

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they that mourn: for they shall be comforted. (Matthew 5:4)

O Eternal God of our spirits, Who is the light of the minds that know You, the life of the souls that love You, and the strength of the hearts that serve You, help us so to know You that we may come to love You, so to love You that we may be able to serve You with all our hearts.

We face tasks that are beyond our power to meet adequately; we have responsibilities that are more than we can manage acceptably; we are confronted by duties that are greater than our ability to master competently - so we pray for the sustaining power of Your presence in our lives. Even in distress and sorrow may we feel the comfort of Your Holy Spirit.

Lead, Kindly Light, amid the encircling confusion, lead on us - that with clean hearts, clear minds, and courageous spirits we may usher in the day when peace shall reign and good will rule the hearts of all. So may Your kingdom come and Your will be done on Earth.

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: Grace Hamby and Abigail Rainwater.

The Journal of the forty-fourth day was approved as printed.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 88 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1986 through **HB 1988** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1909, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

Representative Long assumed the Chair.

On motion of Representative Hoskins, **HB 1909** was ordered perfected and printed.

HB 1512, relating to the Civil Liberties Defense Act, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 1512** was ordered perfected and printed by the following vote:

AYES: 110

| | | | | |
|--------------|-------------|-------------|-----------|----------------|
| Allen | Asbury | Aull | Bahr | Barnes |
| Bernskoetter | Berry | Black | Brandom | Brattin |
| Brown 85 | Brown 116 | Burlison | Casey | Cauthorn |
| Cierpiot | Conway 14 | Conway 27 | Cookson | Cox |
| Crawford | Cross | Curtman | Davis | Day |
| Denison | Diehl | Dugger | Elmer | Entlicher |
| Fallert | Fisher | Fitzwater | Flanigan | Fraker |
| Franklin | Franz | Frederick | Fuhr | Gatschenberger |
| Gosen | Grisamore | Guernsey | Haefner | Hampton |
| Harris | Higdon | Hinson | Hoskins | Hough |
| Houghton | Johnson | Jones 89 | Jones 117 | Keeney |
| Kelley 126 | Koenig | Korman | Lair | Lant |
| Largent | Lauer | Leach | Leara | Lichtenegger |
| Loehner | Long | Marshall | McCaherty | McGhee |
| Meadows | Molendorp | Nance | Neth | Nolte |
| Parkinson | Phillips | Pollock | Quinn | Reiboldt |
| Richardson | Riddle | Rowland | Ruzicka | Sater |
| Schad | Scharnhorst | Schatz | Schieber | Schieffer |
| Schneider | Schoeller | Shively | Shumake | Silvey |
| Smith 150 | Solon | Sommer | Stream | Swinger |
| Thomson | Torpey | Wallingford | Wells | Weter |
| White | Wieland | Wright | Wyatt | Zerr |

NOES: 046

| | | | | |
|---------------|--------------|-----------|-------------|----------|
| Anders | Atkins | Brown 50 | Carlson | Carter |
| Colona | Ellinger | Ellington | Hodges | Holsman |
| Hubbard | Hummel | Jones 63 | Kander | Kelly 24 |
| Kirkton | Klippenstein | Kratky | Lampe | May |
| McCann Beatty | McCreery | McDonald | McGeoghegan | McManus |
| McNeil | Montecillo | Morgan | Nasheed | Newman |
| Nichols | Oxford | Pace | Pierson | Rizzo |
| Schupp | Sifton | Smith 71 | Spreng | Still |
| Swearingen | Talboy | Taylor | Walton Gray | Webb |
| Webber | | | | |

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus Funderburk Hughes Lasater McNary
Redmon Mr Speaker

HCS HB 1395, relating to a land survey program, was taken up by Representative Korman.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1395, Page 2, Section 59.319, Line 28, by inserting after the phrase “**30.180, RSMo.**” on said line, the following:

“**The state and the department of natural resources shall use no more than twenty percent of all moneys collected under this subsection to pay for state and department administrative cost allocation.**”; and

Further amend said bill, page, and section, Line 32, by inserting after the word “**income**” on said line the phrase “**, interest, and moneys earned**”; and

Further amend said bill, page, and section, Lines 35-36, by deleting all of said lines and inserting in lieu thereof the following:

“**of unexpected balances to the general revenue funds**”; and

Further amend said bill, Page 5, Section 60.595, Line 14, by deleting the phrase “workshops, conferences” on said line and inserting in lieu thereof the phrase “[workshops] **workshop fees**, [conferences] **conference fees**”; and

Further amend said bill, Page 6, Section 60.620, Line 28, by deleting on said line the phrase “**and deputy director of the division**”; and

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

Representative Cauthorn 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. 1395, Page 1, Line 3, by deleting the word “**twenty**” and inserting in lieu thereof the word “**ten**”; and

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

On motion of Representative Cauthorn, **House Amendment No. 1 to House Amendment No. 1** was adopted.

HCS HB 1395, with House Amendment No. 1, as amended, pending, was laid over.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

HCS HB 1361 was laid over.

On motion of Representative Jones (89), the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILLS

HCS HB 1541, relating to the conscience right of medical workers, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1541, Page 2, Section 191.1150, Line 30, by inserting after the word "**and**" the words "**non-therapeutic benefit**"; and

Further amend said bill, Page 3, Section 191.1159, Line 2, and Section 191.1162, Line 2, by deleting the phrase "**health care professional**" and inserting in lieu thereof the phrase "**medical professional**"; and

Further amend said bill, Section 191.1168, Page 4, Line 2, by inserting immediately after the section number "**1.140**" the following:

“, except sections 191.1159 and 191.1162, which shall not be severable from those sections”; and

Further amend said bill, section and page, Line 3, by inserting immediately after the section number "**191.1168**" the following:

“, except section 191.1159 and 191.1162,”; and

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

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was ordered perfected and printed.

HCS HB 1395, with House Amendment No. 1, as amended, pending, relating to a land survey program, was again taken up by Representative Korman.

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

Representative Ruzicka offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1395, Page 1, In the Title, Lines 2 and 3, by deleting the words, “the land survey program” and inserting in lieu thereof the words, “the department of natural resources”; and

Further amend said bill, Page 6, Section 60.620, Line 34, by inserting after all of said line the following:

“640.100. 1. The safe drinking water commission created in section 640.105 shall promulgate rules necessary for the implementation, administration and enforcement of sections 640.100 to 640.140 and the federal Safe Drinking Water Act as amended.

2. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held by the commission after at least thirty days' prior notice in the manner prescribed by the rulemaking provisions of chapter 536 and an opportunity given to the public to be heard; the commission may solicit the views, in writing, of persons who may be affected by, knowledgeable about, or interested in proposed rules and regulations, or standards. Any person heard or registered at the hearing, or making written request for notice, shall be given written notice of the action of the commission with respect to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, including but not limited to section 536.028, if applicable, after June 9, 1998. All rulemaking authority delegated prior to June 9, 1998, is of no force and effect and repealed as of June 9, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to June 9, 1998. If the provisions of section 536.028 apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this chapter or chapter 644 shall affect the validity of any rule adopted and promulgated prior to June 9, 1998.

3. The commission shall promulgate rules and regulations for the certification of public water system operators, backflow prevention assembly testers and laboratories conducting tests pursuant to sections 640.100 to 640.140. Any person seeking to be a certified backflow prevention assembly tester shall satisfactorily complete standard, nationally recognized written and performance examinations designed to ensure that the person is competent to determine if the assembly is functioning within its design specifications. Any such state certification shall satisfy any need for local certification as a backflow prevention assembly tester. However, political subdivisions may set additional testing standards for individuals who are seeking to be certified as backflow prevention assembly testers. Notwithstanding any other provision of law to the contrary, agencies of the state or its political subdivisions shall only require carbonated beverage dispensers to conform to the backflow protection requirements established in the National Sanitation Foundation standard eighteen, and the dispensers shall be so listed by an independent testing laboratory. The commission shall promulgate rules and regulations for collection of samples and analysis of water furnished by municipalities, corporations, companies, state establishments, federal establishments or individuals to the public. The department of natural resources or the department of health and senior services shall, at the request of any supplier, make any analyses or tests required pursuant to the terms of section 192.320 and sections 640.100 to 640.140. The department shall collect fees to cover the reasonable cost of laboratory services, both within the department of natural resources and the department of health and senior services, laboratory certification and program administration as required by sections 640.100 to 640.140. The laboratory services and program administration fees pursuant to this subsection shall not exceed two hundred dollars for a supplier supplying less than four thousand one hundred service connections, three hundred dollars for supplying less than seven thousand six hundred service connections, five hundred dollars for supplying seven thousand six hundred or more service connections, and five hundred dollars for testing surface water. Such fees shall be deposited in the safe drinking water fund as specified in section 640.110. The analysis of all drinking water required by section 192.320 and sections 640.100 to 640.140 shall be made by the department of natural resources laboratories, department of health and senior services laboratories or laboratories certified by the department of natural resources.

4. The department of natural resources shall establish and maintain an inventory of public water supplies and conduct sanitary surveys of public water systems. Such records shall be available for public inspection during regular business hours.

5. (1) For the purpose of complying with federal requirements for maintaining the primacy of state enforcement of the federal Safe Drinking Water Act, the department is hereby directed to request appropriations from

the general revenue fund and all other appropriate sources to fund the activities of the public drinking water program and in addition to the fees authorized pursuant to subsection 3 of this section, an annual fee for each customer service connection with a public water system is hereby authorized to be imposed upon all customers of public water systems in this state. The fees collected shall not exceed the amounts specified in this subsection and the commission may set the fees, by rule, in a lower amount by proportionally reducing all fees charged pursuant to this subsection from the specified maximum amounts. Reductions shall be roughly proportional but in each case shall be divisible by twelve. Each customer of a public water system shall pay an annual fee for each customer service connection.

(2) The annual fee per customer service connection for unmetered customers and customers with meters not greater than one inch in size shall be based upon the number of service connections in the water system serving that customer, and shall not exceed:

| | |
|----------------------------------------|---------|
| 1 to 1,000 connections. | \$ 3.24 |
| 1,001 to 4,000 connections | 3.00 |
| 4,001 to 7,000 connections | 2.76 |
| 7,001 to 10,000 connections | 2.40 |
| 10,001 to 20,000 connections. | 2.16 |
| 20,001 to 35,000 connections. | 1.92 |
| 35,001 to 50,000 connections. | 1.56 |
| 50,001 to 100,000 connections. | 1.32 |
| More than 100,000 connections. | 1.08. |

(3) The annual user fee for customers having meters greater than one inch but less than or equal to two inches in size shall not exceed seven dollars and forty-four cents; for customers with meters greater than two inches but less than or equal to four inches in size shall not exceed forty-one dollars and sixteen cents; and for customers with meters greater than four inches in size shall not exceed eighty-two dollars and forty-four cents.

(4) Customers served by multiple connections shall pay an annual user fee based on the above rates for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars per year.

6. Fees imposed pursuant to subsection 5 of this section shall become effective on August 28, 2006, and shall be collected by the public water system serving the customer beginning September 1, 2006, and continuing until such time that the safe drinking water commission, at its discretion, specifies a lower amount under subdivision (1) of subsection 5 of this section. The commission shall promulgate rules and regulations on the procedures for billing, collection and delinquent payment. Fees collected by a public water system pursuant to subsection 5 of this section are state fees. The annual fee shall be enumerated separately from all other charges, and shall be collected in monthly, quarterly or annual increments. Such fees shall be transferred to the director of the department of revenue at frequencies not less than quarterly. Two percent of the revenue arising from the fees shall be retained by the public water system for the purpose of reimbursing its expenses for billing and collection of such fees.

7. Imposition and collection of the fees authorized in subsection 5 of this section shall be suspended on the first day of a calendar quarter if, during the preceding calendar quarter, the federally delegated authority granted to the safe drinking water program within the department of natural resources to administer the Safe Drinking Water Act, 42 U.S.C. 300g-2, is withdrawn. The fee shall not be reinstated until the first day of the calendar quarter following the quarter during which such delegated authority is reinstated.

8. Fees imposed pursuant to subsection 5 of this section shall expire on September 1, [2012] **2017**.”; and

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

On motion of Representative Ruzicka, **House Amendment No. 2** was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was ordered perfected and printed.

HCS HB 1275, relating to local ballot proposals, was taken up by Representative Koenig.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 1275 was laid over.

On motion of Representative Riddle, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Smith (150).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1445 through House Resolution No. 1499

HOUSE CONCURRENT RESOLUTION

Representative Lampe, et al., offered House Concurrent Resolution No. 51.

PERFECTION OF HOUSE BILLS

HCS HB 1700, relating to sexual offender registration, was taken up by Representative Schad.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1700, Page 9, Section 589.401, Lines 35-37, by deleting all of said lines and inserting in lieu thereof, the following:

“4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:
(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for five years immediately preceding the filing of the petition; or
(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for three years immediately preceding the filing of the petition.
(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.”; and

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

Representative Fuhr 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. 1700, Page 1, Line 8, by deleting the phrase **“five years”** on said line and inserting in lieu thereof the phrase **“one year”**; and

Further amend said amendment and page, Line 10, by deleting the phrase **“three years”** on said line and inserting in lieu thereof the phrase **“one year”**; and

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

On motion of Representative Fuhr, **House Amendment No. 1 to House Amendment No. 1** was adopted.

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

On motion of Representative Schad, **HCS HB 1700, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1700, as amended**, was ordered perfected and printed.

HCS HB 1094, relating to electronic payments to state entities, was taken up by Representative Wieland.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 3, by deleting the word "a" on said line and inserting in lieu thereof the word "any"; and

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

On motion of Representative Wieland, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

Representative Funderburk raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was adopted.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was ordered perfected and printed.

HCS HB 1402, relating to road use, was taken up by Representative Burlison.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1402, Page 10, Section 390.061, Line 51, by deleting all of said line and inserting in lieu thereof the following:

“6. The state highways and transportation commission is authorized to enter into”; and

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

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was ordered perfected and printed.

HCS#2 HB 1344, relating to closure of certain criminal records, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS#2 HB 1344** was adopted.

On motion of Representative Nasheed, **HCS#2 HB 1344** was ordered perfected and printed.

HCS HBs 1278 & 1152, relating to tax credits, was taken up by Representative Long.

On motion of Representative Long, **HCS HBs 1278 & 1152** was adopted.

On motion of Representative Long, **HCS HBs 1278 & 1152** was ordered perfected and printed by the following vote:

AYES: 137

| | | | | |
|-----------|---------------|----------------|-------------|------------|
| Allen | Anders | Asbury | Atkins | Aull |
| Bahr | Barnes | Bernskoetter | Berry | Black |
| Brandom | Brattin | Brown 50 | Brown 85 | Brown 116 |
| Burlison | Carter | Casey | Cauthorn | Cierpiot |
| Conway 14 | Conway 27 | Cookson | Cox | Crawford |
| Cross | Curtman | Davis | Denison | Dieckhaus |
| Diehl | Ellington | Elmer | Entlicher | Fallert |
| Fisher | Fitzwater | Flanigan | Fraker | Franz |
| Frederick | Funderburk | Gatschenberger | Gosen | Grisamore |
| Guernsey | Haefner | Hampton | Harris | Higdon |
| Hinson | Hodges | Holsman | Hoskins | Hough |
| Houghton | Hubbard | Hummel | Johnson | Jones 63 |
| Jones 89 | Jones 117 | Keeney | Kelley 126 | Kelly 24 |
| Kirkton | Koenig | Korman | Kratky | Lair |
| Lampe | Lant | Lasater | Lauer | Leach |
| Leara | Lichtenegger | Loehner | Long | Marshall |
| McCaherty | McCann Beatty | McDonald | McGeoghegan | McGhee |
| McManus | McNeil | Meadows | Molendorp | Montecillo |
| Nance | Nasheed | Neth | Nichols | Nolte |
| Oxford | Pace | Parkinson | Phillips | Pierson |

| | | | | |
|-------------|---------|-----------|------------|-------------|
| Pollock | Quinn | Redmon | Reiboldt | Richardson |
| Riddle | Rizzo | Rowland | Ruzicka | Schad |
| Scharnhorst | Schatz | Schieber | Schneider | Schupp |
| Shively | Shumake | Smith 150 | Solon | Sommer |
| Spreng | Still | Stream | Swearingen | Swinger |
| Talboy | Taylor | Thomson | Torpey | Wallingford |
| Webb | Webber | White | Wieland | Wright |
| Wyatt | Zerr | | | |

NOES: 009

| | | | | |
|----------|--------|--------|--------------|-----|
| Carlson | Fuhr | Hughes | Klippenstein | May |
| McCreery | Morgan | Newman | Sifton | |

PRESENT: 003

| | | |
|----------|----------|-------------|
| Ellinger | Smith 71 | Walton Gray |
|----------|----------|-------------|

ABSENT WITH LEAVE: 014

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|---------|--------|--------|------------|-----------|
| Colona | Day | Dugger | Franklin | Kander |
| Largent | McNary | Sater | Schieffer | Schoeller |
| Silvey | Wells | Weter | Mr Speaker | |

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 52 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1654 - Ways and Means

HB 1934 - Ways and Means

HB 1950 - Health Insurance

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 655 - Higher Education

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 31**, 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.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

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 strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1869**, 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.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 455**, 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.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1758**, 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.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1210**, 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.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1803**, 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.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HCR 42**, 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.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

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 endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

- (2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;
- (3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;
- (4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;
- (5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;
- (6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;
- (7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;
- (8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;
- (9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;
- (10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;
- (11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;
- (12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and
- (13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

- (1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers;
- or
- (2) Parents to abrogate their statutory rights to educational choice; 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 each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1794**, 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.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1854**, 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.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1076** and **HB 1302**, 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.

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1305**, 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.

LETTER OF OBJECTION

March 27, 2012

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

Dear Mr. Crumbliss:

Whereas, on March 20, 2012, **House Bill No. 1717** was duly placed on the House Consent Calendar for Perfection, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to be noncontroversial in nature, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to not reduce net revenue of the state, and

Whereas, the rules of the House provide that five members of the House, with at least two from each political party may file written objection with the Chief Clerk, thereby removing such bill from the House Consent Calendar for Perfection and requiring it be placed upon the House Bills to be Perfected and Printed Calendar,

Now, therefore, we the undersigned members of the Missouri House of Representatives, pursuant to House Rule 45(b), object to **House Bill No. 1717** placement upon the House Consent Calendar for Perfection and respectfully request its removal under the rules.

/s/ Ryan Silvey
District 38

/s/ Mary W. Still
District 25

/s/ Thomas Flanigan
District 127

/s/ Chris Kelly
District 24

/s/ Sue Allen
District 92

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1048, HB 1062, HB 1063, HB 1170, HCS HB 1171, HB 1221, HB 1261, HB 1264, HB 1267, HB 1315, HCS HB 1325, HB 1345, HCS HB 1363, HCS HB 1407, HB 1408, HB 1424, HB 1460, HCS#2 HB 1462, HCS HB 1477, HB 1484, HCS HBs 1518 & 1522, HCS HB 1527, HB 1545, HB 1560, HCS HB 1563, HB 1615, HCS HB 1623, HB 1630, HB 1636, HB 1651, HB 1652, HB 1662, HB 1665, HB 1680, HB 1687, HB 1692, HB 1737, HCS HB 1738, HB 1744, HB 1782, HB 1804, HB 1807, HB 1811, HB 1820, HCS HB 1827, HCS HB 1841, HB 1864, HB 1868, HCS HB 1875, HB 1878 and HB 1880.**

INTRODUCTION OF HOUSE BILLS

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

HB 1989, introduced by Representative Riddle, relating to the designation of the state rifle.

HB 1990, introduced by Representatives Phillips, Wright, Rowland and Houghton, relating to procedures for vaccinations administered to certain children.

HB 1991, introduced by Representative Phillips, relating to liens filed by sewer districts.

HB 1992, introduced by Representatives Phillips and Rowland, relating to chemical tests for blood alcohol content.

HB 1993, introduced by Representatives Lampe, Nasheed, McNeil, Webber, Hodges, McDonald, Kirkton, Ellinger, McCann Beatty, Nichols, Pierson, Morgan, Walton Gray, Hubbard, May, Pace, Montecillo, Oxford, Atkins, Schupp, Hough, Fallert, Casey, Carter, Holsman, Brown (50), Black, Colona, Taylor, Swinger, McManus, Talboy, Silvey and Sifton, relating to the children in crisis tax credit.

HB 1994, introduced by Representative Carlson, relating to adoption.

HB 1995, introduced by Representative Bernskoetter, relating to mortgage loan originators.

HB 1996, introduced by Representatives Weter and Sater, relating to advanced practice registered nurses.

HB 1997, introduced by Representatives McNeil, Morgan, Lampe and Still, relating to unaccredited schools.

HB 1998, introduced by Representative Franz, relating to health care services and fees.

HB 1999, introduced by Representative Zerr, relating to science and innovation.

ADJOURNMENT

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

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Information session on proposed policies

BUDGET

Wednesday, March 28, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 57, HJR 58
AMENDED

CHILDREN AND FAMILIES

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1790
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1952, HB 1822, HB 1334
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 29, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HJR 42, HJR 60

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1201, HJR 70
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 18
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.

Public hearing will be held: HB 1942, HB 1936

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

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 28, 2012, Upon Morning Recess South Gallery.

Executive session will be held: HB 1639

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

JUDICIARY

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1716, HB 1479, HB 1677, HB 1553

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

JUDICIARY

Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.

Judiciary Committee dinner meeting

LOCAL GOVERNMENT

Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.

