

# JOURNAL OF THE HOUSE

First Regular Session, 98th GENERAL ASSEMBLY

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EIGHTEENTH DAY, MONDAY, FEBRUARY 9, 2015

The House met pursuant to adjournment.

Representative Fitzwater (49) in the Chair.

Prayer by Representative Steve Lynch.

Let us pray. Father, we praise You that we can come boldly to Your throne of grace. We come with thanksgiving in our hearts for the privilege it is to serve in this place. It is a place of opportunity. We have the opportunity to rise up and do good, be good, be a role model, have a positive impact, and honor the citizens of our state. We also have the opportunity to be dragged down by ego and pride, selfishness and self-interest, lack of compassion and love, and fail the very people who entrusted us with our position. It is our opportunity to choose each and every day, what kind of person we will be. May we choose wisely and use this opportunity of service for Your glory and honor, and to be a blessing to others.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## HOUSE RESOLUTIONS

Representative Gosen offered House Resolution No. 338 through House Resolution No. 340.

## SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

**HB 845**, relating to the cost of incarcerating a prisoner.

**HB 846**, relating to the immunization of pupils.

**HB 847**, relating to a sales tax for public safety purposes.

**HB 848**, relating to unmanned aircraft.

**HB 849**, relating to virtual public schools.

**HB 850**, relating to the expansion of virtual education programs.

**HB 851**, relating to utility payments.

**HB 852**, relating to recusal of prosecuting attorneys.

**HB 853**, relating to towing abandoned property.

**HB 854**, relating to the Missouri Qualified Fuel Ethanol Producer Incentive Fund.

**HB 855**, relating to tax increment financing.

**HB 856**, relating to making a false coroner's report.

**HB 857**, relating to property taxation of telephone companies.

**HB 858**, relating to the disclosure of news sources and information.

**HB 859**, relating to the designation of Jackie Robinson Day.

**HB 860**, relating to the Uniform Interstate Family Support Act.

**HB 861**, relating to the designation of Multiple Sclerosis Awareness Week in Missouri.

**HB 862**, relating to a tax credit for certain small businesses.

**HB 863**, relating to a tax credit for renovation of rental property.

**HB 864**, relating to real property owned by limited liability companies.

**HB 865**, relating to employee-employer relations.

**HB 866**, relating to farm-direct goods.

**HB 867**, relating to screening of medical school students for risk of depression.

## **COMMITTEE REPORTS**

**Committee on Government Oversight and Accountability**, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 225**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

### *House Committee Amendment No. 1*

AMEND House Bill No. 225, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"105.452. 1. No elected or appointed official or employee of the state or any political subdivision thereof shall:  
(1) Act or refrain from acting in any capacity in which he is lawfully empowered to act as such an official or employee by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to himself or any third person, including any gift or campaign contribution, made

or received in relationship to or as a condition of the performance of an official act, other than compensation to be paid by the state or political subdivision; or

(2) Use confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself, his spouse, his dependent child in his custody, or any business with which he is associated;

(3) Disclose confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself or any other person;

(4) Favorably act on any matter that is so specifically designed so as to provide a special monetary benefit to such official or his spouse or dependent children, including but not limited to increases in retirement benefits, whether received from the state of Missouri or any third party by reason of such act. For the purposes of this subdivision, "special monetary benefit" means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected. In all such matters such officials must recuse themselves from acting, except that such official may act on increases in compensation subject to the restrictions of section 13 of article VII of the Missouri Constitution; or

(5) Use his decision-making authority for the purpose of obtaining a financial gain which materially enriches himself, his spouse or dependent children by acting or refraining from acting for the purpose of coercing or extorting from another anything of actual pecuniary value.

2. No elected or appointed official or employee of any political subdivision shall offer, promote, or advocate for a political appointment in exchange for anything of value to any political subdivision.

**3. The governor shall not appoint or offer to appoint any member of the general assembly to any position in an attempt to influence legislation."**; and

Further amend said bill and page, Section 105.1420, Lines 1-2, by deleting all of said section and lines; and

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

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 228**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Property, Casualty, and Life Insurance**, Chairman Shull reporting:

Mr. Speaker: Your Committee on Property, Casualty, and Life Insurance, to which was referred **HB 50**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(8) be referred to the Select Committee on Insurance.

Mr. Speaker: Your Committee on Property, Casualty, and Life Insurance, to which was referred **HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(8) be referred to the Select Committee on Insurance.

**Committee on Workforce Standards and Development**, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Standards and Development, to which was referred **HB 159**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(10) be referred to the Select Committee on Labor and Industrial Relations.

Mr. Speaker: Your Committee on Workforce Standards and Development, to which was referred **HB 570**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(10) be referred to the Select Committee on Labor and Industrial Relations.

**Select Committee on Labor and Industrial Relations**, Chairman Rehder reporting:

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 116** and **HB 569**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 582**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 615**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 868**, introduced by Representative Rhoads, relating to regional emergency medical services.

