

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Beth Duckworth, First Methodist Churches of Mokane, Steedman, and Tebbetts.

Dear Holy and Righteous God. We pause at this time and humble ourselves before Your greatness. Your majesty is so vast the heavens cannot contain You. As leaders, we realize it is a sacred privilege to have been elected and appointed to serve in these offices by the people of the State of Missouri. With this in mind, I ask that You sharpen our minds and make sensitive our hearts so we might discern Your preferences. Our primary goal today is to please You, accomplishing Your will and not our own. It takes many to perform these tasks, so please surround these dignitaries with men and women who would be sensitive to Your voice and are willing to give virtuous counsel.

We take the time to remember the citizens of this state. Please lend them Your favor. Unite them and instill in them a renewed vision, the same optimistic vision You foreordained for those men and women who founded this territory. In the era of today our needs are varied, from economic rejuvenation - to guidance in how to preserve the precious natural resources - to providing outstanding education for our young people. Forgive us for the times when we may have missed the mark. Let each one in this room today see themselves as the marshals of justice, the hands for those who have no access, and the voices for those who have no voice. I ask that the presence of the Holy Spirit grace us now, lending wisdom, imparting guidance, and bestowing blessings on all in this room. In the name of the Father and the Son and the Holy Spirit. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Dieckhaus	Faith	Funderburk	Hughes
McCann Beatty	Rizzo	Schneider	Spreng	Talboj
Webber	Mr Speaker			

The Journal of the sixteenth day was approved as printed.

The Journal of the seventeenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 412 through House Resolution No. 497

HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 25.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 26.

Representative Walton Gray offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILLS

HB 403 through **HB 410** were read the second time.

HOUSE CONCURRENT RESOLUTION

Representative Jones (89) offered **HCR 24**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 24

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 2:00 p.m., Wednesday, February 9, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **HCR 24** was adopted.

Speaker Tilley assumed the Chair.

SIGNING OF SENATE CONCURRENT RESOLUTION

All other business of the House was suspended while **SCR 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 139**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

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

HB 411, introduced by Representative Wyatt, relating to developmental disabilities facilities.

HB 412, introduced by Representative Smith (150), relating to wholesale drug distributors.

HB 413, introduced by Representative Keeney, relating to making a false declaration.

HB 414, introduced by Representatives Richardson and McManus, relating to title agencies and agents.

HB 415, introduced by Representatives Richardson, Cookson, Fitzwater and Hampton, relating to the designation of a memorial highway.

HB 416, introduced by Representatives Richardson, Hampton and Cookson, relating to public library district sales taxes.

HB 417, introduced by Representatives Richardson, Cox, Jones (117), Barnes, Elmer, Smith (150) and Long, relating to rights of persons with parental relationships.

HB 418, introduced by Representatives Walton Gray, Meadows, Pace, McCann Beatty, Ellinger, May, Oxford, Jones (63), Schupp, Newman, Webb and Smith (71), relating to a sickle cell disease task force.

The following members' presence was noted: Funderburk and Talboy.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 8, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 100

Executive session may be held on any matter referred to the committee.

Possible work session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 9, 2011, House Hearing Room 4 upon afternoon adjournment.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

CORRECTED

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 1.

Budget presentation continued by the Department of Elementary and Secondary Education.

Budget presentation by the Department of Higher Education.

CORRECTED

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2011, House Hearing Room 1 upon afternoon adjournment.

Analyst Markup Sheets.

CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Elected Officials - Lieutenant Governor, Secretary of State Offices, and General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Tax Commission, Lottery Commission, and Department of Revenue.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 9, 2011, House Hearing Room 5 upon afternoon adjournment.

Department of Health and Senior Services FY 2012 Budget overview, continued.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Presentation from Department of Insurance, Financial Institutions and Professional Registration.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hearing in Hearing Room 3 may recess until 2:00 PM in Hearing Room 7.

Breakfast will be provided for members.

Presentation from the Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, House Hearing Room 7 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by MoDOT.

BUDGET

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Public hearing to be held on: HB 14, HB 15

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 259, HB 143

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 38, HB 154, HB 302

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 214

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development

ELECTIONS

Tuesday, February 8, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HJR 14, HB 329, HB 187, HB 54

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48, HB 138, HB 219

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing to be held on: HB 83, HB 109, HB 173

FISCAL REVIEW

Thursday, February 10, 2011, 8:30 AM South Gallery.

Any bills referred to the committee.

GENERAL LAWS

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 233, HB 274, HB 276
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 213, HB 29
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 5.
Public hearing to be held on: HB 280
Executive session may be held on any matter referred to the committee.
Informational Meeting (from 2-1-2011) will be continued after HB 280.

HIGHER EDUCATION

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HCR 13, HB 174, HB 232
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 9, 2011, 5:30 PM House Hearing Room 7.
Executive session will be held: HB 61
Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 128, HB 130, HB 227, HB 253
Executive session will be held: HB 35, HB 88
Executive session may be held on any matter referred to the committee.
Note: Copies of HB128, HB130, and HB227 have been previously distributed with the meeting notice scheduled for 2-02-2011 that was cancelled due to inclement weather.

LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.
Public hearing to be held on: HB 265, HB 287
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.
Presentations from: MOSERS, MPERS, LAGERS and PSRS.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 112, HB 285, HJR 5
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

SMALL BUSINESS

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 211, HB 68, HB 86
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.
Organizational Meeting.

TAX REFORM

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HJR 8
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 33, HB 153, HB 141, HB 242
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 104, HB 147, HB 330
AMENDED

UTILITIES

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 338, HB 339
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 8, 2011, 8:30 AM House Hearing Room 1.
Public hearing to be held on: HB 303
Executive session may be held on any matter referred to the committee.
This will be on HB 303, the previous hearing on this bill was cancelled due to weather.
Members should already have a copy.

CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, February 8, 2011, 2:00 PM South Gallery.

Executive session will be held: HB 205

Executive session may be held on any matter referred to the committee.

HB 205 Executive Session only

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2011

HOUSE BILLS FOR SECOND READING

HB 411 through HB 418

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher
- 3 HCS HB 46 - Diehl
- 4 HB 71 - Nasheed

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes