

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIRST DAY, MONDAY, FEBRUARY 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My help cometh from the Lord, who made heaven and earth. (Psalm 121:2)

Almighty God, Who has given us this good state for our heritage, we humbly pray that we may always be a people mindful of Your favor, eager to do Your will, and glad to be of service to our fellow citizens.

Save us from discord and discrimination, from pride and prejudice, from vindictiveness and violence, and lead us into the glorious liberty of those who put their trust in You, and who walk in the way of Your commandments.

Give us wisdom to know Your will and the strength to do it. Fill us all with the love of truth and righteousness and good will, that we may be a blessing to our state and in turn our state be a blessing to our nation.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

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

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
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
Dieckhaus	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCreery	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schieber	Schieffer	Schneider	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Brattin	Diehl	Flanigan	Funderburk
Hinson	Houghton	Hughes	Kander	Kelley 126
Largent	Leara	McCann Beatty	McManus	Neth
Nolte	Schad	Schatz	Schoeller	Still
Swinger	Webb	Wells	Weter	

HOUSE RESOLUTION

Representative Leara offered House Resolution No. 882.

HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 834 through House Resolution No. 881
House Resolution No. 883

SECOND READING OF HOUSE BILLS

HB 1819 through **HB 1835** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 26 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 484, 477 & 606, SB 701 and **SS SCS SB 719** were read the second time.

Representative Schatz assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 45, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 45** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1349, relating to irrevocable life insurance trusts, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1349, Page 1, Section 362.333, Line 5, by inserting an opening bracket, “[” in front of the word, “the” and by deleting the opening bracket, “[” from in front of the word, “Missouri”; and

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

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HB 1349, as amended**, was ordered perfected and printed.

HCS HB 1106, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1106** was adopted.

On motion of Representative Dugger, **HCS HB 1106** was ordered perfected and printed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

HCS HB 1193 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1737 - Transportation

HB 1795 - Tourism and Natural Resources

HB 1807 - Transportation

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
for
HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$40 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, the State of Missouri has approximately \$7 million in unmet need for LWDF State Assistance projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 572**, 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.

INTRODUCTION OF HOUSE BILLS

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

HB 1836, introduced by Representatives Shively and Asbury, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1837, introduced by Representative Molendorp, relating to workplace safety.

COMMITTEE APPOINTMENT

February 27, 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 the following members to serve on the Special Standing Committee on Governmental Affairs:

Representative Vicki Schneider, Chairman
Representative Sandy Crawford, Vice Chair
Representative Mike McGhee
Representative Jeanie Lauer
Representative Gary Cross
Representative Tom Loehner
Representative Ray Weter
Representative Kathie Conway
Representative Jacob Hummel
Representative Michele Kratky
Representative Brandon Ellington
Representative Judy Morgan

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

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Barnes, Diehl, Flanigan, Funderburk, Houghton, Kelley (126), Leara, McCann Beatty, McManus, Neth, Nolte, Schad, Schoeller, Still, Webb and Wells.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 28, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1660
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range.

CHILDREN AND FAMILIES

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1568, HB 1238, HB 1435
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 28, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1592, HB 1723, HB 1130, HB 1069, HB 1623
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 28, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1692, HJR 39
Executive session will be held: HB 1060
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048
Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HCR 37, HB 1498, HB 1644, HB 1679, HB 1317
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1490, HB 1545
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 28, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1509, HB 1546, HB 1711
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1257, HB 1587
Executive session will be held: HB 1722
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

JUDICIARY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1249, HB 1701, HB 1398
Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1619, HB 1350

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

RULES - PURSUANT TO RULE 25(32)(F)

Tuesday, February 28, 2012, 5:45 PM House Hearing Room 6.

Executive session will be held: HCS HB 1740

Executive session may be held on any or all bills referred to this committee.

TAX REFORM

Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 1569

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

TRANSPORTATION

Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1749

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

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, February 28, 2012, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 1804

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

UTILITIES

Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 1.

Public hearing will be held: HB 1434, HB 1751

Executive session will be held: HB 1691

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

VETERANS

Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5

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

HOUSE CALENDAR

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1836 and HB 1837

HOUSE BILLS FOR PERFECTION

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HCS HB 1193 - Frederick
- 3 HCS HB 1220 - Hubbard
- 4 HCS HB 1174 - Lair
- 5 HB 1513 - Franz
- 6 HCS HB 1731 - Day
- 7 HB 1029 - Flanigan
- 8 HCS HB 1030 - Flanigan
- 9 HCS HB 1042 - Thomson
- 10 HCS HB 1072 - Sater
- 11 HCS HB 1123 - Frederick
- 12 HCS HB 1139 - Gatschenberger
- 13 HB 1191 - Ruzicka
- 14 HCS HB 1300 - Franz
- 15 HB 1318 - Riddle
- 16 HCS HB 1324 - Loehner
- 17 HB 1431 - Hoskins
- 18 HCS HB 1495 - Nance

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter
- 3 HB 1441 - Fisher