

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 26, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Msgr. Donald W. Lammers.

Blessed be God Who has begun a good work in us. Blessed be the name of the Lord.

O God, in Your wise providence, You are glad to bless the deliberations of all women and men who come together seeking first the good of others and the common good.

Bless these men and women in their work today. Grant that all who plan and conduct the business of this Assembly may, through Your guidance and support, come to right decisions, filled with justice and equity.

Almighty God, to You be honor and glory forever. 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: Stephen Greek and Kelsey Parrott.

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

AYES: 152

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 149	Bruns
Burlison	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Corcoran	Cox	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flanigan	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 80	Hoskins 121	Hughes
Hummel	Ice	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeBlanc
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meadows
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock

Pratt	Quinn	Riddle	Roorda	Rucker
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Vogt	Wallace	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 002

Burnett Talboy

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50 Cooper McNary Ruestman Schoemehl

VACANCIES: 004

SPECIAL RECOGNITION

The Joplin High School Constitution Team was introduced by Speaker Richard and recognized for attaining second place in the "We the People" competition.

Abigail Maiden - Miss Missouri Princess Queen, Tiffany Brown - Miss Missouri Junior Preteen Queen, Allison Higgins - Missouri Junior Preteen Cover Girl, Faith Jordan - Miss Missouri Preteen Queen, Serene Holland - Missouri Preteen Cover Girl, Brittney Sears - Miss Missouri Junior Teen Queen, Jennifer Mueller - Missouri Junior Teen Cover Girl and Megan Flaughner - Miss Missouri Teen Queen were introduced by Representative Schieffer.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 263.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 241 through House Resolution No. 262
House Resolution No. 264 through House Resolution No. 285

HOUSE CONCURRENT RESOLUTIONS

Representative Wallace, et al., offered House Concurrent Resolution No. 40.
Representative Talboy, et al., offered House Concurrent Resolution No. 41.
Representative Cunningham offered House Concurrent Resolution No. 42.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 83 through **HJR 85** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1789 through **HB 1805** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 263 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1206 - Agri-Business
HB 1207 - Rural Community Development
HB 1239 - Agri-Business
HB 1244 - Ways and Means
HB 1291 - Agri-Business
HB 1352 - Agri-Business
HB 1473 - Higher Education
HB 1507 - Ways and Means
HB 1513 - Job Creation and Economic Development
HB 1520 - Tax Reform
HB 1552 - Elementary and Secondary Education
HB 1553 - Elementary and Secondary Education
HB 1582 - Ways and Means
HB 1610 - Utilities
HB 1615 - Job Creation and Economic Development
HB 1616 - Job Creation and Economic Development
HB 1656 - Transportation
HB 1657 - Insurance Policy
HB 1669 - Agri-Business
HB 1682 - Special Standing Committee on Children and Families
HB 1741 - Special Standing Committee on General Laws
HB 1750 - Utilities
HB 1793 - Local Government
HB 1805 - Job Creation and Economic Development

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 86, introduced by Representatives Loehner, Funderburk, Dugger, Guernsey, Wilson (119), Wallace, Munzlinger, Fisher (125), Sater, Cox, Smith (14), Schad, Sander, Brown (149), Smith (150), Schlottach, Allen and Wells, relating to the right to raise animals.

HJR 87, introduced by Representatives Icet, Scharnhorst, Cox, Jones (89), Koenig, Wilson (119), Dieckhaus, Sater, Davis, Schad, Faith, Stevenson, Nieves, Schaaf, Ruestman, Ervin and Emery, relating to the commonsense obligation to provide accountability and spending stabilization act.

HJR 88, introduced by Representatives Nieves, Jones (89), Emery, Scharnhorst, Self, Loehner, Ruestman, Gatschenberger, Schad, Schaaf, Flook, Dusenberger, Sater, Pratt, Tracy, Pollock, Kraus, Stevenson, Ervin, Leara, Grisamore, Allen, Burlison, Nolte, Davis, Wells, Lair, Schieffer, Fisher (125), Zerr, Sander, Smith (14), Parkinson, Bivins, Koenig, Schoeller, Dethrow, Funderburk, Schlottach, Flanigan, Munzlinger, McGhee, Kingery, Viebrock, Weter, Faith, Nance, Dugger, Thomson, Wilson (130), Denison, Smith (150) and Guernsey, relating to state sovereignty.

INTRODUCTION OF HOUSE BILLS

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

HB 1806, introduced by Representatives Franz and Kingery, relating to county classification.

HB 1807, introduced by Representative Franz, relating to distribution of admission fees for excursion gambling boats.

HB 1808, introduced by Representative Franz, relating to physician reimbursement under the MO HealthNet program.

HB 1809, introduced by Representatives Nasheed, Oxford, Walton Gray, Pace, Burnett, Colona, Brown (50), Atkins, Meiners, Talboy and Dougherty, relating to expungement of certain criminal records.

HB 1810, introduced by Representative Sander, relating to health insurance coverage for habilitative services.

HB 1811, introduced by Representatives Riddle, Cox, Diehl, Smith (150), Cunningham, Jones (89), Jones (117), Nolte, Flook, Sander, Pratt, Kelly, Stevenson, Burnett, Talboy, Zimmerman, Grill, Leara, Low and Vogt, relating to the confidentiality of motor vehicle and driver registration records.

HB 1812, introduced by Representatives Kingery, Molendorp, Schieffer, Wilson (130), Hoskins (121), Wright, Schupp, Schoemehl, Still, Kelly, Bivins, Gatschenberger, McNeil and McClanahan, relating to the access Missouri financial assistance program.

HB 1813, introduced by Representatives Englund, Roorda, Komo, Fallert, Fischer (107), Schieffer, Schoemehl, McDonald, Walsh, Meadows, Frame, LeVota, LeBlanc, Yaeger, Calloway, Morris, Carter, Jones (63), Talboy, Dougherty and Vogt, relating to the informed growth act.

HB 1814, introduced by Representatives Brown (149), Diehl, Riddle, Lair, Wright, Tracy, Smith (150), Weter, Wilson (119), Dieckhaus, Zerr, Allen, Schoeller, Parkinson and Fisher (125), relating to veterinary legend drugs.

HB 1815, introduced by Representatives Calloway, Jones (63), Carter, Pace, Nasheed, Brown (50), Morris, Webb, LeBlanc, Hughes, Curls and Rucker, relating to fairness in the infliction of the death penalty.

HB 1816, introduced by Representatives Meiners and Holsman, relating to a sales tax to fund public safety improvements.

HB 1817, introduced by Representatives Nolte, Faith, Grisamore, Bivins and McGhee, relating to workers' compensation.

HB 1818, introduced by Representatives Nolte, Day, Faith, Nance, Grisamore, Bivins, Sater and Schieffer, relating to military medallions, medals, and certificates.

HB 1819, introduced by Representatives Nolte, Faith, Nance, Bivins, Schieffer, Munzlinger and Schad, relating to sales and use tax exemptions.

HB 1820, introduced by Representative Harris, relating to parenting coordination.

HB 1821, introduced by Representatives Holsman and Oxford, relating to school class size.

HB 1822, introduced by Representatives Cooper and Schaaf, relating to the licensing of tanning facilities.

HB 1823, introduced by Representative Tilley, to authorize the conveyance of certain property to the City of Farmington.

HB 1824, introduced by Representative Sutherland, relating to social workers.

HB 1825, introduced by Representatives Loehner, Funderburk, Dugger, Guernsey, Wilson (119), Wallace, Munzlinger, Fisher (125), Sater, Cox, Smith (14), Schad, Sander, Brown (149), Smith (150), Schlottach, Allen, Dethrow and Wells, relating to the right to raise animals.

HB 1826, introduced by Representatives Jones (63) and Richard, relating to the imposition of penalties, suspension or revocation of excursion gambling boat licenses.

HB 1827, introduced by Representatives Pratt, Tilley, Parson, Silvey, Nieves, Jones (117), Bruns, Roorda, Corcoran and Meadows, relating to fire department employee residency requirements.

HB 1828, introduced by Representatives Roorda, Fischer (107), Newman, Morris, Schieffer, Bivins, Englund, McDonald, Kirkton, Webb, Schupp, Zimmerman, Kelly, Atkins, Liese, McClanahan, LeBlanc, Calloway and Oxford, relating to driving while intoxicated.

HB 1829, introduced by Representatives Walsh, Schoemehl, Hummel, Carter, Walton Gray, Chappelle-Nadal, Webber, Dougherty, Corcoran, Yaeger, LeBlanc, Biermann, Morris, Scavuzzo, Lampe, Meadows, Burnett, Nasheed and Norr, relating to collective bargaining for public employees.

HB 1830, introduced by Representative Sutherland, relating to digital cadastral parcel mapping.

HB 1831, introduced by Representative Jones (117), relating to real property donated to school districts.

COMMITTEE APPOINTMENT

January 26, 2010

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Sara Lampe as a member of the Appropriations - Education Committee and appoint Representative Margo McNeil as a member of the Appropriations - Education Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Ron Richard
Speaker

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

TO: Office of Assistant Chief Clerk

FROM: Representative Michael L. Cunningham

SUBJECT: Withdrawal of **House Concurrent Resolution No. 12**

DATE: January 26, 2010

I would like to request that **House Concurrent Resolution No. 12** be withdrawn. Thanking you in advance for your assistance to this request.

WITHDRAWAL OF HOUSE BILLS

January 26, 2010

The Honorable Ron Richard
Speaker of the House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Richard:

I respectfully request that **House Bill No. 1729** be withdrawn, as I need to make a revision.

Thank you for your assistance to this request.

Sincerely,

/s/ Maynard Wallace
Representative
District 143

January 26, 2010

The Honorable Ron Richard, Speaker
Missouri House of Representatives
Missouri State Capitol

Dear Mr. Speaker:

I hereby request that **House Bill No. 1794** be withdrawn.

Please do not hesitate to contact me if you need further information.

Sincerely,

/s/ Joe Aull
Representative
District 26

The following members' presence was noted: Cooper and McNary.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, January 27, 2010.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 27, 2010, 2:00 p.m. Hearing Room 4.

Department of Conservation FY 2011 budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, January 27, 2010, 2:00 p.m. Hearing Room 1.

Department of Elementary and Secondary Education budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 27, 2010, Hearing Room 3 upon morning adjournment.

Budget overview presentation: Office of Administration.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 1, 2010, 12:00 p.m. Hearing Room 5.

Department of Health and Senior Services FY 2011 budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 5.

Lewin Group review of cost containment report for MO HealthNet.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 2, 2010, 8:00 a.m. Hearing Room 3.

Departments of Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 2, 2010, 2:00 p.m. Hearing Room 7.

Departments of Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration budget presentation continued, if necessary.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 7.

Department of Economic Development budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 9, 2010, 8:00 a.m. Hearing Room 3.

Department of Transportation budget presentation.

BUDGET

Wednesday, January 27, 2010, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HCR 34, HCR 35, HCR 38

CRIME PREVENTION

Wednesday, January 27, 2010, Hearing Room 5 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1210, HB 1695

DROPOUT PREVENTION TASK FORCE

Wednesday, February 3, 2010, 3:00 p.m. Hearing Room 2.

The task force will publicly meet to discuss its report.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 27, 2010, 8:00 a.m. Hearing Room 6.

Executive session may be held.

HEALTH CARE POLICY

Wednesday, January 27, 2010, Hearing Room 6, 12:00 p.m. or upon morning adjournment.

Public hearing to be held on: HB 1498

INTERNATIONAL TRADE AND IMMIGRATION

Wednesday, January 27, 2010, 5:00 p.m. Hearing Room 7.

Public hearing to be held on: HB 1675

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 27, 2010, 3:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1684

JOINT COMMITTEE ON TAX POLICY

Wednesday, January 27, 2010, 3:00 p.m. Senate Committee Room 1.

Recommendation meeting.

Pursuant to Section 610.022.2 relating to closed meetings and Section 610.021(3) relating to personnel matters a vote may be taken to hold a closed meeting.

JUDICIARY

Wednesday, January 27, 2010, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1433

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Thursday, January 28, 2010, 8:30 a.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearing to be held on: HJR 57, HJR 48, HJR 50

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Thursday, January 28, 2010, 8:00 a.m. Hearing Room 5.

Public hearing to be held on: HB 1390, HB 1655, HB 1708, HB 1727, HB 1754

SPECIAL STANDING COMMITTEE ON HEALTH INSURANCE

Wednesday, January 27, 2010, 4:00 p.m. Hearing Room 5.

Working session.

No public testimony.

TAX REFORM

Wednesday, January 27, 2010, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1316, HB 1514, HB 1225, HB 1227

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 27, 2010

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 86 through HJR 88

HOUSE BILLS FOR SECOND READING

HB 1806 through HB 1831

HOUSE BILLS FOR PERFECTION

- 1 HB 1442 - Jones (89)
- 2 HCS HB 1544 - Fisher (125)
- 3 HB 1542 - Deeken

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCRs 7, 3 & 17, (1-21-10, Pages 125-126) - Munzlinger