READING

HB 1703 through HB 1744

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 2021 - Icet
- 2 HB 2022 - Icet
- 3 HB 2015 - Icet