

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTIETH DAY, MONDAY, APRIL 23, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Herb Baker, Canopy Church, Camdenton, MO.

“For I know the plans I have for you,” declares the LORD, “plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call on me and come and pray to me, and I will listen to you. You will seek me and find me when you seek me with all your heart.” (Jeremiah 29:11-13)

Father God, You Who spoke the worlds into existence and gave life to all of creation – we acknowledge Your presence in this place. We are the finite – You are the infinite. You are the Creator – we are the created. We are Your servants – You are our God. Hear our prayer, oh Lord.

Grant now that we might have wisdom beyond our years and our experience. For the task ahead of us is too awesome to be accomplished in our own wisdom. We need the wisdom that comes from above.

As You promised to the Israelites in Babylonian captivity, through the prophet Jeremiah – we ask that Your plans for us also have hope and a prosperous future. Let us be mindful that they are Your plans and not ours. Let us not to be governed by selfish motives or personal ambition.

We are grateful for the service of these who represent our state in this house. Would You bless them again today and employ them in the work of Your plans on earth.

In Jesus’ name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Michelle Pugh.

The Journal of the fifty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2327 through House Resolution No. 2354

SECOND READING OF SENATE BILLS

SS SCS SB 448, SCS SB 510, SS SCS SB 576, SS SCS SB 677, SS SCS SB 682, SB 739 and SCS SB 758 were read the second time.

Representative Leara assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCS HCR 33, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HCS HCR 33** was adopted.

On motion of Representative Bernskoetter, **HCS HCR 33** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 001

Kirkton

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Aull	Carter	Funderburk	Hubbard
Hughes	Keeney	May	McManus	Neth
Nolte	Oxford	Pierson	Smith 71	Sommer
Webb	Mr Speaker			

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	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	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Montecillo	Nance	Nichols	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talbooy
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 016

Berry	Brattin	Carlson	Kirkton	Lasater
Leach	Marshall	McCann Beatty	McCreery	McNeil
Morgan	Newman	Schieber	Schupp	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Carter	Dieckhaus	Funderburk	Hubbard
Hughes	May	McManus	Nasheed	Neth
Nolte	Oxford	Pierson	Smith 71	Mr Speaker

HOUSE CONCURRENT RESOLUTIONS

HCR 6, relating to fuel costs, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 6** was adopted.

HCR 46, relating to Lake of the Ozarks property, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 46** was adopted.

HCR 49, relating to mercury emissions, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCR 49** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1117, relating to the Missouri and Midwest Rail Integration and Improvement Commission, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 1117** was adopted.

On motion of Representative Brown (50), **HCS HB 1117** was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 1890, relating to health insurance coverage, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 1890** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Asbury	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	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Meadows
Molendorp	Nance	Parkinson	Phillips	Pollock
Quinn	Redmon	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: 040

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Funderburk	Hubbard	Hughes
May	Neth	Nolte	Oxford	Mr Speaker

Representative Leara declared the bill passed.

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1846**, 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.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 24, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.

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

Review of DSS, DMH, & DHSS operations and policies

BUDGET

Tuesday, April 24, 2012, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HB 1712

Review tax credits

CHILDREN AND FAMILIES

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

Public hearing will be held: SS SB 727, SCS SB 711, HB 2042

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

DOWNSIZING STATE GOVERNMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.

Public hearing will be held: HCR 57, HB 2106

ECONOMIC DEVELOPMENT

Tuesday, April 24, 2012, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 1571, HB 2044, HB 1801, HB 2041

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

ELECTIONS

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 5.

Public hearing will be held: SCS SB 671, SJR 26, HB 1901, HB 1917, HB 2031

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 25, 2012, 9:30 AM House Hearing Room 6.

Executive session will be held: SB 599

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

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, April 24, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: SCS SB 566

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

GENERAL LAWS

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

Public hearing will be held: SCS SB 626, SS SCS SB 633, SB 668, SB 721, SCS SB 722, HB 2029

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

HEALTH INSURANCE

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1950, SS SB 749
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 24, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: HB 1980, HB 1925
Executive session will be held: SCS SB 563
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

JUDICIARY

Wednesday, April 25, 2012, 12:00 PM or Upon Morning Recess, whichever is earlier, House Hearing Room 1.
Public hearing will be held: HB 1840, SCS SB 485, SB 628, SCS SB 789, SB 636
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, April 24, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1991
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 24, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: SB 701, SCR 24, SS SB 665, SB 504, SCS SB 673, SCS SB 714, HB 2084, HB 1889
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Wednesday, April 25, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 24, 2012, 12:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 24, 2012, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 715

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

NO BREAKFAST

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1198 - Fisher
- 2 HCS HB 1275 - Koenig
- 3 HB 1540 - Jones (89)
- 4 HB 1455 - Gatschenberger
- 5 HCS HB 1869 - Dugger
- 6 HCS#2 HB 1475 - Cross
- 7 HB 1592 - Jones (89)
- 8 HB 1718 - Scharnhorst (2 hours debate on Perfection)
- 9 HCS HB 1865 - Barnes
- 10 HCS HB 1049 - Allen
- 11 HCS HB 1210 - Gatschenberger
- 12 HCS HB 1280 - Korman
- 13 HCS HB 1758 - Long
- 14 HCS HB 1795 - Ruzicka
- 15 HCS HB 1803 - Korman
- 16 HCS HB 1818 - Schad
- 17 HCS HB 1966 - Burlison
- 18 HCS HB 1137 - Lauer
- 19 HCS HB 1328 - Cox
- 20 HB 1779 - Flanigan
- 21 HCS HB 1794 - Grisamore
- 22 HCS HB 1854 - Grisamore
- 23 HCS HB 1254 - Klippenstein
- 24 HCS HBs 1741 & 1543 - Leara
- 25 HCS HB 1754 - Cox
- 26 HCS HB 1815 - Pollock
- 27 HB 1842 - Lant
- 28 HCS HB 1900 - Redmon
- 29 HCS HB 1922 - Molendorp
- 30 HCS HB 1935 - Franz
- 31 HB 2063 - Denison

- 32 HB 2099 - Elmer
- 33 HCS HB 2100 - Denison
- 34 HCS HB 1709 - Hough
- 35 HCS HB 1710 - Hough

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HB 1431 - Hoskins
- 4 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 18 - Walton Gray
- 2 HCR 43 - Franklin
- 3 HCR 47 - Allen
- 4 HCR 52 - Cookson

SENATE BILLS FOR THIRD READING

- 1 HCS SB 568 - Franz
- 2 SB 564 - Davis
- 3 HCS SCS SB 569 - Dugger
- 4 SB 611 - Stream
- 5 SS SCS SB 719, E.C. - Brown (116)

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson