

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, FEBRUARY 5, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

On this day of voting, called Super Tuesday, let us pray.

Almighty God, we praise You! We thank You for creating humankind in Your image and likeness, and for giving us the ability to "choose the good" (*Isaiah 7:15*), as one of the highest forms of acting in Your image and likeness.

We pray for the citizens of our state, and of all the Super Tuesday states. Inspire them to concentrate upon "choosing the good" as they vote. In this simple act, may they experience their personal dignity and even the fulfillment of their duty before You, their God.

When the voting is over, give us the humility and wisdom to discern the meaning of the results. In all our work in this House of Representatives, guide us carefully to "choose the good" and together to advance the common good. As we cast our votes on various issues, may we experience our own dignity of being created in Your image and likeness.

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

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed.

MOTION

Representative Tilley moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hughes	Icet	Jones 89	Jones 117	Kelly

Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Daus	George	Lowe 44	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Bland	Chappelle-Nadal	Cooper 120	El-Amin
Harris 23	Haywood	Hubbard	Hunter	Johnson
Loehner	McClanahan	Quinn 7	Storch	

VACANCIES: 005

Speaker Jetton assumed the Chair.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Cunningham (86), Wright, Scharnhorst, Kelly, Dethrow, Yaeger, Bringer, Zweifel, Donnelly and Page.

The Speaker appointed the following committee to escort the Honorable Laura Denvir Stith, Chief Justice of the Supreme Court of Missouri to the dais: Representatives Jones (89), Lipke, Stevenson, Flook, Cox, Burnett, Witte, Zimmerman, Walton and Harris (23).

JOINT SESSION

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

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

AYES: 031

Barnitz	Bartle	Bray	Callahan	Clemens
Coleman	Crowell	Days	Engler	Gibbons
Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Lager	Loudon	Mayer	McKenna
Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Champion	Dempsey	Koster
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VACANCIES: 000

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

AYES: 132

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hughes	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nolte
Norr	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Avery George Talboy

PRESENT: 002

Darrough Vogt

ABSENT WITH LEAVE: 021

Baker 25	Bland	Chappelle-Nadal	Cooper 120	El-Amin
Harris 23	Haywood	Holsman	Hoskins	Hubbard
Hunter	Johnson	McClanahan	Nieves	Onder
Roorda	Ruestman	Salva	Storch	Wasson
Wildberger				

VACANCIES: 005

The doorkeeper announced the approach of the Honorable Laura Denvir Stith, Chief Justice of the Supreme Court of Missouri. Chief Justice Stith was duly escorted to the House Chamber and to the Speaker's dais where she delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

By

Chief Justice Laura Denvir Stith

Introduction

President Kinder, President Pro Tem Gibbons, Speaker Pro Tem Pratt, statewide elected officials, members of the General Assembly, members of the cabinet, my fellow Supreme Court judges, honored guests and fellow citizens:

Thank you for your warm welcome. I am truly honored to be here. When I began my legal career nearly 30 years ago as a Supreme Court law clerk, I had no idea that one day I would have the opportunity to come before this honored assembly, as the state's second female chief justice, to deliver Missouri's 35th State of the Judiciary address.

When I began my career, there were no female appellate or Supreme Court judges in Missouri and very few elsewhere. But now, for the first time in Missouri's history, we have three women on the Supreme Court. I thank Governor Matt Blunt for his appointment of Judge Patricia Breckenridge to the Court.

Courts and judges make a positive impact on Missouri's communities

Like many of you, Judge Breckenridge is a true public servant. Over the past nine years, she has mentored five Kansas City children who, under her guidance, have become thriving teenagers looking forward to a promising future. Such efforts are the norm in the judiciary. Just a few weeks ago, for example, the judges and staff of the Western District appeals court finished a food drive that will feed nearly 400 needy families in the Kansas City area.

I tell you about these activities for two reasons. First, we are proud of the community involvement and personal contributions of our judges. Second, a review of these activities affirms that, just as you legislators are well-known for your civic participation at all levels, so too are the vast majority of our judges. They are in the same civic groups as you; they work to make a difference in their communities, like you; and, like you, judges and court staff make a positive impact on their communities through the performance of their official duties.

Just last month, for example, Jackson County received national honors for its family court probation and aftercare services. This program has reduced the recidivism rate drastically; now only 4 percent of its youth are referred back to the family court within six months.