Public hearing will be held: HB 1047, HB 1397

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

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 28, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1082, HB 1784, HB 1508

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

SMALL BUSINESS

Wednesday, March 28, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1306, HB 1162, HB 1163

Executive session will be held: HB 1702, HB 1674, HB 1146, HB 1065

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

Also hearing HB 1162 and 1163

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, March 29, 2012, 9:00 AM House Hearing Room 7.

Executive session will be held: SS SCS SB 719

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

TRANSPORTATION

Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 1874

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

CANCELLED

WAYS AND MEANS

Thursday, March 29, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1934, HB 1654, HJR 67

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

HOUSE CALENDAR

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1989 through HB 1999

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1169 - Franz
- 3 HCS HB 1361 - Pollock
- 4 HB 1046 - Rowland
- 5 HCS HB 1272 - Kelley (126)
- 6 HCS HB 1475 - Cross
- 7 HCS HB 1722 - Thomson
- 8 HCS HB 1126 - Largent
- 9 HB 1172 - Franz
- 10 HCS HB 1275 - Koenig
- 11 HCS HB 1498 - Hough
- 12 HB 1593 - Jones (89)
- 13 HCS HB 1608 - White
- 14 HCS HB 1134 - Scharnhorst
- 15 HB 1403 - Schatz
- 16 HCS HB 1060 - Dugger
- 17 HCS HB 1549 - Richardson
- 18 HCS HB 1717 - Kelley (126)
- 19 HCS HB 1111 - Gosen
- 20 HCS HB 1150 - Smith (150)

- 21 HCS HB 1515 - Schad
- 22 HCS HB 1640 - Denison
- 23 HB 1691 - Dugger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS HJR 61 - Loehner
- 2 HJR 52, (Fiscal Review 3/27/12) - Ruzicka

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1296 - Davis
- 5 HCS HB 1647 - Riddle

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison
- 14 HB 1341 - Dugger
- 15 HCS#2 HB 1524 - Phillips
- 16 HB 1484 - McCaherty
- 17 HB 1880 - Pollock
- 18 HB 1048, E.C. - Schneider
- 19 HB 1062 - Dieckhaus
- 20 HB 1063 - Conway (27)
- 21 HB 1170 - Franz
- 22 HCS HB 1171 - Franz
- 23 HB 1221 - Black
- 24 HB 1261 - Swearingen
- 25 HB 1264 - Fallert
- 26 HB 1267 - Denison
- 27 HB 1315 - McCaherty
- 28 HCS HB 1325 - Cox

- 29 HB 1345 - Cauthorn
- 30 HCS HB 1363 - Schieffer
- 31 HCS HB 1407 - Walton Gray
- 32 HB 1408 - Walton Gray
- 33 HB 1424 - Marshall
- 34 HB 1460 - Jones (117)
- 35 HCS#2 HB 1462 - Cauthorn
- 36 HCS HB 1477 - Brown (116)
- 37 HCS HBs 1518 & 1522 - Grisamore
- 38 HCS HB 1527 - Elmer
- 39 HB 1545 - Kirkton
- 40 HB 1560 - Diehl
- 41 HCS HB 1563 - Sater
- 42 HB 1615 - Oxford
- 43 HCS HB 1623 - Ellinger
- 44 HB 1630 - Franz
- 45 HB 1636 - Fuhr
- 46 HB 1651 - McGeoghegan
- 47 HB 1652 - McGeoghegan
- 48 HB 1662 - Weter
- 49 HB 1665 - Jones (63)
- 50 HB 1680 - Davis
- 51 HB 1687 - Schieffer
- 52 HB 1692 - Entlicher
- 53 HB 1737 - Gatschenberger
- 54 HCS HB 1738, E.C. - Grisamore
- 55 HB 1744 - Kelley (126)
- 56 HB 1782 - Fitzwater
- 57 HB 1804 - Molendorp
- 58 HB 1807 - Marshall
- 59 HB 1811 - Carter
- 60 HB 1820 - Asbury
- 61 HCS HB 1827 - Richardson
- 62 HCS HB 1841 - Jones (117)
- 63 HB 1864 - Johnson
- 64 HB 1868 - Cauthorn
- 65 HCS HB 1875 - Nance
- 66 HB 1878 - Riddle

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Kelley (126)
- 2 HCS HCR 30 - Hampton
- 3 HCR 25 - Allen

SENATE BILLS FOR THIRD READING

SB 450, E.C. - Schneider

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer