

# JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord taketh pleasure in them that fear Him, in those that hope in His mercy. (Psalm 147:11)*

God of Life and Light, by Whose love we have the gift of a new day, we thank You for this moment of prayer when we may draw close to You and let You draw close to us – as we face the demanding duties of these hours. From the noise of the outer world we would turn to the quiet of the inner world where in quietness and in confidence we may find strength in You for this day.

Help us to accept our privileges with thanksgiving, to carry our responsibilities with honor, to meet our difficulties with courage, and to discharge our duties with fidelity. Whatever good we do this day – may we do it with cheerfulness and with all sincerity of mind and heart, and to You shall be the praise world without end.

And the House says, “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: Lydia Bommel, Tyler Molendorp and Blake Molendorp.

The Journal of the seventh day was approved as printed.

## SPECIAL RECOGNITION

The Camdenton Lakers High School Robotics Team was introduced by Representative Franklin and presented a resolution.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 205 through House Resolution No. 285

## HOUSE CONCURRENT RESOLUTION

Representative Shively, et al., offered House Concurrent Resolution No. 14.

**SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 60** and **HJR 61** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 1316** through **HB 1342** were read the second time.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 43**, relating to limits on state appropriations, was taken up by Representative Burlison.

**HCS HJR 43** was laid over.

**MOTION**

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	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	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Cauthorn

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Meadows	Nance	Swearingen
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### JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Brown	Callahan	Chappelle-Nadal	Crowell	Curls
Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cunningham	Green	Purgason
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The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 148

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon

Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 014

Dieckhaus	Holsman	Kander	Largent	Meadows
Nance	Nasheed	Phillips	Ruzicka	Still
Swearingen	Thomson	Wallingford	Webb	

The Doorkeeper announced the approach of the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of Missouri. Chief Justice Teitelman was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

### **STATE OF THE JUDICIARY ADDRESS**

by

Chief Justice Richard B. (Rick) Teitelman

Mr. Speaker, Mr. President, Mr. President Pro Tem, Mr. Auditor, Mr. Attorney General, members of the General Assembly: Thank you for welcoming me here this morning. It is my honor to deliver this 39th state of the judiciary address. I also want to thank the staffs of the House Clerk and the majority leader as well as our maintenance staff, who were kind enough to help make accommodations for me to be able to deliver this speech to you today.

As President Reagan once said, "There are no constraints on the human mind, no walls around the human spirit, no barriers to our progress except those we ourselves erect." My humble thanks to you.

I also want to thank you for your continued cooperation in working with our branch of government. I think the founders of our great nation would have been so proud of you and your predecessors in welcoming the chief justice and the governor into this beautiful chamber to talk with you each year.

In light of this week's recognition of Dr. Martin Luther King Jr., I want to mention a true gem of the state – Frankie Freeman – a 95-year-old African-American woman who is being honored as the St. Louis Citizen of the Year and who has spent most of her 95 years marching as a true drum major for justice.

I was appointed to serve on the Supreme Court in 2002. I have been proud to serve there in the company of some of the finest jurists our state has ever known. I want to take a moment now to recognize my colleagues on the Court, who make every day of my job there special. I start by introducing to you our newest member, Judge George Draper III. Judge Draper – who is only the second African-American ever to serve on our state’s high court – is from St. Louis, where he spent 11 years on the Court of Appeals, preceded by six years as a trial judge in St. Louis County, and before that, he served as chief trial attorney in the city’s circuit attorney’s office. Judge Draper, we are honored for the opportunity to serve alongside you. I also want to recognize Judge Ray Price, whose very big shoes I have to try to fill as chief justice; Judge Patty Breckenridge; Judge Zel Fischer; Judge Mary Russell and Judge Laura Stith.

It is important for me to mention all of these judges to you because the leadership for the judicial branch of government comes from all these fine men and women who are serving and who have served on the Supreme Court. I also would add my accolades to recognize our esteemed former clerk, Tom Simon, who retired at the end of May after serving with distinction for four decades as clerk of the Supreme Court of Missouri. Just to give you an idea of the kind of change Tom saw during his time at the Court ... the year he began his career, Richard Nixon was our president; you could buy a stamp for 8 cents, a gallon of gas for 40 cents and a movie ticket for \$1.50; Walt Disney World opened in Orlando; the NASDAQ debuted; and television advertising of cigarettes ended. During his career at the Court, Tom did much to cultivate relationships among our branches of government. His kindness and thoughtfulness to all helped open dialogue and build friendships over time. We value those relationships. In his first inaugural address, Abraham Lincoln promoted a unifying focus on friendship and the things that bind us in affection by calling upon “the better angels of our nature.”

