

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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NINETEENTH DAY, TUESDAY, FEBRUARY 12, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(Today is Abraham Lincoln's birthday. One of his prayers will be our prayer this morning.)*

God bless our native land;  
Firm may she ever stand  
Through storm and night;  
When the wild tempests rave,  
O Ruler of wind and wave,  
Thou Who art strong to save,  
Be Thou her might!

For her prayer shall be,  
Our father's God, to Thee,  
On Whom we wait;  
Be her walls holiness -  
Her rulers righteousness,  
In all her homes be peace,  
God save the State!

Not for this land alone,  
But be God's mercies shown  
From shore to shore  
And may the nations see  
That men should brothers be,  
And form one family  
The wide-world o'er.

(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: Rebekkah Richardson, Joshua Perry, Mitchell Davis, Cody Knodell, Derek Spencer, Zack Stricker, Ethan Campbell, Jonathan Dunham, Aaron Henderson, Nathan Smith, Kyle York, Megan Richardson and Jonathan Breed.

The Journal of the eighteenth day was approved as printed.

**SPECIAL RECOGNITION**

The Harrisonville High School Wildcats Football Team was introduced by Representative Scavuzzo and recognized for attaining the Class 3 State Football Championship.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 491 through House Resolution No. 523

**HOUSE CONCURRENT RESOLUTION**

Representative El-Amin, et al., offered House Concurrent Resolution No. 22.

**SECOND READING OF HOUSE BILLS**

**HB 2077** through **HB 2080** were read the second time.

**THIRD READING OF HOUSE BILL**

**HB 1661**, relating to nonresident taxable income, was taken up by Representative LeVota.

On motion of Representative LeVota, **HB 1661** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hodges	Holsman	Hoskins	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	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Roorda
Rucker	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh

Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Baker 123	Dixon	Harris 23	Haywood	Hobbs
Hubbard	Robb	Ruestman	Stream	Viebrock
Wright-Jones	Young			

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1335** - Judiciary  
**HB 1500** - Transportation  
**HB 1510** - Special Committee on Energy and the Environment  
**HB 1617** - Special Committee on Financial Institutions  
**HB 1706** - Special Committee on Student Achievement  
**HB 1707** - Special Committee on Student Achievement  
**HB 1876** - Elementary and Secondary Education  
**HB 1877** - Elementary and Secondary Education  
**HB 1890** - Health Care Policy  
**HB 1904** - Special Committee on Government Affairs  
**HB 1936** - Local Government  
**HB 1937** - Transportation  
**HB 2048** - Higher Education  
**HB 2055** - Special Committee on Retirement  
**HB 2056** - Special Committee on Retirement  
**HB 2065** - Special Committee on Professional Registration and Licensing  
**HB 2066** - Special Committee on Professional Registration and Licensing  
**HB 2067** - Special Committee on Professional Registration and Licensing

### COMMITTEE REPORT

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1309**, 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 CONCURRENT RESOLUTION

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

**HCR 23**, introduced by Representatives Dixon, Moore, Brown (30), Dusenberg, Sater, Scharnhorst, Stream, Bivins, Nieves, McGhee and Fisher, relating to the observance of Ronald Reagan Day in Missouri.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

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

**HJR 67**, introduced by Representatives Davis, Ervin, Funderburk and Faith, relating to the distribution of general revenue funds to the various transportation funds.

### INTRODUCTION OF HOUSE BILLS

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

**HB 2081**, introduced by Representative Dougherty, relating to the state board of embalmers and funeral directors.

**HB 2082**, introduced by Representative Dougherty, relating to the regulation of barber and cosmetology licensing by the Missouri board of cosmetology and barber examiners.

**HB 2083**, introduced by Representatives Young, Schieffer, Sater and Villa, relating to the use of respectful language in reference to persons with disabilities.

**HB 2084**, introduced by Representative Skaggs, relating to a surcharge in criminal cases.

**HB 2085**, introduced by Representatives Skaggs, LeVota, Burnett, Low (39) and Hughes, relating to elections.

**HB 2086**, introduced by Representatives Zimmerman, LeVota, Talboy, Holsman, Low (39), Shively, Grill, Oxford, Storch, Darrough, Harris (110) and Schoemehl, relating to lobbying.

**HB 2087**, introduced by Representatives Zimmerman, Zweifel, George, Fallert, Roorda, Schoemehl, Darrough, LeVota, Skaggs, Witte, Swinger, Hughes, Talboy, Page, Norr, Lampe, Meiners, Hubbard, Muschany, Grill, Oxford, Daus, Schieffer, Harris (110), Villa, Nasheed, Low (39) and Yaeger, relating to absentee voting.

**HB 2088**, introduced by Representatives Zimmerman, George, Fallert, Roorda, Schoemehl, Darrough, LeVota, Talboy, Skaggs, Witte, Swinger, Hughes, Page, Norr, Lampe, Meiners, Hubbard, Oxford, Schieffer, Harris (110), Low (39) and Yaeger, relating to absentee voting.

**HB 2089**, introduced by Representatives Zimmerman, Oxford, Daus, Harris (110), LeVota, Norr and Yaeger, relating to instant runoff voting.

**HB 2090**, introduced by Representatives Oxford, Low (39), Shively, Harris (110), Brown (50), Schoemehl, Talboy, Lampe, Norr, Nasheed, McClanahan and Lowe (44), relating to driver's license photographs or digital images.

