

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Behold, the Lord our God has shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that God does talk with man and that he lives. (Deuteronomy 5:24)

O Living God, we thank You for the gift of a new Missouri day fresh from Your hand. Help us to use these hours to live cleanly, to labor industriously, to love wisely, and to keep our spirits elevated to positive levels of thought. May we have the strength to overcome our difficulties and the courage to carry our responsibilities with honor and with uplifted hearts.

Sustain us in every effort to make a better state and to bring good will to all. In the midst of this day's work assure us of Your presence and let the light of Your wisdom fall upon our paths.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as corrected by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel

Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 008

Curtman	Grisamore	Hicks	Jones 50	Love
May	Smith 85	Smith 120		

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 447 through House Resolution No. 471

SECOND READING OF HOUSE BILLS

HB 623 through **HB 633** were read the second time.

SECOND READING OF SENATE BILLS

SB 58, **SB 77** and **SB 80** were read the second time.

PERFECTION OF HOUSE BILL

HB 55, relating to a tax amnesty program, was taken up by Representative Flanigan.

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

House Amendment No. 1

AMEND House Bill No. 55, Page 2, Section 32.383, Line 28, by inserting after all of said line the following:

"5. If a taxpayer is granted amnesty under this section, such taxpayer shall not be eligible to participate in any future amnesty for the same tax."; and

Further amend said bill, page, section, Lines 29-49, by renumbering subsections **"5-9"** as **"6-10"**; and

Further amend said bill, page, section, Line 49, by inserting after all of said line, the following:

“11. If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.”; and

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

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

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

House Amendment No. 2 was withdrawn.

On motion of Representative Flanigan, **HB 55, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(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 **HB 312**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 349**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, 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 634, introduced by Representative Elmer, relating to the designation of Turner Syndrome awareness month.

HB 635, introduced by Representatives Fitzwater, Fraker, Redmon, Rhoads, Hicks, Black and Conway (104), relating to correctional treatment programs for first offenders.

HB 636, introduced by Representatives Fitzwater, Fraker and Black, relating to state employee salary increases.

HB 637, introduced by Representatives Fitzwater, Fraker and Black, relating to minimum pay for certain corrections employees.

HB 638, introduced by Representatives Rhoads, Fowler, Higdon, Hinson, Phillips and Wilson, relating to the endangerment of emergency workers.

HB 639, introduced by Representative Brown, relating to privacy concerning firearms.

HB 640, introduced by Representatives Parkinson, Diehl, Bahr, Fitzpatrick, Flanigan, Leara, Brown, Kelley (127), Curtman, Davis, Remole, Spencer, Conway (104), Ross, Fraker, Walker, Funderburk and Brattin, relating to the purchase of firearms.

HB 641, introduced by Representatives Korman, Cornejo, Wieland, Hinson, Miller, McKenna and Schatz, relating to retainage requirements on construction of public works projects.

HB 642, introduced by Representatives Elmer, Fraker and Jones (50), relating to construction management services for the state and political subdivisions.

HB 643, introduced by Representatives Muntzel and Jones (50), relating to a county hospital sales tax.

HB 644, introduced by Representatives Wieland, Berry, Kelly (45), McGaugh, Lant, Stream, Hurst, Messenger, McCann Beatty, Pace, Walton Gray, Carpenter, Swearingen, Webber, Rizzo, Meredith, Norr, Morgan, Schupp, LaFaver, Ellinger, McNeil, Hummel, Smith (85), Swan, Webb, English, Hubbard, Kirkton, Montecillo, Mitten, Burns, May, Hodges, McDonald, Dunn, Pierson, Rowden, Englund, Ellington and Gardner, relating to repealing the death penalty.

HB 645, introduced by Representatives Schieffer, Roorda, Rizzo, English, Hummel and Norr, relating to preferences to military veterans for state employment.

HB 646, introduced by Representatives Schieffer, Mitten, Roorda, Hummel and Norr, relating to telephone calls.

HB 647, introduced by Representatives Schieffer, Roorda and Norr, relating to the reporting of missing and dead children.

HB 648, introduced by Representatives Schieffer, Roorda, Ellinger, Kirkton, Walton Gray and Norr, relating to the sale of energy drinks to minors.

HB 649, introduced by Representative Wieland, relating to automobile insurance for volunteer drivers.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 9**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 121**, entitled:

An act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to liquor control, with existing penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 182**, entitled:

An act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof three new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Curtman, Hicks and Smith (85).

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:45 a.m., Wednesday, February 20, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-third Day, Monday, February 18, 2013, Page 388, Line 21, by deleting the words "restrictive legislation.", and inserting in lieu thereof the words "the right to bear arms.".

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

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

Markup, continued

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2013, Upon Morning Adjournment House Hearing Room 3.

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

Markup and reporting of House Bills 1, 5, 12, and 13

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 5.

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

Committee discussion and work session

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

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

Markup of HB 10 and HB 11

CORRECTED

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 5.

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

Work session

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

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

Committee appropriation markups

CANCELLED

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 7.

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

Markup for House Bill 4 and House Bill 7

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 20, 2013, Upon Evening Adjournment South Gallery.

Executive session will be held.

DOWNSIZING STATE GOVERNMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 297, HB 406, HB 451, HB 503, HB 455
Executive session will be held: HB 383, HB 57
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
The committee will conduct an executive session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 179, HB 458
Executive session may be held on any matter referred to the committee.
8:00-8:30 AM Presentation on Virtual Schools
8:30-9:10 AM HB 179
9:10-9:50 AM HB 458*** may reconvene at 5:00 PM or Upon Evening Adjournment in House Hearing Room 6

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 103
Executive session may be held on any matter referred to the committee.
The members of the Agri-Business Committee are invited to attend this committee meeting.
CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 446, HB 479
Executive session will be held: HB 446
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, February 20, 2013, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
CANCELLED

FISCAL REVIEW

Thursday, February 21, 2013, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 257, HB 274, HCR 17
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

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

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

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

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 20, 2013, 5:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253

Executive session will be held: HB 79

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

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 21, 2013, 8:00 AM House Hearing Room 1.

Quarterly business meeting - organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021

CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 26, 2013, 8:00 AM House Hearing Room 7.

Quarterly business meeting - organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

JUDICIARY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 144, HB 186, HB 280, HB 287, HB 373, HB 374, HB 434, HB 435

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

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2013, Noon or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 290, HB 384

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

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 20, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354

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

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 391, HB 496, HB 495

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

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 25, 2013, 5:00 PM or Upon Afternoon Adjournment (if after 5:00 PM) House Hearing Room 5.

Public hearing will be held: HB 419, HB 443, HB 591

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

UTILITIES

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 473, HB 142

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

We will not be hearing HB 119 or having an executive session on HB 345.

There will be additional testimony on HB 473 from last week's hearing.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 611

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

HOUSE CALENDAR

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2013

HOUSE BILLS FOR SECOND READING

HB 634 through HB 649

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 11 & 7 - Reiboldt

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HB 388 - Swan
- 3 HCS HB 202 - Reiboldt
- 4 HCS HB 158 - Flanigan
- 5 HCS HB 169 - Diehl
- 6 HB 34 - Guernsey

HOUSE BILLS FOR THIRD READING

HB 55, E.C. - Flanigan

SENATE BILLS FOR SECOND READING

- 1 SCS SB 9
- 2 SS SCS SB 121
- 3 SCS SB 182