I remember sitting here in this chamber for the first time, listening to then-Chief Justice Steve Limbaugh Jr. giving his state of the judiciary address to your predecessors. As the grandson of former state Rep. Rush Limbaugh, he focused much of his time as chief justice talking about the honor of public service as well as the importance of those citizens we all serve. Thankfully, as he noted then, we don’t have to do it all by ourselves. We have many judges in this state who serve not only their courts but also their local communities with dignity and integrity.

One judge in particular has been the source of much Missouri pride in recent months. Judge Jimmie Edwards, a circuit judge in St. Louis City, believed there needed to be an alternative to incarceration for juveniles who deserve a second chance through education. So in collaboration with 45 community partners, he took over an abandoned school and opened the Innovative Concept Academy in 2009. The academy, which serves as a “school of last resort” for at-risk youth between the ages of 10 and 18 years, recently has received a number of national accolades. People magazine named Judge Edwards as one of its 2011 Heroes of the Year, and the academy was featured on the Today show last month. But the academy’s biggest success is that it has changed the lives of many young people, helping them to turn away from problems such as gang violence. So far, 18 students have earned their high school diplomas or GED, and two of them have gone on to college. Judge Edwards is here this morning along with some of his students. Would you please stand and be recognized? We could not be more proud of you!

Many court employees throughout the state went to Joplin following the disaster to help the courageous citizens of Joplin rebuild their lives and their community. Our hearts go out to everyone affected by this disaster – and our appreciation goes to everyone who lent a helping hand. Vince Lombardi said, “Individual commitment to a group effort – that is what makes a team work, a company work, a society work, a civilization work.” I am so proud to live in a state that works as well as it does because its citizens and public servants are so generous with their prayers and other assistance and are so willing to work together.

Much can be accomplished when, as Thomas Jefferson encouraged, we “unite with one heart and one mind.” We owe many thanks for the bipartisan effort to improve criminal justice to Speaker of the House Steve Tilley and President Pro Tem Rob Mayer – as well as Governor Jay Nixon and former Chief Justice Ray Price. I understand legislation soon will be introduced to implement the recommendations of a broad-based committee led by Senator Jack Goodman and Representative Chris Kelly. I support your efforts to help make sentencing practices more cost-effective, helping Missouri to become, as Judge Price stressed so often, both tough *and* smart on crime.

We also owe you many thanks for helping the courts with their efforts in the area of technology. The state court administrator’s office has undertaken a remarkable cooperative effort to help make our records more accessible through electronic filing. If any of you want a demonstration of how the system works, just let us know, and we will be happy to show you!

A wise man once said the worst kind of death is being talked to death. As we come to the end of my speech, I am reminded by the quote carved into the dais behind me of the privilege of public service. That quote reflects our state motto, "Salus Populi Supreme Lex Esto," which means, "Let the welfare of the people be the supreme law." I look forward to working with you and getting to know many of you better throughout my time as chief justice. I am humbled to serve alongside you.

I also have learned the worst place to be is between a person and lunch. The Missouri Bar has been gracious enough to sponsor a lunch in the third-floor rotunda, with fried chicken and all the fixings ... and they've added for the first time – for a little bit of variety – knishes, a traditional Jewish dish. Enjoy!

Thank you. God Bless America!

The Joint Session was dissolved by Senator Dempsey.

Speaker Pro Tem Schoeller resumed the Chair.

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 43**, relating to limits on state appropriations, was again taken up by Representative Burlison.

Representative Kelly (24) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 43, Page 1, Section 23(a), Line 1, by deleting the words, "**27(a) and 27( c)**" and inserting in lieu thereof the words, "**27(a), 27( c), and 27(d)**"; and

Further amend said bill, section, page, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

**"of zero or the sum of the annual rate of inflation, the annual percentage change in the population of Missouri, and one and one-half percent of the previous fiscal year total state general revenue collections;"**; and

Further amend said bill, section, page, Lines 9-10, by deleting all of said lines and inserting in lieu thereof the following, "**Index for All Urban Consumers for the United States, annual average of the most recent calendar year;**"; and

Further amend said bill, section, Page 2, Line 19, by deleting the words, "**fiscal year 2008**" and inserting in lieu thereof the words, "**a fiscal year**"; and

