

JOURNAL OF THE HOUSE

VETO SESSION

Second Regular Session, 94th GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 10, 2008

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Father, we give thanks for the State of Missouri and its government. We hold up in prayer before You these men and women of the House of Representatives, who have accepted the responsibility to govern.

As they take up the tasks presented in this veto session, we believe that skillful and godly wisdom has entered their hearts and knowledge is pleasant to them; discretion watches over them; understanding keeps them and delivers them from the way of deception and deceptive tactics.

We believe You cause them to be men and women of integrity, who lead a quiet and peaceable life in all godliness and honesty. We believe that their hearts are in Your hand and that their decisions are divinely directed of You.

We believe these legislators to be men and women who understand the times in which we live, and receive the wisdom from You as to the best course for Missouri to take.

We give thanks for this state and the leaders You have given us.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Tilley offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2008 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Tilley, **House Resolution No. 1** was adopted by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pollock	Pratt	Quinn 7	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	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Burnett	Daus	Hughes	Talboy	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	Harris 23	Holsman	Hubbard	Johnson
Pearce	Portwood	Skaggs	Viebrock	Walton

VACANCIES: 004

MESSAGES FROM THE GOVERNOR

July 10, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1689** entitled:

"AN ACT"

To repeal sections 286.200, 286.205, and 286.210, RSMo, and to enact in lieu thereof four new sections relating to the office of administration.

I disapprove of Senate Committee Substitute for House Bill No. 1689. My reasons for disapproval are as follows:

Although I acknowledge and respect that our state capitol belongs uniquely to the members of the Missouri General Assembly and their constituents, I believe that this legislation could pose potential harm and danger to legislators, their constituents and our historic capitol building.

The Capitol Police and the Missouri Department of Public Safety have expressed serious concerns and reservations with the requirement that keys to the capitol dome area be issued to each member of the General Assembly by the Office of Administration. My concern and their concern is not with the legislators who would receive these keys, but simply the increased access to more than a hundred additional keys which could be stolen and misplaced. The concerns of those responsible for the safety and security of our capitol building and its occupants and visitors are very serious and range from the inaccessibility of the capitol dome area in the event of a medical emergency to the potential for unseen homeland security threats.

Currently, five keys have been issued to the Senate administrator and six keys to the House administrator for access to the capitol dome area. Although my disapproval of this bill will not require the Office of Administration to provide keys to each legislator, nothing in current law prohibits current legislators from seeking an additional key from the Office of Administration and working with Capitol Police and the Office of Administration to ensure that their safety and the safety of our visitors in the capitol is put first.

For the above stated reasons, I am returning **Senate Committee Substitute for House Bill No. 1689** without my approval.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be

expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Section 3.160

I hereby veto the words “- Health Care Account”. As acknowledged by the General Assembly, the inclusion of this text was an error. The Healthy Families Trust Fund – Health Care Account was abolished as per Executive Order 06-22, signed June 22, 2006. This and all other sub-accounts of the Healthy Families Trust Fund were transferred to the Healthy Families Trust Fund by the same executive order. By deleting the words “- Health Care Account,” the appropriation of \$437,640 for the Missouri Telehealth Network will be from the properly named Healthy Families Trust Fund.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Section 8.005

I hereby veto \$500,000 Conservation Commission Fund for a statewide interoperable communications system. This appropriation violates Article IV, Section 43 (b) of the Missouri Constitution, which states that Conservation Commission funds shall be expended and used by the Conservation Commission, Department of Conservation, for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the state, and for no other purpose. This expenditure is not for purposes listed and was not approved by the Conservation Commission.

From \$500,000 to \$0 from the Conservation Commission Fund
From \$32,318,248 to \$31,818,248 in total for the section.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Section 10.678

I hereby veto \$62,914 General Revenue for the Evan De Mello Program. This funding was contingent on the passage of HB 1516, which was not enacted during this session.

Said section is vetoed in its entirety from \$62,914 to \$0 from General Revenue Fund.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011** entitled:

"AN ACT"

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Section 11.160

I hereby veto \$50,000 Child Support Enforcement Fund for the purpose of mediation services. These funds were not part of my original budget and were not requested by the department. Changes in federal law have diverted Child Support Enforcement Funds, which have come to states to support child support activities. Until the full impact of these changes is determined, diverting funding from core responsibilities of child support activities to mediation could undermine the child support program.

From \$665,000 to \$615,000 from Child Support Enforcement Collections Fund
From \$40,064,163 to \$40,014,163 in total for the section.

Section 11.445

I hereby veto \$15,000,000 General Revenue for the Part D Medicare Clawback payments. The appropriation is being reduced to reflect the anticipated spending level.

From \$190,000,000 to \$175,000,000 from General Revenue Fund
From \$994,732,959 to \$979,732,959 in total for the section.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 30, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2023** entitled:

"AN ACT"

To appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

Section 23.032

I hereby veto \$25,000 General Revenue for the planning and construction of a sports complex in Kansas City. These funds were not part of my original budget and were not requested by any department. Typically, the state does not fund such projects. In addition, funds to complete the undertaking have not been identified.

Said section is vetoed in its entirety from \$25,000 to \$0 General Revenue Fund.

Section 23.064

I hereby veto \$500,000 General Revenue for renovation and preservation of the historic Jackson County Courthouse in Independence. This represents just the beginning of a large, multi-year, local capital improvement project. Typically, the state does not fund projects of this nature. In addition, funds to complete the undertaking have not been identified.

Said section is vetoed in its entirety from \$500,000 to \$0 General Revenue Fund.

On June 30, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2023** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

**HOUSE BILLS VETOED FROM
THE SECOND REGULAR SESSION**

Speaker Jetton read the following House Bills vetoed from the Second Regular Session:
**SCS HB 1689, CCS SCS HCS HB 2003, CCS SCS HCS HB 2008, CCS SCS HCS HB 2010,
CCS SCS HCS HB 2011 and CCS SCS HCS HB 2023.**

HOUSE RESOLUTION

Representative Tilley offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **SCS HB 1689, CCS SCS HCS HB 2003, CCS SCS HCS HB 2008, CCS SCS HCS HB 2010, CCS SCS HCS HB 2011 and CCS SCS HCS HB 2023** when the bills were called by the Speaker.

On motion of Representative Tilley, **House Resolution No. 2** was adopted.

Representative LeVota assumed the Chair.

Speaker Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 4**.

SENATE RESOLUTION NO. 4

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's vetoes of Senate Bill No. 1061 and Senate Bill No. 1190 when the bills were so called by the President.

The following member's presence was noted: Hubbard.

ADJOURNMENT

On motion of Representative Tilley, the Veto Session of the Ninety-fourth General Assembly, Second Regular Session, adjourned sine die pursuant to the Constitution.

ROD JETTON
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House