**HB 869**, introduced by Representative Solon, relating to taxation on motor vehicles.

**HB 870**, introduced by Representative McNeil, relating to health benefit exchanges.

**HB 871**, introduced by Representative McNeil, relating to solar gardens.

**HB 872**, introduced by Representative Berry, relating to data storage centers.

### **COMMUNICATION**

February 6, 2015

Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Chief Clerk,

The House Select Committee on Rules, Chair Representative Engler, has reviewed the following House Resolutions requesting use of the House chamber and approved the following: **HR 34**, **HR 218**, **HR 259**, and **HR 296**.

Sincerely,

/s/ Kevin Engler  
State Representative  
Select Committee on Rules Chairman

The following members' presence was noted: Adams, Alferman, Allen, Anders, Anderson, Andrews, Arthur, Bahr, Barnes, Basye, Beard, Berry, Black, Bondon, Brown (57), Brown (94), Burlison, Burns, Butler, Carpenter, Chipman, Cierpiot, Colona, Conway (10), Conway (104), Cookson, Cornejo, Cross, Curtis, Curtman, Davis, Dogan, Dohrman, Dugger, Dunn, Eggleston, Ellington, English, Entlicher, Fitzpatrick, Fitzwater (144), Franklin, Frederick, Gannon, Gosen, Haahr, Haefner, Hansen, Harris, Hicks, Higdon, Hill, Hinson, Houghton, Hummel, Hurst, Johnson, Jones, Kelley, Kendrick, Kidd, King, Kirkton, Koenig, Kolkmeier, Korman, Kratky, LaFaver, Lair, Lant, Lauer, Lavender, Leara, Lichtenegger, Love, Lynch, Marshall, Mathews, McCaherty, McCann Beatty, McCreery, McDaniel, McDonald, McGaugh, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Montecillo, Moon, Morgan, Morris, Muntzel, Neely, Newman, Norr, Otto, Pace, Parkinson, Pfautsch, Phillips, Pietzman, Pike, Pogue, Redmon, Rehder, Reiboldt, Remole, Rhoads, Rizzo, Roden, Roeber, Rone, Ross, Rowden, Rowland, Runions, Ruth, Shaul, Shull, Shumake, Smith, Solon, Sommer, Spencer, Swan, Taylor, Vescovo, Walker, Walton Gray, Webber, Wiemann, Wilson, Wood and Zerr.

### **ADJOURNMENT**

On motion of Representative Fitzwater (49), the House adjourned until 12:00 p.m., Tuesday, February 10, 2015.

### **COMMITTEE HEARINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Wednesday, February 11, 2015, 5:00 PM, House Hearing Room 4.

Public hearing will be held: HR 321

Executive session will be held: HR 321

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

Discussion of publication change.

Discussion of procedure for approval of a caucus.

#### **AGRICULTURE POLICY**

Tuesday, February 10, 2015, 5:00 PM, House Hearing Room 7.

Executive session will be held: HB 233, HB 388, HB 141

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

#### **APPROPRIATIONS - AGRICULTURE, CONSERVATION, AND NATURAL RESOURCES**

Tuesday, February 10, 2015, 3:00 PM, House Hearing Room 4.

Executive session will be held: HB 6

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

HB 6 - Markup

#### **APPROPRIATIONS - ELEMENTARY AND SECONDARY EDUCATION**

Thursday, February 12, 2015, 2:00 PM or 30 minutes after adjournment, whichever is earlier, House Hearing Room 1.

Executive session will be held: HB 2

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

HB 2 Markup

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 2015, Upon Adjournment, House Hearing Room 3.

Executive session will be held: HB 1, HB 5, HB 12, HB 13

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

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 10, 2015, 9:00 AM, House Hearing Room 3.

Joint meeting of the Appropriations Committee on Health, Mental Health and Social Services and Budget Committee to hear budget presentations from the Department of Social Services.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 12, 2015, 8:00 AM, House Hearing Room 3.

Executive session will be held: HB 10, HB 11

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

Markup (Executive Session) of HB10 and HB11. Please contact Linda with any questions at 573-751-3762.

APPROPRIATIONS - HIGHER EDUCATION

Wednesday, February 11, 2015, 2:00 PM, House Hearing Room 1.

Executive session will be held: HB 3

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

HB 3 Markup

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2015, 2:00 PM, House Hearing Room 6.

Executive session will be held: HB 8, HB 9

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

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 11, 2015, 2:00 PM, House Hearing Room 7.

Executive session will be held: HB 4, HB 7

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

Markup

BANKING

Tuesday, February 10, 2015, 1:00 PM, South Gallery.

Executive session will be held: HB 256, HB 587

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

CHILDREN AND FAMILIES

Tuesday, February 10, 2015, 2:00 PM, House Hearing Room 5.

Public hearing will be held: HB 547, HB 556, HB 654

Executive session will be held: HB 190

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

2 p.m. or upon adjournment in HHR5.

#### CIVIL AND CRIMINAL PROCEEDINGS

Wednesday, February 11, 2015, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 37, HB 557, HB 608, HJR 17

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

#### CONSUMER AFFAIRS

Tuesday, February 10, 2015, 5:00 PM, House Hearing Room 4.

Public hearing will be held: HB 300, HB 555

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

#### ECONOMIC DEVELOPMENT AND BUSINESS ATTRACTION AND RETENTION

Tuesday, February 10, 2015, 2:00 PM, House Hearing Room 6.

Public hearing will be held: HB 468, HB 497, HB 540, HB 627, HB 815

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

#### ELECTIONS

Tuesday, February 10, 2015, 10:30 AM, House Hearing Room 7.

Executive session will be held: HB 336, HB 533, HB 212

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

#### AMENDED

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 11, 2015, 5:00 PM, House Hearing Room 3.

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

Reschedule Brainstorming session.

#### EMERGING ISSUES IN EDUCATION

Tuesday, February 10, 2015, 10:00 AM, House Hearing Room 1.

Executive session will be held: HB 42

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

#### EMPLOYMENT SECURITY

Wednesday, February 11, 2015, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 337, HB 460, HB 461

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

#### ENERGY AND THE ENVIRONMENT

Tuesday, February 10, 2015, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 722

Executive session will be held: HB 600

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

#### HEALTH AND MENTAL HEALTH POLICY

Tuesday, February 10, 2015, 5:00 PM, House Hearing Room 6.

Public hearing will be held: HB 118, HB 319, HR 99

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

#### AMENDED

#### HEALTH INSURANCE

Wednesday, February 11, 2015, 9:00 AM, House Hearing Room 4.

Executive session will be held: HB 130

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

#### HIGHER EDUCATION

Tuesday, February 10, 2015, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 104, HB 272

Executive session will be held: HB 187

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

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 11, 2015, 12:30 PM, Senate Committee Room 1.

Quarterly Business Meeting-Organizational Meeting. Some portions of the meeting may be closed pursuant to Section 610.021.

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, February 17, 2015, 8:00 AM, House Hearing Room 4.

1<sup>st</sup> Quarter Meeting.

Portions of the meeting may be closed pursuant to Section 610.021, RSMo.

#### LOCAL GOVERNMENT

Tuesday, February 10, 2015, 4:00 PM, House Hearing Room 5.

Public hearing will be held: HB 401, HB 473, HB 655, HB 758

Executive session will be held: HB 290, HB 566

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

#### PENSIONS

Tuesday, February 10, 2015, 9:00 AM, House Hearing Room 4.

Public hearing will be held: HB 478

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

#### PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 10, 2015, Upon Adjournment, House Hearing Room 4.

Public hearing will be held: HB 199, HB 200, HB 422, HB 634

Executive session will be held: HB 121

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

#### AMENDED

#### SELECT COMMITTEE ON BUDGET

Tuesday, February 10, 2015, 9:00 AM, House Hearing Room 3.

Joint meeting of the Appropriations Committee on Health, Mental Health and Social Services and Budget Committee to hear budget presentations from the Department of Social Services.

We will not be hearing budget presentations from the Department of Health and Senior Services or Mental Health.

#### CORRECTED



**SELECT COMMITTEE ON COMMERCE**

Wednesday, February 11, 2015, 5:00 PM, House Hearing Room 7.

Executive session will be held: HB 32

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

**SELECT COMMITTEE ON JUDICIARY**

Wednesday, February 11, 2015, 5:00 PM, House Hearing Room 1.

Executive session will be held: HB 138

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

**SMALL BUSINESS**

Wednesday, February 11, 2015, 12:00 PM, House Hearing Room 7.

Public hearing will be held: HB 325, HB 513, HB 677

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

**TRADE AND TOURISM**

Wednesday, February 11, 2015, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 598, HB 403, HCR 27

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

There will be a brief presentation by the Missouri Department of Tourism.

**TRANSPORTATION**

Tuesday, February 10, 2015, 1:00 PM, House Hearing Room 7.

Public hearing will be held: HB 507, HB 36, HB 323, HB 35, HB 523

Executive session will be held: HB 179, HB 553, HB 562

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

**UTILITY INFRASTRUCTURE**

Wednesday, February 11, 2015, 5:00 PM, House Hearing Room 6.

Public hearing will be held: HB 213

Executive session will be held: HB 203

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

**WAYS AND MEANS**

Tuesday, February 10, 2015, 5:00 PM, House Hearing Room 1.

Public hearing will be held: HB 114, HB 132, HB 299, HB 410, HB 440

Executive session will be held: HB 111, HB 117

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

**HOUSE CALENDAR**

NINETEENTH DAY, TUESDAY, FEBRUARY 10, 2015

**HOUSE BILLS FOR SECOND READING**

HB 868 through HB 872

**HOUSE BILLS FOR PERFECTION**

HB 241 - Davis

HCS HBs 116 & 569 - Burlison

HB 582 - Curtis

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 20 - Lynch