

# JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

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NINTH DAY, THURSDAY, JANUARY 24, 2013

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord will give strength unto His people; the Lord will bless His people with peace. (Psalm 29:11)*

O merciful God, from Whom no secrets are hidden, help us in this opening moment of prayer to draw near to You with sincere and humble hearts. With Your presence alive within us may we face the tasks of this day with courage and faith and in all honesty of mind and heart. May no deceit dim our vision, no hatred mar our relationship with others, and no pretense affect our attitude toward ourselves.

Into this state which we love with all our hearts may there come a new and greater unity of spirit so that no sinister powers without conscience and without morals may seek to destroy our freedoms and to belittle our reverence for personality. As we live through these days of destiny which call aloud for wisdom and good will, make us worthy of our positions and give us courage and strength to preserve liberty, to defeat tyranny, and to establish a just and enduring peace in Missouri. Not easy, O Lord, not easy, but with You we can do it and by Your grace we will.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## HOUSE RESOLUTION

Representative Rowland offered House Resolution No. 201.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 177 through House Resolution No. 200

House Resolution No. 202 through House Resolution No. 208

## HOUSE CONCURRENT RESOLUTION

Representative Frederick, et al., offered House Concurrent Resolution No. 17.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 13** through **HJR 17** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 257** through **HB 304** were read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 32** - Ways and Means
- HB 55** - Ways and Means
- HB 112** - Special Standing Committee on Emerging Issues in Health Care
- HB 124** - Economic Development
- HB 128** - Local Government
- HB 158** - Economic Development
- HB 175** - Local Government
- HB 194** - Ways and Means
- HB 196** - Economic Development
- HB 197** - Economic Development
- HB 221** - Economic Development
- HB 222** - Economic Development
- HB 223** - Economic Development
- HB 227** - Economic Development
- HB 233** - Retirement

## COMMITTEE REPORT

**Committee on Workforce Development and Workplace Safety**, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(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 305**, introduced by Representatives Walker, Hansen, Shumake, Redmon, Fitzwater, Fraker, Lynch, Love, Wieland, Remole, Spencer and Guernsey, relating to changes to the sunshine law.

**HB 306**, introduced by Representatives Hoskins, Wood, Berry, Love, Diehl, Kolkmeier, Pike and Muntzel, relating to the designation of the state historical dog.

**HB 307**, introduced by Representatives Riddle, Barnes, Kelly (45) and Hinson, relating to fire protection districts.

**HB 308**, introduced by Representatives Jones (50), Cornejo, Neely and Frederick, relating to midwifery.

**HB 309**, introduced by Representatives Solon, Kelly (45), Davis, Lichtenegger, Zerr, Allen, Lynch, Haefner, Wieland, Black, Brattin, Berry, Leara, Kelley (127), Walton Gray, Hansen, Conway (104) and Webber, relating to the veterans treatment intervention act.

**HB 310**, introduced by Representatives Solon, Leara, Hubbard, Entlicher, Black, Ellinger, Berry, Kelley (127) and Walton Gray, relating to the seniors' retirement protection act.

**HB 311**, introduced by Representative Thomson, relating to special road districts.

**HB 312**, introduced by Representative Thomson, relating to college or university police officers.

**HB 313**, introduced by Representatives Thomson, Lair, Rowland, Spencer, Gannon, Anders, McNeil, Fitzwater and Pfautsch, relating to public school and education employees' retirement systems.

**HB 314**, introduced by Representatives Rowland, Lichtenegger, McCaherty, Shumake, Norr, Swan, Fitzwater, Love, Entlicher, Brattin, Wood, Reiboldt, Gatschenberger, Swearingen, Schieffer, Kirkton, Conway (10), Morgan, Redmon, Schupp, Englund, McDonald, Lant, Webb, Kelley (127), Jones (50), Rowden, Crawford, Allen, Hodges, Dugger and Phillips, relating to nursing scope of practice.

**HB 315**, introduced by Representative Rowland, relating to prescription eye drop refills.

**HB 316**, introduced by Representatives Phillips, Franklin, Pace, Fitzpatrick, Kratky, Rowland, Justus, Houghton, Otto, Nichols and Wood, relating to the division of tourism supplemental revenue fund.

**HB 317**, introduced by Representatives Phillips, Muntzel and Rowland, relating to Molly's law.

**HB 318**, introduced by Representatives Crawford and Franklin, relating to jury costs.

**HB 319**, introduced by Representatives Elmer, Jones (110), Korman, Funderburk, Redmon, Jones (50), Spencer, Hough, Hinson, Diehl, Cross and Frederick, relating to unlawful employment practices.

**HB 320**, introduced by Representatives Elmer, Jones (110), Funderburk, Redmon, Jones (50), Spencer, Hough, Hinson, Diehl, Cross and Frederick, relating to unlawful discriminatory practices.

**HB 321**, introduced by Representatives Haahr, Walker, Rhoads, Cornejo, Hicks, Fitzpatrick, Leara, Jones (50), Hough, Hinson, Elmer, Miller, Rowden, Wilson, LaFaver, Englund, Austin, McKenna, Mayfield, Fitzwater, Spencer, Lant, Colona, Mitten, Hansen, Bernskoetter, Schupp, Messenger, Justus, Hurst and Love, relating to the second injury fund.

**HB 322**, introduced by Representatives Gosen, Black, Hinson, Bahr and Wieland, relating to the modernization of certain information provided by insurance companies.