Across the state, in the city of St. Louis, Judge Jimmie Edwards has reorganized the juvenile court so effectively that most felony offenses are processed within five weeks and misdemeanors within two weeks. This gets juvenile offenders off the streets, out of detention centers and into rehabilitative services sooner. It also has reduced the city's juvenile detention population by about a third, saving precious resources.

Judge Mary Sheffield and the 25th Circuit in south-central Missouri - along with Judge Rick Zerr and the 11th Circuit in St. Charles County - are piloting what we hope will become a statewide model for family courts. This enhanced "unified family court" system assigns a single judge to a particular family, which diminishes the likelihood of fragmented and inconsistent court results and reduces the time families have to spend in court. This new unified family court system will make a real difference in the lives of your constituents.

Drug courts are important for Missourians

Programs like these demonstrate how hard-working court professionals can turn around young lives and keep families together. Drug courts, also, are helping urban and rural communities throughout the state reap similar benefits. Since they were established in Missouri 15 years ago through bipartisan efforts, our drug courts have graduated more than 6,200 individuals. An incredible 90 percent of these never return to our criminal justice system! I thank my colleague, Judge Ray Price, for his instrumental role in the development and oversight of these courts as chairman of Missouri's statewide drug court commission. In fact, the reason he is unable to be with us today is that he is in Washington, D.C., attending a board meeting of the National Association of Drug Court Professionals.

I encourage all of you to attend a local drug court graduation - it's an amazing experience. In Stone County, for example, one graduate went from having no place to live, no relationship with his two sons, no job and spending his time committing crimes and his money on drugs to having a solid marriage, running a masonry business and coaching his son's football team.

His story is echoed in the experiences of many of our drug court graduates. We have a number of recent graduates here today, along with some of our drug court staff and judges, and I invite them to stand and be recognized for their achievements.

These are the types of outcomes that timely and effective court intervention creates all across Missouri. Keeping offenders out of prison allows them to remain in the workforce and their families to stay intact. In fact, our juvenile courts have been able to place 120 children back in their natural homes after a parent graduated from drug court. The success of our drug courts even affects the next generation of Missourians, as more than 325 drug-free babies have been born to female drug court participants! And as I'm sure you are aware, protecting our unborn children from the ravages of drugs saves the state literally tens of thousands of dollars per child and gives every child a chance at a better life.

Alcohol abuse, like drug abuse, can ruin lives. Missouri has had the foresight to establish DWI courts as part of its drug court programs. The Greene County DWI court recently was one of only four such courts nationwide to be honored as a model court for its work in turning around repeat DWI offenders. Of its 143 graduates since 2003, only *four* have been convicted of subsequent DWIs.

As the Springfield News-Leader recently noted, expanded funding of the proven, cost-effective services offered by such courts will reduce the impact of substance abuse in Missouri. At any given time, our 108 drug courts are working with more than 3,200 offenders - that's approximately equal to the population of two state prisons Missouri has not had to build. This money-saving investment in our drug courts really is an investment in a positive future for Missourians. And all drug court funds go directly to treatment services for your constituents in your communities.

Courts have a positive impact on the state's economy

These are only a few of the many positive effects of Missouri's courts. The next time you visit your local courthouse, I encourage you to meet the skilled court professionals working there. Nearly half of the judiciary's general revenue budget pays for these court clerks, court reporters, juvenile officers and other vital court staff. These *are* your constituents, and they *serve* your constituents every day.

Investing in these people makes fiscal sense, too, because Missouri's courts help buoy the state economy. At an annual cost of slightly more than \$164 million in general revenue, our courts last year produced a positive economic impact of more than twice that amount - approximately \$395 million in damages, offsets, fines, fees and costs. Much of that money went to local schools and county governments and other government funds. In other words, we courts do our share in contributing to the state's bottom line.

We are managing the courts' resources more efficiently

Part of doing our share also means managing court resources as efficiently as possible. Before last year, the courts had only incomplete information to give in response to legislative inquiries whether additional judges were needed and, if so, where. To assist you better, we asked the nation's expert in judicial weighted workloads to study our trial courts. Its results show we need more judges. We are not asking you, however, to fund all the additional judges now - we know this is not the right time.

But the study shows where the need for additional judges is the most urgent, where justice for citizens may be delayed as a result of such shortages - including Greene, Jackson, St. Charles and St. Louis counties, among others. Armed with the facts and figures this study provides, you will be well-equipped to make informed decisions about where it is most critical to add judges throughout the state, as funds become available.

In the meantime, we are taking proactive steps, based on information in the study, to use our judicial resources more wisely. As one example, we are initiating improvements in our judge transfer program. Judges sometimes are transferred into another circuit to help cover for an illness or other temporary absence, but many other transfers help overburdened courts handle their dockets on a routine and continuing basis. For instance, in the 26th Circuit in the Lake of the Ozarks area, three judges suffered lengthy illnesses, and two of them eventually died, leaving that circuit shorthanded and unable to meet the needs of its growing population. To resolve this problem, we transferred in senior judges on a long-term basis, allowing civil trials to proceed and greatly expediting all cases.

Of course, the area soon may need another judge - Presiding Judge Greg Kays was one of two Missouri judges whom President George Bush recently nominated to become a federal district court judge. He is a fine judge and an outstanding individual. In fact, Judge Kays was honored by both the Highway Patrol and the Supreme Court for his selfless service in helping to save the life of his wilderness guide during a 2005 fishing expedition near the Arctic Circle. Judge Kays, will you please stand?

We hope the judicial weighted workload study will help us avoid future crises like the one in the 26th Circuit. Instead of the Chief Justice managing transfers, we are instituting a "judicial partnership program" pairing circuits that need extra judges with other circuits in the region whose judges have time to help. As this new program gets underway, we are focusing on the circuits with the most critical need first and will follow up with additional partnerships over the next year.

We must fix the criminal justice system

But, as newspapers in Springfield and St. Louis noted last month, adding more judges will not end the problems we are seeing in our criminal justice system. Even if we had more judges, we still would need more public defenders and prosecutors because, not enough attorneys are available to try all the pending criminal cases, resulting in lengthy pretrial incarcerations. This is a critical problem in every jurisdiction in the state but most acutely so in our urban areas, where the criminal justice system is on the brink of a shutdown and basic constitutional rights are in jeopardy.

It benefits the public, the victims of crime, witnesses and the entire justice system if these cases are processed in a reasonable time; in fact, the constitution requires it. We are pleased to hear the state's budget analysts predict a surplus will be available this year to meet some of the state's most critical needs. Few could be more critical than in the criminal justice system, where we are on the verge of risking release of some prisoners for failure to give them a speedy trial because there simply is no public defender available to advocate on their behalf. I cannot emphasize enough the urgency of this crisis and ask you to give the utmost consideration to the public defender's budget request.

Missouri cannot afford to let this continue. We thank those of you who have been working on this problem and we urge you to intensify your efforts at solving this critical flaw, one that reaches even beyond the criminal justice

system. As shown by the 26th Circuit's experience, backlogs in criminal cases can translate into delays for our civil litigants as well. This has not gone unnoticed by our business community. Business leaders tell us that they have no desire to operate in a state unless it has a fair and impartial court system that moves cases efficiently. Businesses are in litigation every day, all over the country, and the prompt resolution of their cases helps our economy to remain strong and to move forward.

Improving court technology enhances public safety and public access

Ensuring access to Missouri's courts extends beyond the courthouse walls, so we have strived to improve our online legal resources also. I am proud that the Supreme Court now offers streaming audio of its oral arguments so all members of the public can listen to them as they occur.

I also am pleased to announce that our electronic case management system will be complete statewide with the addition of Greene County this spring. Why does this matter? Well, by integrating technology into our court services, we are better able to meet your constituents' expectations about making all of government operate more efficiently. Because of its court technology, Missouri is the first state in the nation that allows the courts, the schools and state executive branch agencies that serve youth, to share juvenile case information through a secure, statewide system. And Missouri's court technology ensures that law enforcement agencies receive orders of protection within a few minutes of their entry and that the Highway Patrol more quickly can receive thousands of convictions and mental incapacity determinations.

We also are proud of our nationally recognized Case.net system, which lets you and your constituents access statewide adult case information around the clock through our Web site. Case.net is purely a Missouri product: It was designed by Missouri court technology staff, with input from courts and citizens throughout the state, and it is something of which we all should be proud.

The technology you have helped us build now positions us to take the next step for Missouri's citizens. With your support for our budget request to pilot electronic filing, we can begin providing Missourians electronic access to their court documents, increasing transparency of the courts for less money. E-filing also will be more efficient. It will enable litigants and lawyers to obtain court files and specific documents from their homes or offices any time of day. And it will enhance public safety by giving judges, court personnel and law enforcement officers round-the-clock access to case information. This will be an important step forward for everyone.

The advances we've made would not have been possible without your investments in court technology, because modern computer systems provide the foundation for information sharing and access. We thank you, and we ask for your continued support to enable Missouri's courts to provide the kind of service our citizens expect in the 21st century.

The nonpartisan plan for selecting judges on merit continues to work

I'll spend the remainder of my comments addressing something many of you have asked me about - the nonpartisan court plan. In fact, your enhanced interest gave me the privilege of being the first chief justice in recent memory to be invited to speak with a legislative committee even before the State of the Judiciary. I was thankful for that opportunity.

As I noted then, I believe that in the nearly three-quarters of a century since its adoption, Missouri's nonpartisan merit-selection court plan has worked well in attracting high-quality judges in the least political way and in ultimately giving Missouri's voters - not lawyers, not the Governor, not the Legislature and not the Supreme Court - the final say. This renowned method of judicial selection - what some have called "Missouri's gift to the art of governance" - should be treasured.

Most Missourians agree. In a poll of 600 Missourians recently conducted by Public Opinion Strategies, the majority opposed replacing the plan, either with partisan judicial elections - in which judges raise literally millions, if not tens of millions, of dollars to keep their office - or with a federal-type system in which judges are hand-picked by the Governor and confirmed by the Senate.

The process the Appellate Judicial Commission followed in filling Judge Ronnie White's vacancy on the Supreme Court was the same process that the same seven commissioners followed to fill the five additional appellate vacancies this year. This process became part of Missouri's structure of government in 1940, when a group of mostly Republican legislators and civic leaders, including my colleague Steve Limbaugh's grandfather, "the original" Rush Limbaugh, successfully led a citizen initiative to end partisan control of the judiciary. The only significant change made since then came in 1978, when citizens - to minimize further the influence of partisan politics in our judicial system - eliminated the Governor's ability to force the nonpartisan commissions to nominate additional panels for the same vacancy.

In the end, the process has worked essentially the same way for all those years. It is a neutral, even-handed process that blends the best features of merit screening, executive branch appointment and voter participation in judicial selection while preserving the public's confidence in fair and impartial courts. And it is the process that led to the selection of fine jurists such as John Holstein, Ann Covington, Charles Blackmar, Andrew Jackson Higgins, Joseph Simeone, J.P. Morgan and my own mentors - Robert Seiler and Elwood Thomas - to name but a few.

We are further opening the nonpartisan selection process

Pride in these and other fine judges appointed under the Missouri plan no doubt has played an important role in the rejection of prior attempts to dismantle the plan or allow it to become subject to expensive fundraising efforts, special interest influence or shifting political winds. As Missourians always have recognized, this is not a Democratic or Republican issue - it is a matter of good government.

But does that mean I think that we have implemented the plan perfectly? As I told the Senate Rules Committee last fall, actually, I don't - and those of us on the Supreme Court are working to improve its operation in two significant ways.

The first involves giving even more information to the media and the public. The nonpartisan plan process already makes *more* information public than what is shared in any other area of state government. Under the plan, the public learns who the three finalists are for positions on Missouri's nonpartisan courts so they can offer comment to the Governor. For most other appointed positions in government, including the directors of executive branch agencies and the legislative leadership, all the public learns is the name of the person finally selected.

That said, the Supreme Court has listened to the public and the media and plans to open up the process even more. Beginning later this month, the Court will require commissions to announce the time, date and location of their meetings and to provide demographic information about the applicant pool prior to those meetings. Once the three finalists are determined, the commissions will be required to make public the three nominees' applications - with private information redacted, of course.

We plan to enhance public involvement in the process of rating and retaining nonpartisan judges

The second area designated for improvement is the retention election process. The Supreme Court is working to make sure that Missouri's citizens have more, and better, access to information about the performance of their judges when they exercise their right to have the final say on whether judges should remain in office.

In 2006, The Missouri Bar spent more than \$100,000 to conduct evaluations of nonpartisan judges and distribute the results to the public - by holding news conferences, distributing evaluations to the media, putting the results online, sending them to organizations such as the chambers of commerce - the Bar even made them available in libraries and supermarkets. We commend the Bar for its many efforts, but we can do even more for Missourians.

We want citizens to have ready information about the performance of their judges so they can make fully informed decisions when they exercise their right to vote. Ideally, Missouri would follow Arizona's lead and appropriate a million dollars each election cycle so the Secretary of State can print and mail to each voter in the state a pamphlet summarizing and evaluating the qualifications and performance of each judge up for retention.

But we are not standing still just because full funding for these efforts is not available. As a member of the National Conference of Chief Justices, I am helping to draft a resolution - which we will vote on this summer - to support

federal legislation allowing this type of voter guide to be distributed postage-free. If successful, this could reduce the cost of the pamphlets by up to one-third. I ask each of you to voice your support for this type of legislative proposal to your counterparts in Congress. Together, we can make a difference.

The Supreme Court also is requiring the creation of judicial performance committees to use objective standards to conduct in-depth evaluations of nonpartisan judges seeking retention. These performance committees, composed of an equal number of lay persons and lawyers, will release their evaluation summaries and will recommend whether a nonpartisan judge should be retained. The bottom line recommendations, and directions to a Web site with detailed evaluation information, will be made available in a concise voter information pamphlet - the type of pamphlet we hope one day to be able to send to all the voters.

Each of these proposals is feasible. None require any state funding or any new legislation; all are within the scope of the Supreme Court's constitutional authority over the judiciary. We look forward to the public's feedback about the improved retention evaluation system and to any other creative suggestions they may have for additional enhancements.

Conclusion

In conclusion, all the things I have talked about this morning merely help us accomplish our mission of providing fair and impartial justice in the nearly 1 million cases that come before our state's courts each year. We take every one of these cases very seriously, because we know that each one is the most important case in the world to the people involved.

While we judges often are struck by the weight of this responsibility, and while we may agonize about doing what the facts and the law of a particular case require, this responsibility is part of what we cherish most about our role in the court system. In the end, we are honored to be public servants, just like you.

As most of you know, one of Missouri's fine nonpartisan judges - my colleague Steve Limbaugh - recently was nominated by President Bush to become a federal district court judge. Steve is the epitome of a public servant. His life in public service - first as a prosecutor in Cape Girardeau County, then as a circuit judge there and, since 1992, as a Supreme Court judge - has been shaped by the examples of civility, courtesy and professionalism that Steve's grandfather and father set for him. He has been a real mentor for me on the Court, and I will greatly miss his sharp intellect, his insight, his wit and his camaraderie.

But I know Judge Limbaugh is eager to bring that same wisdom to the federal bench. When he does so, he will become the latest in a long series of Missouri nonpartisan plan judges who had such merit that they were nominated to join the federal bench, including Duane Benton and Theodore McMillian on the 8th Circuit appeals court as well as Henry Autrey, Gary Fenner, Fernando Gaitan, George Gunn, Jean Hamilton and Elmo Hunter on the district court bench, to name but a few.

We know Judge Limbaugh and Judge Kays, like their predecessors, will make Missouri proud. Thank you.

And thanks to all of you.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 373 through House Resolution No. 406

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 64 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1959 through **HB 1982** were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 2019, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2019** was ordered perfected and printed.

HB 2020, relating to appropriations, was taken up by Representative Icet.

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

House Amendment No. 1

AMEND House Bill No. 2020, Page 2, by deleting Section 20.040 and inserting the following new section:

"Section 20.040. To the Office of Administration
 For the Department of Public Safety
 For planning, design, and construction of a new crime lab in Jasper County
 From General Revenue Fund \$300,000
 From State Highways and Transportation Department Fund 200,000
 Total \$500,000"; and

Amend bill totals accordingly.

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

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

House Amendment No. 2

AMEND House Bill No. 2020, Page 1, by inserting two new sections preceding Section 20.015 as follows:

"Section 20.005. To Missouri State University
 For start-up costs of a joint engineering program with Missouri
 University of Science and Technology, including but not limited to
 laboratory development, equipment purchases, and laboratory set-up
 From General Revenue Fund \$500,000

Section 20.010. To the University of Missouri
 For start-up costs at the Missouri University of Science and Technology
 for a joint engineering program with Missouri State University,
 including but not limited to distance education facility development,
 equipment purchases, laboratory development, and course development
 From General Revenue fund \$500,000"; and

Adjust title and bill totals accordingly.

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

On motion of Representative Icet, **HB 2020, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1970 - Special Committee on Professional Registration and Licensing

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1704 - Special Committee on Rural Community Development

HB 1831 - Health Care Policy

COMMITTEE REPORTS

Special Committee on General Laws, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 55**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1575**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

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

HB 1983, introduced by Representative Pratt, relating to business organizations.