**HB 2091**, introduced by Representatives Davis, Sater and Funderburk, relating to the official dating standard.

**HB 2092**, introduced by Representatives Burnett, Skaggs, LeVota, Low (39), Hughes, Lowe (44), Vogt, Witte, Corcoran, Darrough, Casey, Holsman, Talboy, Bland, Grill, Walsh, Bringer and Baker (25), relating to limited liability companies.

**HB 2093**, introduced by Representatives Burnett, Skaggs, Hughes and Vogt, relating to the sale of vehicles for salvage, dismantling, or rebuilding.

**HB 2094**, introduced by Representative Hunter, relating to labor organizations.

**HB 2095**, introduced by Representatives Cox, Onder, Wood, Ervin, Bivins, Nieves, Sater and Funderburk, relating to sexual misconduct involving a child.

**HB 2096**, introduced by Representative Cox, relating to consumer credit protection.

**HB 2097**, introduced by Representative Cox, relating to stealing.

**HB 2098**, introduced by Representative Cooper (155), relating to the licensing of tanning facilities.

**HB 2099**, introduced by Representative Cooper (155), relating to the sale of real estate of protectees.

**HB 2100**, introduced by Representatives Cooper (155) and Avery, relating to health insurance coverage for prosthetic devices.

**HB 2101**, introduced by Representative Yates, relating to election of school board members in certain urban districts.

**HB 2102**, introduced by Representative Yates, relating to general assembly members salaries.

**HB 2103**, introduced by Representative Yates, relating to taxation of health and fitness memberships and equipment.

**HB 2104**, introduced by Representative Viebrock, relating to the public school and public education employee retirement systems of Missouri.

**HB 2105**, introduced by Representatives Cooper (155), Stevenson, Hunter and Cooper (120), relating to the uniform adult guardianship and protective proceedings jurisdiction act.

**HB 2106**, introduced by Representatives Cooper (155) and Stevenson, relating to anatomical gifts.

**HB 2107**, introduced by Representatives Day, Casey, Wright, Meadows, Stream, Dougherty, Denison, Roorda, Nieves, Ruestman, Darrough, Bivins, Hughes, Grisamore, Rucker, Fisher, Flook, Avery, Pollock, Funderburk, Kelly, Norr, Wilson (130), Sander, Schieffer, Moore, Salva and Dusenberg, relating to the disposal of unclaimed veterans' remains.

**HB 2108**, introduced by Representative Avery, relating to the distribution of local sales taxes.

**HB 2109**, introduced by Representatives Dixon, Stream, Bivins and Schoeller, relating to school district participation in the Baldrige continuous quality improvement program.

**HB 2110**, introduced by Representatives Dixon, Moore, Sander, Brown (30), Sater, Stream, Bivins, Nieves, McGhee, Fisher, Emery, Ruestman and Parson, relating to display of documents with religious content.

The following members' presence was noted: Baker (123), Dixon, Hubbard, Ruestman, Viebrock and Wright-Jones.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 13, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1658, HB 1797

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.

Department of Agriculture and Department of Conservation.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 1.

Committee will continue work on finalizing their report.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 3.

Employee benefits if needed.

Recommendations for Budget Committee.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.

2009 funding recommendations and committee report review. CANCELLED

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 5.  
2009 funding recommendations and committee report review.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 6.  
Department of Corrections. Performance review; Oversight review;  
Funding review core and new decision items.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 7.  
Discuss Department of Economic Development budget and recommendations.  
Executive session may be included.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 7.  
Discuss budget recommendations for committee report.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: HB 1722

**JOINT COMMITTEE ON RESTRUCTURING FEES OF THE CLEAN WATER &  
STORM WATER PROGRAMS**

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 2.  
Short meeting to take a vote to approve the final committee report.

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.  
Briefing/update by the Missouri Gaming Commission.  
Election of Committee Chairman.

**JOINT COMMITTEE ON TAX POLICY**

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 4.  
Election of Chairman; tax handbook discussion and tax credit tracking system.

**LOCAL GOVERNMENT**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 4.  
Executive session may follow hearing.  
Public hearings to be held on: HB 1351, HB 1832, HB 1849

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1649

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1342, HB 1385, HB 1474, HB 1618, HB 1864, HB 1893

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 13, 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. AMENDED

Public hearing to be held on: HB 1857

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1756

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1771, HB 1626

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1669, HB 1972, HB 1973

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, February 14, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1715

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1911

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 3:00 p.m. House Lounge.

Executive session may follow.

Public hearing to be held on: HB 1886

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1824, HB 1416

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 5.

Executive session.

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1787

**HOUSE CALENDAR**

TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2008

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 23

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 67

**HOUSE BILLS FOR SECOND READING**

HB 2081 through HB 2110

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 55 - McGhee

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

(2/12/08)

- 1 HCS HB 1305 - Day
- 2 HB 1354 - Wilson (119)
- 3 HB 1406 - Deeken
- 4 HB 1450 - Roorda
- 5 HCS HB 1575 - Jones (117)
- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance

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8 HB 1670 - Cooper (120)

9 HCS HB 1774 - Wallace

**HOUSE BILLS FOR THIRD READING - CONSENT**

1 HB 1310 - Hoskins

2 HB 1311 - Hoskins

3 HB 1320 - Brown (50)

**HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright