

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are a God of knowledge and by Your actions are weighed. For all the earth is Yours and You have set the world in order. No one will succeed by strength alone. It is You who give authority to legislate; You increase the strength of Your people.

As we begin this day, may our minds soar far beyond our own personal pursuits and aspirations and reach out to the larger issues at hand.

So as we stand here in this great house of government, we are determined to walk in Your counsel and meditate on Your wisdom throughout this day and the remainder of this week.

Now may You, Lord God, who by Your love and grace give us eternal encouragement and good hope, encourage our hearts and strengthen us in every good deed and word.

We ask these things in the name of Your Son. 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: Lane White, Ara Spielman and Meagan Spielman.

Representative Richard assumed the Chair.

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

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus

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Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	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	Robb	Robinson
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	Storch	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 004

Darrough	George	Lowe 44	Skaggs
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ABSENT WITH LEAVE: 012

Bland	Curts	Fisher	Harris 23	Haywood
Hobbs	Hunter	Roorda	Stream	Wasson
Wright-Jones	Young			

VACANCIES: 005

### **SPECIAL RECOGNITION**

The Stockton High School Girls Volleyball Team was introduced by Representative Parson and recognized for attaining the Class 2 State Championship.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 524 through House Resolution No. 649

### **HOUSE CONCURRENT RESOLUTION**

Representative Roorda, et al., offered House Concurrent Resolution No. 24.

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 23** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 67** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2081** through **HB 2110** were read the second time.

## COMMITTEE REPORTS

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1619**, 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 Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1314**, 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.

**Special Committee on Agri-business**, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1570**, 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 Special Committee on Family Services, to which was referred **HB 1572**, 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 Special Committee on Family Services, to which was referred **HB 1640**, 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 Special Committee on Family Services, to which was referred **HB 1649**, 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.

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

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1595** and **HB 1668**, 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.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1763**, 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.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1806**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Homeland Security**, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 1393**, 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.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 1371**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1911**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1416**, 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 Special Committee on Tourism, to which was referred **HB 1824**, 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.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1779**, 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.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1678**, begs leave to report it has examined the same and recommends that it **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 1423**, 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.

## INTRODUCTION OF HOUSE BILLS

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

**HB 2111**, introduced by Representatives Muschany and Cunningham (86), relating to charter schools.

**HB 2112**, introduced by Representatives Emery, Robb, Smith (14), Davis, Bivins, Wilson (119), Jones (89), Wells, Nieves, Sater, Meiners, Fisher, May, Schoeller, Yates and Sander, relating to the Fair Tax Act of 2008.

**HB 2113**, introduced by Representatives Storch and Johnson, relating to physical assessment of certain police officers.

**HB 2114**, introduced by Representatives Zimmerman, Chappelle-Nadal, LeVota, Low (39), Lowe (44), Walsh, Frame, Casey, Komo, Walton, Nasheed, Kuessner, Burnett, Scavuzzo, Shively, Rucker, Wildberger, Robinson, Schieffer, Talboy, Hughes, Tilley, Weter, Pratt, Schlottach, Cunningham (86), Jetton, Fisher, Wilson (119), Wallace, Ervin, Munzlinger, Pollock, Moore, McGhee, Faith, Portwood, Schoeller, Baker (123), Guest, Sutherland and Jones (89), relating to ballots.

**HB 2115**, introduced by Representatives Salva, Wildberger and Dougherty, relating to transient guest taxes for tourism.

**HB 2116**, introduced by Representatives Portwood, Spreng, Zweifel, Faith, Smith (14), Schneider, Davis, Silvey, Lembke, St. Onge, Avery, Grill, Nolte, Todd, Swinger, Meadows, George, Deeken, Parson, Franz, Aull and Scharnhorst, relating to chiropractic care.

**HB 2117**, introduced by Representatives El-Amin, Hubbard, Nasheed, Oxford, Hoskins, Brown (50), Hughes and Wright-Jones, relating to the St. Louis police force.

**HB 2118**, introduced by Representatives Yaeger, Franz, Oxford, Low (39), Curls, McGhee, Flook, Donnelly, Sander, Schoemehl and Cooper (155), relating to appointment of a parenting coordinator.

**HB 2119**, introduced by Representatives Roorda, Bruns, Darrough, Meadows, Harris (110), Nasheed, Casey, Brown (50) and Ruzicka, relating to involuntary manslaughter in the first degree.

**HB 2120**, introduced by Representatives Roorda, Schieffer, Sander and Moore, relating to schedule II controlled substances.

**HB 2121**, introduced by Representatives Roorda and Frame, relating to days off for school districts.

**HB 2122**, introduced by Representatives Roorda, Bruns, Threlkeld, Stream, George, Meadows, Casey, Page and Frame, relating to the Shawn Hornbeck Educational Reimbursement Program.

**HB 2123**, introduced by Representative Aull, relating to relocation of a child.

**HB 2124**, introduced by Representatives Aull, Wallace, Baker (25), Lampe, Scavuzzo, Brown (50), Denison, Swinger, Zweifel, Robinson, Dougherty, Witte, Hodges, Holsman, George, Johnson, Rucker and LeVota, relating to school violence prevention.

**HB 2125**, introduced by Representatives Schad, Emery, Dougherty, Ruestman and Munzlinger, relating to environmental permits.

**HB 2126**, introduced by Representatives Holsman and Meiners, relating to the imposition of a transient guest tax by certain cities.

**HB 2127**, introduced by Representative Nasheed, relating to charter schools.

**HB 2128**, introduced by Representatives Baker (25), Hughes, Wildberger, LeVota, Burnett, Low (39), Shively, Yaeger, Darrough, George, Spreng, Talboy, Scavuzzo, Komo, Frame, Walsh, Salva, Donnelly, Skaggs, Schieffer, Wright-Jones, Lampe, Curls, Meiners, Nasheed, Lowe (44), Zweifel, Kuessner, Meadows, Hodges, Oxford, McClanahan, Page, Haywood, Norr, Aull, Vogt and Schoemehl, relating to health policy and oversight.

**HB 2129**, introduced by Representatives Baker (123), Ervin, Flook, Wasson and Scavuzzo, relating to the Missouri small business regulatory fairness board.

**HB 2130**, introduced by Representatives Talboy, Skaggs, LeVota, Hughes, Nasheed, Holsman, Johnson, Low (39), Dougherty, Darrough, Baker (25), Burnett, Donnelly, Curls, Schieffer and Meiners, relating to unauthorized disclosure of medical information.

**HB 2131**, introduced by Representatives Oxford, George, Low (39), Hubbard, Talboy, Daus, Haywood, Vogt, Lowe (44), Nasheed, Chappelle-Nadal, Brown (50), Villa, Bland, Curls, Walsh, El-Amin, Hughes, Hoskins and Wright-Jones, relating to individual income tax.

**HB 2132**, introduced by Representatives Smith (150) and Bringer, relating to confidential juvenile records.

**HB 2133**, introduced by Representatives Pollock, Schad, Jones (117) and Cooper (155), relating to the twenty-sixth judicial circuit.

**HB 2134**, introduced by Representatives Zweifel, Talboy, Page, Walsh, Yaeger, Baker (25), Burnett, Wildberger, LeVota, Robinson, Spreng, Whorton, Schieffer, Low (39), Darrough and Zimmerman, relating to mortgage brokers.

### WITHDRAWAL OF HOUSE BILL

February 12, 2008

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

Dear Chief Clerk:

I respectfully request that **House Bill No. 1846** that I sponsored be withdrawn.

Thank you for your consideration.

Sincerely,

/s/ Beth Low  
District 39

The following members' presence was noted: Bland, Curls, Fisher, Haywood, Hobbs, Hunter, Wright-Jones.

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 14, 2008.

**CORRECTION TO THE HOUSE JOURNAL**

I, State Representative Jeff Roorda, District 102, hereby state and affirm that my vote as recorded on the motion to approve the Journal of the House for Tuesday, February 12, 2008 as recorded in the House Journal for February 13, 2008 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of February 2008.

/s/ Jeff Roorda  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of February in the year 2008.

/s/ Carrie Young  
Notary Public

**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 - 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 - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

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

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1348, HB 1410, HB 1775

**HIGHER EDUCATION**

Tuesday, February 19, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow. AMENDED  
Public hearings to be held on: HB 1869, HB 1802

**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.

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, February 19, 2008, 8:30 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1440, HB 1723, HB 1904

**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

**HOUSE CALENDAR**

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 14, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2111 through HB 2134

**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)

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- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance
- 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