HB 1984, introduced by Representatives Sander, Harris (110), Faith, Pollock, Franz, Wilson (119), Schlottach, Scharnhorst, Cox, Wells, Grisamore, Moore, Nance, Loehner, Onder, Nolte, Nieves, Muschany, Avery, Lembke, Hobbs, Quinn (7), Flook, Emery, Dusenberg, Hunter, Self, Ervin, Viebrock, Wood, Dethrow, Stream, Schad, Wright, Davis, Lipke, Smith (150), Cooper (155) and Sater, relating to confidentiality of certain governmental records.

HB 1985, introduced by Representatives Oxford, Darrough and Low (39), relating to prepayment loan penalties.

HB 1986, introduced by Representatives Oxford, Harris (110), Komo, Frame, Meadows, Roorda, Fallert, Casey, Darrough, George, Walsh, Chappelle-Nadal and Storch, relating to the regional taxicab commission.

HB 1987, introduced by Representatives Oxford, Harris (110), Chappelle-Nadal, Young, Daus, Wright-Jones, Johnson and Nasheed, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 1988, introduced by Representatives Oxford, Brown (50), Fallert, Lampe, Swinger, Schoemehl, Storch, Chappelle-Nadal, Kuessner, Nasheed, Spreng, Bland, Holsman, Corcoran, Faith, Meadows, Komo, Wright-Jones, Talboy, El-Amin, Yaeger, Page, George and Daus, relating to school class size.

HB 1989, introduced by Representative Baker (123), relating to termination of parental rights.

HB 1990, introduced by Representatives Wilson (130), Grill, Sander, Ruestman, Moore and Funderburk, relating to anatomic pathology services.

HB 1991, introduced by Representatives Grisamore, Pratt and Salva, relating to the drug court commissioner in the sixteenth judicial circuit.

HB 1992, introduced by Representatives Talboy, Johnson, Holsman, Curls, Hughes, Grill, George, Skaggs and Roorda, relating to training of security guards.

HB 1993, introduced by Representatives Talboy, Portwood, Hughes, Lowe (44), Holsman, Brown (50), Grill, Low (39), Skaggs, Corcoran, Darrough, Daus, Wright-Jones, Burnett, Vogt, Oxford, Dougherty and Donnelly, relating to insurers acting in concert.

HB 1994, introduced by Representatives Bivins, Tilley, Cooper (155) and Daus, relating to dam and reservoir safety.

HB 1995, introduced by Representatives Schieffer and Schneider, relating to counties changing classification.

WITHDRAWAL OF HOUSE BILL

January 30, 2008

Adam Crumbliss, Chief Clerk
Chief Clerk's Office
State Capitol
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Bill No. 1579** be withdrawn at this time as it was written in the wrong statute. I will re-file this bill under appropriate statute.

Thank you for your consideration.

Yours truly,

/s/ Bob Nance
State Representative
District 36

The following members' presence was noted: Haywood, Hunter, Loehner and McClanahan.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 6, 2008.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1333, HB 1483, HCR 4

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 7.

Continuation of Department of Natural Resources FY09 budget presentation and the FY09 budget presentation from the Department of Agriculture.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 3.

Department of Revenue budget (if needed).

Office of Public Defender and Judiciary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's recommendations for Public Safety and Corrections. Executive session may follow.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 6, 2008, 5:00 p.m. Hearing Room 5.

Executive session. AMENDED

Public hearing to be held on: HB 1722

LOCAL GOVERNMENT

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCS HJR 55, HCS HB 1380, HB 1386, HB 1313

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1357, HB 1570, HB 1572, HB 1640

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 1.

Public testimony on the uninsured and Insure Missouri will be taken as well as testimony from the Missouri Hospital Association. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Thursday, February 7, 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.

Executive session may follow.

Committee may reconvene upon adjournment. AMENDED

Public hearing to be held on: HB 1806

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1393

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, February 6, 2008, 5:00 p.m. Hearing Room 7. AMENDED

Public hearings to be held on: HB 1736, HJR 48, HB 1626, HB 1771

Executive session will be held on: HB 1538, HB 1463

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 7.

Committee will hear a presentation by Mr. Chris Chung of the Missouri Partnership.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1700, HB 1970, HB 1418, HB 1643

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 6, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1554

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1511, HB 1512, HB 1636

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1318, HB 1424

WAYS AND MEANS

Thursday, February 7, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1370, HB 1523, HB 1766, HJR 42

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2008

HOUSE BILLS FOR SECOND READING

HB 1983 through HB 1995

HOUSE BILL FOR PERFECTION

HB 1661 - LeVota

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/08)

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 2019 - Icet
- 2 HB 2020 - Icet