Further amend said bill, section, page, Line 22, by inserting after the word, "**reappropriations,**" the following, "**appropriations from general revenue required by this section and sections 27(a), 27(c), and 27(d)**"; and

Further amend said bill, section, page, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the words, "**2. For any fiscal year subsequent to a fiscal year in which total state general revenue appropriations exceeded total state general revenue appropriations for fiscal year 2008, total state general revenue appropriations shall not exceed total state general revenue appropriations for the immediately preceding fiscal year by**"; and

Further amend said bill, section, page, Line 31, by deleting the words, "**they are passed**" and inserting in lieu thereof the words, "**the additional revenue is collected**"; and

Further amend said bill, section, page, Line 36, by inserting after the word, "**state**" the words, "**general obligation**"; and

Further amend said bill, section, page, Line 40, by inserting after the word, “**transfer**” the following:

**“thirty-three percent of the excess funds over two and one-half percent to the cash operating reserve fund established by section 27(a) of this article and sixty-seven percent of”**; and

Further amend said bill, Page 3, Section 23(a), Line 48, by deleting the words, “**simple majority**” and inserting in lieu thereof the words, “**vote of two-thirds**”; and

Further amend said bill, Page 5, Section 27(a), Line 60, by inserting opening and closing brackets “[ ]” around the words, “the sum of”; and

Further amend said bill, section, page, Line 62, by deleting the words, “**section 23(a)**” and inserting in lieu thereof the words, “**section 27(a)**”; and

Further amend said bill, section, page, Line 64, by deleting all of said line and inserting in lieu thereof the following, “shall stand appropriated and shall be transferred from the general revenue fund to the [budget] **cash operating**”; and

Further amend said bill, Page 6, Section 27(c), Line 30, by deleting all of said line and inserting in lieu thereof the following, “**and any amounts owed to the fund for the same year, is less than**”; and

Further amend said bill, Page 6, Section 27(d), Line 2, by deleting the word, “**with**” and inserting in lieu thereof the word, “**within**”; and

Further amend said bill, page, section, Line 6, by deleting the word, “**commission**” and inserting in lieu thereof the word, “**commissioner**”; and

Further amend said bill, page, section, Line 17, by deleting the words, “**vote of two-thirds**” and inserting in lieu thereof the words, “**simple majority vote**”; and

Further amend said bill, Page 7, Section 27(d), Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

**“(1) The provisions of the commonsense obligation to provide accountability and spending stabilization act under sections 23(a), 27(a), 27(c), and 27(d) shall be effective once the total state general revenue appropriations for any fiscal year exceeds the total state general revenue appropriations for fiscal year 2008 and shall automatically sunset five years after the effective date of these sections unless reauthorized by an act of the general assembly; and”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Montecillo offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 43, Page 1, Line 20, by inserting after said line the following:

“Further amend said bill, section, page, Line 25, by inserting after the words, “**prevailing party.**” the words, “**Any increase in funding above the appropriation growth limit up to fully funding the foundation formula under subsections 1 and 2 of section 163.031 as the foundation formula exists when this section is approved by the voters will not be included in the calculation for the total state general revenue appropriations,**”; and;” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Montecillo, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Bahr	Curtman	Franklin	Koenig	Marshall
Pollock	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Dieckhaus	Holsman	Klippenstein	Largent
McGhee	Meadows	Nance	Riddle	Scharnhorst
Schneider	Swearingen	Webber		

On motion of Representative Kelly (24), **House Amendment No. 1, as amended**, was adopted.

Representative Smith (150) assumed the Chair.

On motion of Representative Burlison, **HCS HJR 43, as amended**, was adopted.

On motion of Representative Burlison, **HCS HJR 43, as amended**, was ordered perfected and printed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Dieckhaus	Grisamore	Largent
McGhee	Meadows	Nance	Riddle	Swearingen

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HCS HJR 43 - Fiscal Review**

## COMMITTEE REPORT

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

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

**HJR 62**, introduced by Representatives Schupp, Schieffer, Pace, Smith (71), Pierson, Hubbard, Walton Gray, Swearingen, Oxford, Hummel, Loehner, Weter, Zerr, Sater, Lant, Davis, McNary, Grisamore, Redmon, Houghton, McGhee and Atkins, relating to the general assembly.

## INTRODUCTION OF HOUSE BILLS

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

**HB 1343**, introduced by Representative Scharnhorst, relating to the licensing of tanning facilities.

**HB 1344**, introduced by Representatives Nasheed, Hubbard, Walton Gray, Pace, Brown (50), Oxford, Smith (71) and McGhee, relating to expungement of certain criminal records.

**HB 1345**, introduced by Representatives Cauthorn, Dugger, Solon and Wallingford, relating to publication of the state manual.

**HB 1346**, introduced by Representatives Talboy, Carter, Sifton, Hoskins, Jones (63), Lampe and Rizzo, relating to student athlete agents.

**HB 1347**, introduced by Representative Franz, relating to preferences for state contracts.

**HB 1348**, introduced by Representatives Neth, Swearingen, Berry, Nolte and Silvey, relating to dance curriculum in public schools.

**HB 1349**, introduced by Representatives Jones (117), Rizzo, Barnes, Hoskins, Torpey and Berry, relating to irrevocable life insurance trusts.

**HB 1350**, introduced by Representatives Schupp, Ellinger, Taylor, Kirkton, Still, McNeil, Smith (71), Pace, Carlson, Schieffer, Lampe, Solon, Nichols, Anders, Swearingen, Oxford, Wallingford, Lant, Reiboldt, Berry, Weter, Webber, Hummel, Wieland, Nasheed, Davis, Fitzwater, Rowland, McNary, Redmon, McGhee, Conway (27), Hughes, Carter, Walton Gray, Pierson, May, Holsman, Kelly (24), Atkins, Talboy, Colona, McCann Beatty, Spreng, Tilley and Rizzo, relating to child-care facilities.

**HB 1351**, introduced by Representatives Schupp, Lampe, Schieffer, Pace, McManus, Pierson, Nichols, Hubbard, Anders, Hummel, Wieland, Weter, Nasheed, Zerr, Fitzwater, McNary, Grisamore, Redmon, McGhee, Atkins, Still, Spreng and Rizzo, relating to senior citizen homestead deferral of taxes.

**HB 1352**, introduced by Representatives Schupp, Taylor, Kirkton, Pace, McNeil, Carlson, Pierson, Oxford, Still, Hummel, McGhee, Conway (27) and Atkins, relating to the Missouri indoor clean air act.

**HB 1353**, introduced by Representatives Schupp, Kirkton, Pierson, Smith (71), Walton Gray, Swearingen, Oxford, Still, Hummel, Wieland, Loehner, Weter, Nasheed, Fitzwater, McGhee, Atkins, Wyatt and Spreng, relating to the University of Missouri board of curators.

**HB 1354**, introduced by Representatives Schupp, Jones (117), Pace, Schieffer, Smith (17), Walton Gray, Oxford, Hummel, Weter, Nasheed, Zerr, McNary, Grisamore, McGhee, Conway (27) and Spreng, relating to the sale of kosher food.

**HB 1355**, introduced by Representatives Lichtenegger, Frederick, Lant, Tilley, Allen, Davis, Zerr, Kirkton, Hough, Flanigan, Richardson, Schneider, Berry and Hampton, relating to insurance reimbursement for physical therapist services.

**HB 1356**, introduced by Representatives Funderburk, McNeil, White, McCaherty and Korman, relating to the implementation of the streamlined sales and use tax agreement.

**HB 1357**, introduced by Representatives Gatschenberger, Bahr and Johnson, relating to alternatives-to-abortion agencies.

**HB 1358**, introduced by Representative Gatschenberger, relating to political subdivisions.

**HB 1359**, introduced by Representatives Smith (150), Franz, Solon, Berry, Wells and Long, relating to state contracts.

**HB 1360**, introduced by Representative Rizzo, relating to police chief powers.

**HB 1361**, introduced by Representatives Pollock, Schad, Entlicher, Dugger, McNary, Riddle, Rowland, Cauthorn, Wells and Franklin, relating to utilities.

**HB 1362**, introduced by Representatives Schieffer, White, Wells, Oxford, Houghton, Harris, McGeoghegan, Fallert, Smith (71), Walton Gray, Schupp, Nichols, McGhee, Quinn, Anders, Loehner, Black, Bernskoetter, Wright, Swinger and Aull, relating to tax credits for donated food.

**HB 1363**, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Fallert, Weter, Korman, Black, McGhee, Quinn, Shively, Redmon, Loehner, Bernskoetter, Sater, Ruzicka, Lauer, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford and Hinson, relating to exhibition of livestock at fairs and exposés.

**HB 1364**, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Harris, Fallert, Weter, Korman, McGhee, Quinn, Redmon, Shively, Loehner, Black, Sater, Ruzicka, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford, Hinson and Hough, relating to rodeos.

**HB 1365**, introduced by Representatives Lasater, Jones (89), Torpey, Fitzwater, McNary, Haefner, Wyatt, Keeney, Grisamore, Phillips, Wright, Houghton, Higdon, Guernsey, Koenig, Long, Brown (116), Lauer, Cross, Bahr, Fraker, Cookson, Redmon, Kelley (126), Marshall, Nolte, McCaherty, Berry, Weter, Riddle, Hough and Cierpiot, relating to candidate disqualifications.

**HB 1366**, introduced by Representative Fitzwater, relating to teacher evaluation.

**HB 1367**, introduced by Representatives Fitzwater, Lasater and Fraker, relating to state employee performance reviews.

**HB 1368**, introduced by Representatives Fitzwater, Lasater, Cookson and Fraker, relating to field tests for controlled substances.

**HB 1369**, introduced by Representatives Fitzwater, Lasater, Cookson, Higdon, Brown (116) Jones (89), Marshall, Riddle, Fraker, Gatschenberger, Burlison, Leach and Schad, relating to the open carry of firearms.

**HB 1370**, introduced by Representatives Burlison, Tilley, Fisher, Nasheed, Funderburk, Scharnhorst, Riddle, Diehl and Jones (89), relating to incentives to attract amateur sporting events to Missouri.

**HB 1371**, introduced by Representatives Weter, Kirkton, Sater, Shively, Hough, McDonald, Loehner, Meadows, Redmon, Shumake, Fisher, Schieffer, Wallingford, Fitzwater, McGhee, Quinn, McCreery, Webb, Kelley (126), Schad, Largent, Carter, Higdon, Bahr and Conway (14), relating to collaborative practice arrangements.

**HB 1372**, introduced by Representatives Jones (117), Richardson, Jones (89) and Diehl, relating to a prescription drug monitoring program.

## COMMITTEE CHANGES

January 17, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Swinger and appoint Representative Kirkton to the Committee on Health Care Policy.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

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January 18, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Lincoln Hough as a member of the International Trade and Job Creation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House

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January 18, 2012

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

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Mike Colona from the Special Standing Committee on Renewable Energy and appoint Representative Genise Montecillo.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House

January 18, 2012

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

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint Representative Jonas Hughes to serve on the following Special Standing Committees:

Special Standing Committee on Disability Services  
Special Standing Committee on Renewable Energy  
Special Standing Committee on Government Oversight and Accountability

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House

## COMMUNICATION

January 18, 2012

D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
201 W. Capitol Avenue  
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Ira Anders  
District 51

The following members' presence was noted: Dieckhaus and Meadows.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Thursday, January 19, 2012.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 1212, HB 1254  
Executive session may be held on any matter referred to the committee.  
Lunch will not be provided.  
CORRECTED

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.  
DESE budget presentation.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, January 23, 2012, House Hearing Room 3 Upon Afternoon Adjournment.  
–Organizational meeting.  
–Departments and agencies are not required to attend.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.  
Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.  
Budget presentations on Public Debt and Office of Administration Debt.

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

Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.  
Executive session may be held on any matter referred to the committee.  
Public testimony. Please call (573) 751-5458 to register for testimony.  
Meeting may last several hours, please plan accordingly.  
Lunch will be provided.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.  
Public Safety budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Public Safety budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.  
DIFP budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.  
DOLIR budget presentation.

DOWNSIZING STATE GOVERNMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 4.  
Public hearing will be held: HB 1094  
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.  
Public hearing will be held: HB 1104, HB 1036, HB 1059, HB 1060, HB 1106  
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 19, 2012, 9:30 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
HCS HJR 43.

HIGHER EDUCATION

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 1041, HB 1042  
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.  
Public hearing will be held: HB 1144, HB 1112  
Presentation by MOCIA, Captive Insurance Agencies.

AMENDED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.

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

This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.

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

First quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

CORRECTED

LOCAL GOVERNMENT

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177

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

CORRECTED

RETIREMENT

Thursday, January 19, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 1039

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

RURAL COMMUNITY DEVELOPMENT

Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.

Organizational meeting.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND  
ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

UTILITIES

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.

This meeting is an informational meeting.

**HOUSE CALENDAR**

NINTH DAY, THURSDAY, JANUARY 19, 2012

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 62

**HOUSE BILLS FOR SECOND READING**

HB 1343 through HB 1372

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1135 - Smith (150)
- 2 HCS HB 1140 - Smith (150)

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 43, (Fiscal Review 1-18-12) - Burlison