

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 23, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews, Regional Coordinator of the Salvation Army of Jefferson City and Columbia, Missouri.

Lord, we come to You today to express our thankfulness for the many blessings You have given to us. We are indeed a people who need You more and more. May we never forget how much You love us and care for our every need. You are a God of LOVE, of PEACE and of GRACE, and we will strive to remember that as we go about our work today.

Lord, I am asking You to provide Your Holy guidance upon this House of Representatives – these legislators. As they make decisions that will impact our Great State of Missouri, may they be aware of the ever-growing needs that exist throughout our land. I pray that they will not forget all the people impacted by the current economic conditions – the BROKENHEARTED, the HOMELESS and the JOBLESS.

May our lawmakers' faith be unmovable, steadfast and unwavering. May You, the Holy One, strengthen this House and cause it to stand tall and stand up for what is righteous. Our faith can not be in earthly possessions or even in humankind. They fall short, Lord, when we place our hope in things that are not eternal.

This body bears our hope and our future. Lord, grant these women and men the wisdom to make decisions for a brighter future. Bless this House of lawmakers, their communities, their families, their staff and their constituents, as they serve not themselves, but others. May it be so, in the name and spirit of Jesus Christ.

The Pledge of Allegiance to the flag was recited.

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

AYES: 146

Anders	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellington	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelly 24	Kirkton	Klippenstein

Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	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	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Aull	Brandom	Crawford	Diehl
Ellinger	Entlicher	Hough	Hughes	Kander
Kelley 126	May	Meadows	Molendorp	Schneider
Smith 71	Wright			

HOUSE RESOLUTIONS

Representative Bernskoetter offered House Resolution No. 305 and House Resolution No. 306.
Representative Wyatt, et al., offered House Resolution No. 333.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 307 through House Resolution No. 332

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 63 through **HJR 66** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1373 through **HB 1449** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1140, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1140, Page 1, Section A, Line 2, by inserting after all of said line the following:

“37.853. 1. The office of administration shall maintain municipal government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government financial information as a means of creating better public understanding of municipal government practices and operations.

2. Individual municipal governmental entities shall collect and transmit, to the office of administration, the public information applicable to all municipal government as provided in this section.

3. Municipal governmental entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.”; and

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

Representative Conway (14) 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 Bill No. 1140, Page 1, Section 37.853, Line 3, by inserting after the word **“government”**, the following:

“, including any city not within a county,”; and

Further amend said amendment, page, and section, Line 6, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 7, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 8, by inserting after the word **“governmental”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 9, by inserting after the word **“government”** the following:

“, including any city not within a county,”; and

Further amend said amendment, page and section, Line 11, by inserting after the word “**governmental**” the following:

“, **including any city not within a county,**”; and

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

On motion of Representative Conway (14), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Carlson	Carter	Colona	Ellington
Hummel	Kelly 24	May	McCann Beatty	McCreery
McDonald	McGeoghegan	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Day	Diehl	Ellinger	Hough
Hughes	Kander	Meadows		

On motion of Representative Solon, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended**, was ordered perfected and printed.

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

HB 1135 was laid over.

COMMITTEE REPORT

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1155**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1155**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 23, introduced by Representatives Zerr, Sater, Berry, Gatschenberger, Jones (117), Jones (63), Carter, Colona, Talboy and Jones (89), relating to granting authority to the department of economic development to approve qualified equity investments.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 67, introduced by Representatives Denison, Rizzo, Meadows, Rowland, Shumake, Elmer, Fisher, Lair, Cookson, Burlison, Fraker, Montecillo, Wells, Franz, Pollock, Walton Gray and Hinson, relating to property taxation.

HJR 68, introduced by Representatives Nasheed, Kelly (24), Carter and Webb, relating to bonding for higher education capital improvement.

INTRODUCTION OF HOUSE BILLS

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

HB 1450, introduced by Representative Bernskoetter, relating to pharmacy services.

HB 1451, introduced by Representatives Denison, Meadows, Solon, Long, Rowland, Shumake, Ruzicka, Fisher, Lair, Cross, Cookson, Schoeller, Burlison, Fraker, Rizzo, Wells, Franz, Pollock, Walton Gray and Korman, relating to motor vehicle windshield stickers.

HB 1452, introduced by Representatives Denison, Pace, McDonald, McCreery and Walton Gray, relating to water safety.

HB 1453, introduced by Representatives Denison, Long, Shumake, Ruzicka, Elmer, Meadows, Fisher, Lair, Cookson, Fraker, Rizzo, Franz and Pollock, relating to nuisance abatement ordinances.

HB 1454, introduced by Representative Stream, relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses.

HB 1455, introduced by Representatives Gatschenberger, Talboy, Jones (89), Nolte, McCaherty, Long, Tilley, Jones (63), Colona, Atkins, Taylor, McManus and Webber, relating to the manufacturing jobs act.

HB 1456, introduced by Representatives Black, Quinn, Pace, Brown (50), Fitzwater, Oxford, McGhee, Funderburk, Torpey, Silvey, Schieffer and Bernskoetter, relating to a mental health assessment pilot program.

HB 1457, introduced by Representatives Crawford, Dugger and Entlicher, relating to county treasurer candidate qualifications.

HB 1458, introduced by Representatives Hinson and Gatschenberger, relating to emergency services.

HB 1459, introduced by Representatives Cierpiot, Torpey, Bernskoetter, Cookson, Dieckhaus and Neth, relating to school board members.

HB 1460, introduced by Representatives Jones (117), Richardson, Elmer, Crawford, Wyatt, Cox, Jones (89), Talboy, Webber, Colona, Kelly (24), Rizzo, Carter, Webb and Hoskins, relating to the statewide court automation fund.

HB 1461, introduced by Representatives Weter, Nance, McDonald, Cookson, Curtman, Koenig, Meadows, Carter, Denison, Kirkton, Still, Jones (63), Webb, Nichols and Lair, relating to security deposits.

HB 1462, introduced by Representatives Cauthorn, Klippenstein, Webber and Guernsey, relating to the Missouri Qualified Biodiesel Producer Incentive Fund.

HB 1463, introduced by Representatives Montecillo, Pierson, Atkins, Pace, Walton Gray, Webb, McNeil, Smith (71), Taylor and Spreng, relating to local sales taxes.

HB 1464, introduced by Representatives Torpey, Cierpiot, Neth, Grisamore, Solon, Lampe and Anders, relating to conflicts of interest for legislators.

HB 1465, introduced by Representatives Torpey, Cierpiot, Neth, Talboy, Jones (63), Montecillo, Dieckhaus, Lampe and Anders, relating to compulsory school attendance.

HB 1466, introduced by Representatives Nasheed, Jones (63), Oxford, Carter, Webb, Hummel and Schneider, relating to mathematics and science tutoring centers.

HB 1467, introduced by Representatives Nasheed, Carter, Webb and Jones (63), relating to the higher education loan authority.

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 24, 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 - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 24, 2012, 2:00 PM House Hearing Room 4.

Conservation Budget presentation.

Agriculture Budget presentation, if needed.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.

Continuation of the Conservation Budget presentation, if needed.

Proposal on the possible funding of a new meat lab for the University of Missouri.

Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION

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

DESE Budget presentation.

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.

CANCELLED

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

Wednesday, January 25, 2012, 2:00 PM House Hearing Room 5.

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

DMH overview/presentation, followed by inquiry.

No meal will be provided. Please plan accordingly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.

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

Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

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

Public Safety Budget.

CANCELLED

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.

BUDGET

Tuesday, January 24, 2012, House Hearing Room 3 Upon Morning Adjournment.

Public hearing will be held: HCR 3, HB 1329

Executive Session will be held: HCR 3, HB 1329

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

CHILDREN AND FAMILIES

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260

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

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1125, HB 1252

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

ECONOMIC DEVELOPMENT

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1311, HB 1370

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 1036, HB 1059, HB 1060, HB 1104, HB 1106

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Lounge.

Public hearing will be held: HB 1174, HB 1228

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

CORRECTED

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, January 24, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HJR 61

Executive Session will be held: HJR 61

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

FISCAL REVIEW

Wednesday, January 25, 2012, 8:30 AM House Hearing Room 5.

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

Any bill referred to the committee.

GENERAL LAWS

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1180, HB 1298, HB 1342

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

HEALTH CARE POLICY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1058, HB 1075, HB 1123

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

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.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 25, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1147, HB 1185, HB 1186

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

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 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

JUDICIARY

Wednesday, January 25, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1137, HB 1165, HB 1166, HB 1253, HB 1256

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

LOCAL GOVERNMENT

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

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

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

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.

Public hearing will be held: HB 1193, HB 1372

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

RETIREMENT

Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1138, HB 1226

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

RURAL COMMUNITY DEVELOPMENT

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1277

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

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, January 30, 2012, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 1077

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

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, January 25, 2012, 3:30 PM House Hearing Room 3.

Public hearing will be held: HB 1076, HB 1302

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

Presentation from Missouri American Water on successful renewable energy projects.

Public hearing to follow.

TRANSPORTATION

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 1093, HB 1107, HB 1119, HB 1141, HB 1156, HB 1269

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

UTILITIES

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

This meeting is an informational meeting.

VETERANS

Tuesday, January 24, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1099, HB 1100, HB 1105, HJR 45, HB 1160, HB 1241, HB 1287

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

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 24, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 23

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 67 and HJR 68

HOUSE BILLS FOR SECOND READING

HB 1450 through HB 1467

HOUSE BILLS FOR PERFECTION

HB 1135 - Smith (150)

HOUSE BILLS FOR THIRD READING

HCS HB 1140 - Smith (150)