**HB 323**, introduced by Representatives Elmer, Entlicher and Fraker, relating to a surcharge on civil court cases.

**HB 324**, introduced by Representatives Frederick, Wood, Franklin and Neely, relating to medical records.

**HB 325**, introduced by Representatives Elmer, Rowland, Phillips and Morris, relating to judicial circuits.

**HB 326**, introduced by Representative Fitzwater, relating to the crime of sexual misconduct in the second degree.

### COMMITTEE CHANGES

January 23, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from Appropriations: Public Safety and Corrections and appoint Representative Gina Mitten.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel  
House Minority Leader  
Missouri House of Representatives

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January 23, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Corrections and appoint Representative Kimberly Gardner.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel  
House Minority Leader  
Missouri House of Representatives

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January 23, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Small Business and appoint Representative Steve Hodges.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel  
House Minority Leader  
Missouri House of Representatives

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January 23, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Urban Issues and appoint Representative Stacey Newman.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel  
House Minority Leader  
Missouri House of Representatives

January 24, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Kevin McManus from the Special Standing Committee on Emerging Issues in Health Care and appoint Representative Penny Hubbard.

If you have any questions, please feel free to contact my office.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

## COMMITTEE APPOINTMENTS

January 24, 2013

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

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Review Committee on Downtown and Rural Economic Stimulus Act:

Representative Tim Remole  
Representative Scott Fitzpatrick  
Representative Chrissy Sommer

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

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January 24, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Corrections.

Kathie Conway	Linda Black
Bill Reiboldt	Rory Ellinger
Dave Muntzel	Penny Hubbard
Dennis Fowler	Bonnaye Mims
Bryan Spencer	
Shawn Rhoads	

The Speaker has designated Paul Fitzwater as Chair, and Rick Brattin as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

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January 24, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Small Business.

Mike Bernskoetter	Kevin Austin
T.J. Berry	Jeffery Justus
Rick Brattin	Ira Anders
Delus Johnson	Jon Carpenter
Jeanie Lauer	Vicki Englund
Chrissy Sommer	Ben Harris
Kurt Bahr	Penny Hubbard
Lindell Shumake	Jeremy LaFaver
Charlie Davis	John Mayfield
Steve Lynch	

The Speaker has designated Noel Torpey as Chair, and Gary Cross as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

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January 24, 2013

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Urban Issues.

Jay Barnes	Randy Dunn
Sheila Solon	Brandon Ellington
Bryan Spencer	
Jeff Pogue	
Nathan Walker	

The Speaker has designated Penny Hubbard as Chair, and Nick Marshall as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

The following members' presence was noted: Allen, Anders, Anderson, Austin, Bahr, Barnes, Berry, Black, Brown, Burns, Butler, Conway (10), Conway (104), Cookson, Cornejo, Cox, Crawford, Cross, Curtis, Curtman, Davis, Dugger, Dunn, Ellinger, Ellington, Elmer, English, Englund, Entlicher, Fitzpatrick, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Frederick, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Hough, Hubbard, Hurst, Johnson, Jones (50), Jones (110), Justus, Keeney, Kelley (127), Kelly (45), Kirkton, Koenig, Kolkmeier, Korman, Kratky, LaFaver, Lair, Lant, Lauer, Leara, Love, Lynch, Marshall, Mayfield, McCann Beatty, McDonald, McGaugh, McKenna, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Neely, Neth, Newman, Norr, Otto, Pace, Pfautsch, Phillips, Pike, Pogue, Redmon, Rehder, Reiboldt, Remole, Rhoads, Riddle, Rizzo, Roorda, Ross, Rowden, Rowland, Scharnhorst, Schatz, Schieffer, Shull, Shumake, Smith (85), Sommer, Spencer, Stream, Swan, Swearingen, Thomson, Walker, Walton Gray, Webb, White, Wieland, Wilson, Wood and Wright.

### **ADJOURNMENT**

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, January 28, 2013.

## COMMITTEE HEARINGS

### AGRICULTURE POLICY

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 6.  
Informational meeting

### APPROPRIATIONS - EDUCATION

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Institution Presidents  
AMENDED

### APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Institution Presidents, continued  
AMENDED

### APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2013, Upon Morning Adjournment House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Organizational meeting and public testimony. Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2013, Upon Morning Adjournment House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Public testimony (continued if needed). Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Department of Corrections overview

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Public testimony

### APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

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

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

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

Missouri Department of Labor and Industrial Relations budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 1.

Executive session will be held: HB 87

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

CRIME PREVENTION AND PUBLIC SAFETY

Monday, January 28, 2013, 1:00 PM House Hearing Room 6.

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

Organizational meeting

Lunch will be provided.

ELECTIONS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HJR 5, HB 48, HJR 4

Executive session will be held: HJR 5, HB 48

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

CORRECTED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 28, 2013, 10:00 AM House Hearing Room 3.

Organizational meeting followed by public testimony on the Quality Jobs Act

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

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

This will be for informational purposes only.

RETIREMENT

Tuesday, January 29, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 169, HB 233

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

Organizational meeting will be held at 5:00. House bills will be heard at 6:00.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.

This will be an organizational meeting only.

TOURISM AND NATURAL RESOURCES

Thursday, January 31, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 42

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

TRANSPORTATION

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 5.

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

Informational meeting

CORRECTED

UTILITIES

Tuesday, January 29, 2013, 6:30 PM 516 South Country Club Dr, Jefferson City, MO.

Informational meeting

UTILITIES

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 44

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

Public hearing and organizational/informational meeting

VETERANS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HJR 8, HB 148

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

VETERANS

Tuesday, January 29, 2013, 5:00 PM Senate Lounge.

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

This will be for informational purposes only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 64

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

**HOUSE CALENDAR**

TENTH DAY, MONDAY, JANUARY 28, 2013

**HOUSE BILLS FOR SECOND READING**

HB 305 through HB 326

**HOUSE RESOLUTIONS**

HR 139 - Diehl