

JOURNAL OF THE HOUSE

Second Regular Session, 93rd GENERAL ASSEMBLY

FORTY-FIRST DAY, TUESDAY, MARCH 14, 2006

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Let us pray, with a verse from the Psalms:

“Guide me in Your truth and teach me,
For You are God my Savior,
And for You I wait all the day.”
(Psalm 25:5)

Almighty God, many topics compete for our attention. Often the pros and cons of one issue compete for our support. Holy God, guide us to see what is right, what corresponds to reality, what is the truth. And give us the courage to stand by the truth.

When several truths compete for our attention, give us the vision to see which is of greater importance in Your view. When several truths deserve consideration at once, give us the wisdom to place them in the order of priority that You would choose.

We pray to You, our God forever and ever. 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: Laura Roettering, Kriston Parsens, Elliott LaChance, Alyssa Surgener, Jake Schreiter, Sydney Grimm, Brandy Ira, Tramon Addison, Quanisha Dillingham, Harry Schulte, Wesley Hjelm, Peter Harris, Anna Marie Case, Emily Ray, Ryan Kaufmann, Alexis Coonrod, Zandria Johnson and Catrina Hickerson.

The Journal of the fortieth day was approved as printed.

HOUSE CONCURRENT RESOLUTIONS

Representative Lampe, et al., offered House Concurrent Resolution No. 35.

Representative Hunter, et al., offered House Concurrent Resolution No. 36.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1247 - Representative Frame
House Resolution No. 1248 - Representative Munzlinger
House Resolution No. 1249
through
House Resolution No. 1255 - Representative Lager
House Resolution No. 1256 - Representative Parker
House Resolution No. 1257 - Representative Zweifel
House Resolution No. 1258 - Representative Jones
House Resolution No. 1259 - Representative Brown (30)

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 52 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1999 through **HB 2003** were read the second time.

SECOND READING OF SENATE BILL

SB 644 was read the second time.

SPECIAL RECOGNITION

Dr. Loretta Fuge was introduced by Representative Kelly; Linda Fisher was introduced by Representative Jones; Lewis Bussjaeger was introduced by Representative Flook; Laura Musick was introduced by Representative Baker (25); and Charley Schneider was introduced by Representative Johnson (61) and recognized on Alzheimer's Association's Memory Day.

Charley Schneider addressed the House.

The Helias Lady Crusaders Softball Team was introduced by Representative Deeken and recognized for attaining the Class 4 State Championship.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1001, relating to appropriations, was taken up by Representative Icet.

HB 1001 was laid over.

HCS HB 1002, relating to appropriations, was taken up by Representative Icet.

HCS HB 1002 was laid over.

HCS HB 1003, relating to appropriations, was taken up by Representative Icet.

HCS HB 1003 was laid over.

HCS HB 1004, relating to appropriations, was taken up by Representative Icet.

HCS HB 1004 was laid over.

HCS HB 1005, relating to appropriations, was taken up by Representative Icet.

HCS HB 1005 was laid over.

HCS HB 1006, relating to appropriations, was taken up by Representative Icet.

HCS HB 1006 was laid over.

HCS HB 1007, relating to appropriations, was taken up by Representative Icet.

HCS HB 1007 was laid over.

HB 1008, relating to appropriations, was taken up by Representative Icet.

HB 1008 was laid over.

HB 1009, relating to appropriations, was taken up by Representative Icet.

HB 1009 was laid over.

HCS HB 1010, relating to appropriations, was taken up by Representative Icet.

HCS HB 1010 was laid over.

HCS HB 1011, relating to appropriations, was taken up by Representative Icet.

HCS HB 1011 was laid over.

HCS HB 1012, relating to appropriations, was taken up by Representative Icet.

HCS HB 1012 was laid over.

HB 1013, relating to appropriations, was taken up by Representative Icet.

HB 1013 was laid over.

HB 1001, relating to appropriations, was again taken up by Representative Icet.

Speaker Pro Tem Bearden assumed the Chair.

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

House Amendment No. 1

AMEND House Bill No. 1001, Page 3, Section 1.055, by deleting said section and adjust bill totals accordingly.

Representative Zweifel moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Dake	Darrough
Donnelly	Dougherty	Dusenberg	El-Amin	Frame
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Salva	Schaaf	Schneider	Schoemehl
Shoemyer	Skaggs	Spreng	Storch	Sutherland
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zweifel		

NOES: 089

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Guest	Hobbs	Hunter
Icet	Jackson	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sater
Schad	Scharnhorst	Schlottach	Self	Silvey
Smith 14	Smith 118	Smith 150	Stevenson	St. Onge
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Brown 30	Casey	Daus	Rucker
Sander				

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

House Amendment No. 2

AMEND House Bill No. 1001, Page 3, Section 1.055, Line 3, by deleting the number “\$75,000,000” and inserting the number “\$57,000,000”; and adjust bill totals accordingly.

Representative Whorton moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Storch offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 1001, Page 3, Section 1.055, by deleting said section in its entirety.

Representative Storch moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dake
Darrough	Day	Donnelly	Dougherty	Dusenberg
El-Amin	Frame	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Munzlinger
Oxford	Page	Pearce	Robinson	Roorda
Rupp	Salva	Schaaf	Schneider	Schoemehl
Shoemyer	Skaggs	Spreng	Storch	Sutherland
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zweifel	

NOES: 084

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Guest	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Sater	Schad	Scharnhorst	Schlottach	Self

Silvey	Smith 14	Smith 118	Smith 150	Stevenson
St. Onge	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Brown 30	Daus	Rucker	Sander
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HB 1001 was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1260 - Representative Lager
House Resolution No. 1261 - Representative Guest
House Resolution No. 1262 - Representative Wilson (130), et al.
House Resolution No. 1263 - Representative Haywood
House Resolution No. 1264 - Representative Guest
House Resolution No. 1265 - Representative Wright (159)

SPECIAL RECOGNITION

Miss America Jennifer Berry was introduced by Representative Deeken and addressed the House.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1001, relating to appropriations, was again taken up by Representative Icet.

Representative Wildberger offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Aull offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1001, Page 3, Section 1.055, by deleting said section in its entirety.

Representative Aull moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Baker 123	Bland	Bogetto
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dake
Darrough	Donnelly	Dougherty	Frame	Fraser
George	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Salva
Schaaf	Schoemehl	Shoemyer	Skaggs	Smith 150
Storch	Sutherland	Swinger	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wells
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 086

Avery	Bearden	Behnen	Bivins	Black
Bruns	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sater
Schad	Scharnhorst	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stevenson	St. Onge
Threlkeld	Tilley	Wasson	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 010

Bean	Bowman	Brown 30	Daus	El-Amin
Harris 23	Rucker	Sander	Spreng	Viebrock

Representative Whorton offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Bill No. 1001, Page 3, Section 1.055, Line 3, by deleting the number "\$75,000,000" and inserting the number "\$73,000,000"; and adjust bill totals accordingly.

Representative Whorton moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Baker 25	Bivins	Bland	Bogetto
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dake
Darrough	Donnelly	Dougherty	Dusenberg	El-Amin
Frame	Fraser	George	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McGhee
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Salva	Schaaf	Schoemehl	Shoemyer
Skaggs	Spreng	Storch	Sutherland	Swinger
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Whorton	Wildberger	Witte	Wood
Wright-Jones	Yaeger	Yates	Young	Zweifel

NOES: 085

Avery	Baker 123	Bearden	Behnen	Black
Bruns	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Richard	Roark	Robb
Ruestman	Rupp	Sater	Schad	Scharnhorst
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Smith 150	Stevenson	St. Onge	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wright 137	Wright 159	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Bowman	Brown 30	Daus	Harris 23
Rector	Rucker	Sander		

HB 1001 was laid over.

HCS HB 1002, relating to appropriations, was again taken up by Representative Icet.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1002, Page 11, Section 2.267, by deleting the section in its entirety.

Representative Fares moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 020

Avery	Bivins	Black	Cooper 155	Corcoran
Cunningham 86	Davis	Dougherty	Fares	Hoskins
Hubbard	May	McGhee	Moore	Myers
Robb	Sater	Schlottach	Stevenson	Vogt

NOES: 136

Aull	Baker 25	Baker 123	Bearden	Behnen
Bland	Bogetto	Bowman	Boykins	Bringer
Brooks	Brown 50	Bruns	Burnett	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 158	Cunningham 145
Curls	Dake	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fisher	Flook	Frame	Franz	Fraser
George	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	Meadows	Meiners	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robinson	Roorda	Ruestman	Rupp
Salva	Schaaf	Schad	Scharnhorst	Schneider
Schoemehl	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Smith 150	Spreng	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Brown 30	Daus	Rucker	Sander
Wallace	Wasson			

Representative Behnen assumed the Chair.

Representative Cooper (158) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 19, by deleting “\$43,962,386” and inserting “\$39,347,763”; and

Further amend said bill and section, Line 20, by deleting “\$4,178,641” and inserting “\$4,158,811”; and

Further amend said bill and section, Line 22, by deleting “\$1,707,167” and inserting “\$1,273,867”; and

Further amend said bill and section, Line 23, by deleting said line and inserting the following:

“Total (Not to exceed 768.57 F.T.E.).....\$3,142,226,707”; and

Further amend said bill, Page 10, Section 2.240, by adding immediately after Line 1 the following new line “For the Office of Administration”; and

Further amend said bill, Page 11, Section 2.265, Line 3, by deleting “\$1,500,000E” and inserting “\$1,310,120E”; and

Further amend said bill and page, Section 2.275, Line 6, by deleting “\$266,875” and inserting “\$255,490”; and

Amend section total accordingly.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted by the following vote:

AYES: 103

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bogetto	Bruns	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Dake	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Guest	Henke
Hobbs	Hubbard	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Self
Silvey	Smith 14	Smith 118	Smith 150	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 051

Aull	Bland	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	El-Amin	Frame	George
Harris 23	Harris 110	Haywood	Hoskins	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Oxford	Page	Robinson	Roorda
Salva	Schoemehl	Shoemyer	Skaggs	Spreng
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 002

Boykins Brooks

ABSENT WITH LEAVE: 007

Bean	Brown 30	Daus	Rucker	Sander
Schneider	Wallace			

Representative Cooper (158) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1002, Page 1, Section 2.005, by adding immediately after said section the following new section:

“Section 2.007. To the Department of Elementary and Secondary Education
 For the Office of Administration
 For administration of state facilities assets, personnel and resources by the Facilities
 Management, Design and Construction Division
 Personal Service and/or Expense and Equipment, provided that not more than fifty
 (50%) flexibility is allowed between each appropriation

From General Revenue Fund	\$4,626,008
From Federal Funds	19,830
From Bingo Proceeds for Education Fund	433,300
From School for Blind Trust Fund	<u>189,880</u>
Total (Not to exceed 84.28 F.T.E.)	\$5,269,018”.

On motion of Representative Cooper (158), **House Amendment No. 3** was adopted.

HCS HB 1002, as amended, was laid over.

HCS HB 1004, relating to appropriations, was again taken up by Representative Icet.

Representative Cooper (158) offered **House Amendment No. 1**.

House Amendment No.1

AMEND House Committee Substitute for House Bill No. 1004, Page 1, Section 4.005, Line 3, by deleting “\$43,362,869” and inserting “\$43,344,274”; and

Further amend said section, Page 2, Line 13, by deleting “\$11,369,932” and inserting “\$11,362,956”; and

Further amend said page and section, Line 18, by deleting said line and inserting the following:

“Total (Not to exceed 1,393.91 F.T.E.) \$66,053,241”; and

Further amend said bill, Page 6, Section 4.150, Line 7, by deleting “\$6,934,332” and inserting “\$6,860,575”; and

Further amend said page, section, Line 8, by deleting “\$29,314,022E” and inserting “\$27,447,151E”; and

Further amend said page, section, Line 9, by deleting said line and inserting the following:

“Total (Not to exceed 171.50 F.T.E.) \$34,307,726”.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Cooper (158), **House Amendment No. 1** was adopted by the following vote:

AYES: 100

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bogetto	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Dake
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Guest	Hobbs	Hubbard	Hunter
Icet	Jackson	Johnson 47	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Smith 150	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 055

Aull	Baker 25	Bland	Boykins	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Donnelly	El-Amin
Frame	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hughes	Johnson 90
Jolly	Jones	Kratky	Kuessner	Lampe

LeVota	Liese	Low 39	Lowe 44	Meadows
Oxford	Page	Robinson	Roorda	Salva
Schoemehl	Shoemyer	Skaggs	Spreng	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Bowman	Brown 30	Daus	Johnson 61
Rucker	Sander	Wallace		

Representative Cooper (158) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1004, Page 2, Section 4.005, by adding immediately after said section the following new section:

“Section 4.007. To the Department of Revenue
 For the Office of Administration
 For administration of state facilities assets, personnel and resources by the Facilities
 Management, Design and Construction Division
 Personal Service and/or Expense and Equipment, provided that not more than fifty
 (50%) flexibility is allowed between each appropriation

From General Revenue Fund	\$18,595
From State Highways and Transportation Department Fund	6,976
From Lottery Enterprise Fund	<u>1,940,628</u>
Total (Not to exceed 3 F.T.E.)	\$1,966,199”.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted.

HCS HB 1004, as amended, was laid over.

HCS HB 1002, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Shoemyer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1002, Page 1, Section 2.005, Line 6, by deleting “2,290,635” and inserting “2,266,524”; and

Further amend said section, Line 7, by deleting “1,635,583” and inserting “1,625,523”; and

Further amend said section, Line 8, by deleting “2,939,102” and inserting “2,936,612”; and

Further amend said bill, Page 2, Section 2.015, Line 19, by deleting “43,962,386” and inserting “43,889,806”; and

Further amend said section, Line 20, by deleting “4,178,641” and inserting “4,144,650”; and

Further amend said bill, Pages 3-4, Section 2.045, Line 6, by deleting “1,477,573” and inserting “1,463,584”; and

Further amend said section, Line 7, by deleting “7,359,000” and inserting “7,332,403”; and

Further amend said section, Line 13, by deleting “1,404,854” and inserting “1,392,358”; and

Further amend said section, Line 14, by deleting “2,890,750” and inserting “2,881,217”; and

Further amend said section, Line 19, by deleting “236,697” and inserting “234,442”; and

Further amend said section, Line 20, by deleting “2,288,275” and inserting “2,274,581”; and

Further amend said section, Line 25, by deleting “1,104,523” and inserting “1,094,566”; and

Further amend said bill, Page 8, Section 2.175, Line 3, by deleting “24,830,688” and inserting “24,694,080”; and

Further amend said bill, Page 11, Section 2.275, Line 7, by deleting “50,200” and inserting “49,000”; and

Further amend said bill, Page 12, Section 2.280, Line 6, by deleting “802,107” and inserting “798,972”; and

Further amend said section, Line 7, by deleting “2,158,266” and inserting “2,156,630”; and

Further amend said section, Line 8, by deleting “546,592” and inserting “546,217”; and

Adjust section and bill totals accordingly.

Representative Behnen resumed the Chair.

Representative Shoemyer moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dake
Darrough	Day	Donnelly	Dougherty	Dusenberg
El-Amin	Frame	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Jones
Kratky	Kuessner	Lampe	LeVota	Liese
Lochner	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Salva
Schaaf	Schad	Schoemehl	Shoemyer	Skaggs
Spreng	Storch	Sutherland	Swinger	Threlkeld
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young				

NOES: 085

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Guest	Hobbs	Hunter	Icet
Jackson	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Scharnhorst	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Smith 150
Stevenson	St. Onge	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Brown 30	Daus	Johnson 47	Rucker
Sander	Wallace			

HCS HB 1002, as amended, was laid over.

Speaker Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1014**, and has taken up and passed **CCS SCS HCS HB 1014**.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 1014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 1014** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Bearden resumed the Chair.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1002, as amended, relating to appropriations, was again taken up by Representative Icet.

HCS HB 1002, as amended, was laid over.

HCS HB 1003, relating to appropriations, was again taken up by Representative Icet.

Representative Cunningham (86) offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

HCS HB 1003 was laid over.

HCS HB 1004, relating to appropriations, was again taken up by Representative Icet.

Representative Harris (23) offered **House Amendment No. 3**.

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith (150) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1004, Page 14, Section 4.320, Line 4, by deleting "\$4,500,000" and inserting in lieu thereof "\$3,000,000"; and adjust section and bill totals accordingly.

Speaker Jetton resumed the Chair.

Representative Dixon assumed the Chair.

Representative Smith (150) moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Speaker Jetton resumed the Chair.

Representative Bringer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1004, Page 1, Section 4.005, Line 3, by deleting the number “43,362,869” and inserting “42,593,545”; and

Adjust section and bill totals accordingly

Representative Bringer moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Black	Bland	Bogetto
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Dake	Darrough	Donnelly	Dougherty	El-Amin
Faith	Flook	Frame	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Oxford
Page	Robinson	Roorda	Rupp	Salva
Schoemehl	Shoemyer	Skaggs	Smith 150	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 085

Baker 123	Bearden	Behnen	Bivins	Bruns
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Franz	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Self
Silvey	Smith 14	Smith 118	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Brown 30	Daus	Marsh
Meiners	Rucker	Sander	Schneider	

HCS HB 1004, as amended, was laid over.

HCS HB 1005, relating to appropriations, was again taken up by Representative Icet.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1005, Page 12, Section 5.280, Line 2, by deleting Lines 2 through 13 and inserting the following:

“to the Budget Reserve Fund such amounts as may be necessary for cash-flow assistance to various funds”; and

Further amend said bill, Page 13, Section 5.285, by deleting Lines 3 through 8 and inserting the following:

“assistance to the Budget Reserve Fund”; and

Further amend said bill, Page 3, Section 5.290, Line 3, by deleting the following words:

“and Other Funds”.

Representative LeVota moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dake
Darrough	Donnelly	Dougherty	El-Amin	Frame
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Salva	Schoemehl	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 090

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Hobbs
Hunter	Icet	Johnson 47	Jones	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb

Ruestman	Rupp	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Smith 150	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Brown 30	Daus	Jackson	Kelly
Marsh	McGhee	Rucker	Sander	

Representative El-Amin offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1005, Page 2, Section 5.030, Line 6, by deleting the number “6,381,626” and inserting “4,181,626”; and

Further amend said bill, Page 3, Section 5.035, Line 7, by deleting the number “46,707,166” and inserting “42,707,166”; and

Adjust section and bill totals accordingly.

Representative El-Amin moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Bland	Bogetto	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Dake	Darrough
Donnelly	Dougherty	El-Amin	Frame	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rupp
Salva	Schoemehl	Shoemyer	Skaggs	Smith 150
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 091

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke

Lipke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Bowman	Brown 30	Daus	McGhee
Rucker	Sander			

Representative Baker (25) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1005, Page 2, Section 5.030, Line 6, by deleting the number “6,381,626” and inserting “4,181,626”; and

Further amend said bill, Page 3, Section 5.035, Line 7, by deleting the number “46,707,166” and inserting “42,707,166”; and

Adjust section and bill totals accordingly.

Representative Baker (25) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Curls
Dake	Darrrough	Donnelly	Dougherty	El-Amin
Frame	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rupp	Salva	Schaaf	Schoemehl
Shoemyer	Skaggs	Smith 150	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 088

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 158

Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Sater	Schad	Scharnhorst
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Brown 30	Daus	Faith	McGhee
Rucker	Sander			

HCS HB 1005 was laid over.

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1037**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1617** and **HB 1374**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1149**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement and Finance, Chairman Baker (123) reporting:

Mr. Speaker: Your Special Committee on Student Achievement and Finance, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, the federal No Child Left Behind (NCLB) Act requires states to assess all students in their state's assessment program; and

WHEREAS, the Act provides for a limited number of students with disabilities to be assessed with an alternate assessment, but only 1% of a school district's tested population may be counted as proficient or above using the alternate assessment; and

WHEREAS, this limitation results in some special needs students being included in the regular state assessment system when, in fact, their cognitive disabilities are such that they should not be assessed with their age or grade-level peers; and

WHEREAS, a more appropriate assessment for them might be a test that was developed for use in some grade-level below the grade in which they are classified, but the United States Department of Education regulations governing the implementation of the NCLB Act prohibit this "out of grade-level" testing; and

WHEREAS, the United States Department of Education has recently allowed for the inclusion of an additional 2% of students with disabilities to be assessed with a modified grade-level assessment, but this additional flexibility still prohibits "out of grade-level" testing; and

WHEREAS, the Individuals with Disabilities Education Improvement Act (IDEA), which predates the NCLB Act, contains requirements for assessment that must be included in the student's individualized educational program (IEP), which may not meet the requirements of the NCLB Act for assessment and thus may place the IEP team at odds with the overall NCLB assessment process and may create confusion for parents; and

WHEREAS, certain accommodations written into an IEP, such as reading out loud or paraphrasing, are currently not acceptable for certain assessments under NCLB procedures, thus making the student's performance on the assessment not count for NCLB purposes and denying the student an accommodation that the IEP team has documented as necessary to the child's best chances for a proficient performance; and

WHEREAS, Secretary Margaret Spellings has shown an admirable flexibility in permitting experimentation

with alternative approaches to the NCLB Act while keeping the focus on accountability:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate concurring therein, that the interests of the special needs students of the state would best be served by reviewing the assessment provisions of IDEA and the NCLB Act together to eliminate contradictory objectives, so that accommodations that are appropriate to a student with an IEP do not invalidate the student's assessment results for the purposes of No Child Left Behind assessments; 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 Margaret Spellings, Secretary of the United States Department of Education and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Student Achievement and Finance, to which was referred **HB 1865**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 1783** and **HB 1479**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Committee on Tourism, to which was referred **HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 977**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1065**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1182**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1244**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1256**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1440**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1446**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1494**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1508**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1509**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1551**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1703**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1715**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1759**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1833**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1857**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(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 998, HCS HB 1101, HB 1222, HB 1245, HCS HB 1333, HB 1358, HCS HB 1432, HB 1437, HB 1601, HB 1687, HB 1722** and **HB 1732**.

INTRODUCTION OF HOUSE BILLS

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

HB 2004, introduced by Representatives Smith (14), McGhee and Fisher, relating to a tutoring program for public schools.

HB 2005, introduced by Representative Aull, relating to civil air patrol.

HB 2006, introduced by Representatives Nance, Brown (50), Bivins, Nolte and Silvey, relating to income taxation.

HB 2007, introduced by Representatives Schlottach, Myers, Bivins and Threlkeld, relating to water pollution control fees.

HB 2008, introduced by Representatives Muschany and Cunningham (86), relating to school emergency procedures.

HB 2009, introduced by Representatives Dethrow, Wilson (119) and Cunningham (145), relating to firearms safety training.

HB 2010, introduced by Representatives Casey, Meadows, Frame, Wagner, Roorda and Harris (110), relating to juvenile court employees.

HB 2011, introduced by Representatives Casey, Wagner, Meadows, Frame, Johnson (90) and Roorda, relating to motor vehicle emissions testing.

HB 2012, introduced by Representatives Frame, Meadows, Casey, Wagner, Roorda, Henke, Young, Meiners, Yaeger, Corcoran and Skaggs, relating to the motor vehicle emissions inspection program.

HB 2013, introduced by Representative Harris (23), relating to an exemption from state and local sales and use taxes for food and clothing for foster children.

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 SBs 667, 704, 941, 956 & 987**, entitled:

An act to repeal section 227.345, RSMo, and to enact in lieu thereof seven new sections relating to highway patrol member highway designations.

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 **SB 735**, entitled:

An act to repeal sections 287.480, 288.240, 537.690, and 595.036, RSMo, and to enact in lieu thereof four new sections relating to applications for review or appeal filed with the labor and industrial relations commission.

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 **SB 779**, entitled:

An act to repeal sections 287.127 and 288.130, RSMo, and to enact in lieu thereof three new sections relating to labor posting requirements, with penalty provisions.

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 **SB 806**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to the founding documents protection act.

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 830**, entitled:

An act to repeal sections 86.1110, 86.1140, 86.1490, and 86.1500, RSMo, and to enact in lieu thereof four new sections relating to police military leave.

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 **SB 871**, entitled:

An act to repeal sections 86.252, 86.253, and 86.255, RSMo, and to enact in lieu thereof four new sections relating to police retirement.

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 **SB 964**, entitled:

An act to repeal section 41.150, RSMo, and to enact in lieu thereof one new section relating to the appointment and duties of assistant adjutants general.

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 **SB 965**, entitled:

An act to repeal sections 190.350, 190.353, and 190.355, RSMo, and to enact in lieu thereof two new sections relating to poison control.

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 **SB 990**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the Wyman S. Basinger Memorial Highway.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Cunningham (145) has been appointed a member of the Fiscal Review Committee.

Representative Icet is no longer a member of the Joint Committee on Government Accountability.

Representative Jones has been appointed a member of the Crime Prevention and Public Safety Committee.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 14, 2006

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93rd GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1014** entitled:

“AN ACT”

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2006.

On March 14, 2006, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1014**.

Respectfully submitted,

/s/ Matt Blunt
Governor

The following member's presence was noted: Sander.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m, Wednesday, March 15, 2006.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Sally Faith, District 15, hereby state and affirm that my vote as recorded on the motion to adopt HA 3 to HCS HB 1005 as recorded in the House Journal for Tuesday, March 14, 2006 showing that I voted “absent with leave” was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted “no”. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of March 2006.

/s/ Sally Faith
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of March in the year 2006.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Wednesday, March 15, 2006, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1653

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 15, 2006, 8:00 a.m. Hearing Room 6.

Executive session to follow.

Executive session will be held on: HB 999

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 15, 2006, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1266

HEALTH CARE POLICY

Thursday, March 16, 2006, 8:00 a.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1904, HB 1821

INSURANCE POLICY

Wednesday, March 15, 2006, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1088, HB 1588, HB 1651

INSURANCE POLICY

Thursday, March 16, 2006, 9:00 a.m. Hearing Room 3.

Executive session will be held on: HB 1837

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 15, 2006, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1870

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Thursday, March 16, 2006, 8:30 a.m. Hearing Room 5.

9900 Page Avenue, St. Louis - Purchase/Lease agreement. General Topics.

Executive session may or may not follow.

LOCAL GOVERNMENT

Thursday, March 16, 2006, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 1707, HB 1689, HB 1611, HB 1716, SB 863

MISSOURI JOB TRAINING JOINT LEGISLATIVE OVERSIGHT COMMITTEE

Thursday, March 16, 2006, 8:00 a.m. Hearing Room 4.
Request from the Department of Economic Development.
Discussion regarding the Job Retention Training Program.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 15, 2006, 12:00 p.m. Hearing Room 1. AMENDED
Public hearings to be held on: HB 1278, HB 1188, HB 1595, HB 1936, HB 1884, HB 1885
Executive session may be held on: HB 1150, HB 1269, HB 1660, HB 1411, HB 1936

RULES [PURSUANT TO RULE 25(26)(f)]

Thursday, March 16, 2006, 8:30 a.m. Hearing Room 3.
Public hearings to be held on: HCR 24, HCS HB 1620, HB 1619, HB 1988,
HB 1858, HCS HB 1762, HCS HB 1739, HCS HB 1511, HB 1577,
HCS HB 1045, 1152, 1267 & 1634, HCS HB 1482,
HCS HB 1378, 1379, 1391 & 1541, HCS HB 1397, HB 1865,
HCS HB 1783 & 1479, HCS HB 1149

SENIOR CITIZEN ADVOCACY

Thursday, March 16, 2006, 8:15 a.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 1808, HB 1873

SMALL BUSINESS

Wednesday, March 15, 2006, 12:00 p.m. Hearing Room 4.
Executive session may follow.
Public hearing to be held on: HB 1928

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, March 15, 2006, House Gallery south side upon afternoon adjournment.
Executive session only.

TRANSPORTATION

Wednesday, March 15, 2006, 8:00 a.m. Hearing Room 1.
Three Trails Highway Naming - RSMo 227.299.
Executive session may follow.
Public hearings to be held on: HB 1488, HB 1396, HB 1549, HB 1918, HB 1623

VETERANS

Wednesday, March 15, 2006, 8:00 a.m. Hearing Room 5.
Executive session

WAYS AND MEANS

Wednesday, March 15, 2006, Hearing Room 5 upon evening adjournment.
Executive session. AMENDED
Public hearings to be held on: HB 1085, HB 1832

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 15, 2006, 12:00 p.m. Hearing Room 3.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 1910

HOUSE CALENDAR

FORTY-SECOND DAY, WEDNESDAY, MARCH 15, 2006

HOUSE BILLS FOR SECOND READING

HB 2004 through HB 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40 - Avery
- 2 HJR 44 - Whorton
- 3 HJR 39 - Bearden

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1001 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 2 HCS HB 1002, as amended - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 3 HCS HB 1003 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 4 HCS HB 1004, as amended - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 5 HCS HB 1005 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 6 HCS HB 1006 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 7 HCS HB 1007 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 8 HB 1008 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 9 HB 1009 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 10 HCS HB 1010 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 11 HCS HB 1011 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 12 HCS HB 1012 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)
- 13 HB 1013 - Icet (10 hours total debate on Perfection for HB 1001 through HB 1013)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1380 - St. Onge
- 2 HCS HB 1485 - Icet
- 3 HCS HB 1026 - Rucker
- 4 HB 1302 - Cooper (155)
- 5 HCS HB 1305 - Smith (118)
- 6 HB 994 - Dusenberg

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- 7 HCS HB 1151 - Cunningham (86)
- 8 HCS HB 1317 - Lipke
- 9 HCS HB 1349 - Loehner
- 10 HCS HB 974 - Davis
- 11 HB 1521 - Richard
- 12 HCS HB 1532 - Lembke
- 13 HB 1498 - Dethrow (4 hours debate on Perfection)
- 14 HCS HB 1632 - Cooper (120)
- 15 HB 1827 - Wasson
- 16 HCS HB 1075 - Davis (150 minutes debate on Perfection)
- 17 HCS HB 1461, 1375, 1110 & 1103 - Ruestman (3 hours debate on Perfection)
- 18 HB 1065 - Tilley
- 19 HCS HB 1182 - Stevenson

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1466 - Daus

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/06)

- 1 HCS HB 1180 - Corcoran
- 2 HCS HB 1339 - Wood
- 3 HB 1392 - Behnen
- 4 HCS HB 1559 - Cunningham (86)

(3/15/06)

- 1 HCR 4 (3-02-06, Pages 383-384) - Bruns
- 2 HCS HB 977 - Whorton
- 3 HCS HB 1059 - Cunningham (86)
- 4 HB 1192 - Smith (118)
- 5 HCS HB 1244 - Ruestman
- 6 HCS HB 1256 - Haywood
- 7 HCS HB 1440 - Sutherland
- 8 HB 1446 - Whorton
- 9 HCS HB 1449 - Wright (159)
- 10 HB 1494 - Emery
- 11 HCS HB 1508 - Bruns
- 12 HB 1509 - Bruns
- 13 HCS HB 1515 - Behnen
- 14 HCS HB 1551 - Tilley
- 15 HB 1715 - Pratt
- 16 HCS HB 1759 - Wasson
- 17 HB 1833 - Wood
- 18 HB 1857 - Lipke

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1145, 1359 & 1121, (Fiscal Review 3-09-06) - Portwood
- 2 HCS HB 1275 - Baker (123)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 984 - Meadows
- 2 HB 1058 - Cunningham (86)
- 3 HCS HB 1306 - Smith (118)
- 4 HB 1491 - Walton
- 5 HB 998 - Smith (118)
- 6 HCS HB 1101 - Schaaf
- 7 HB 1222 - Cooper (158)
- 8 HB 1245 - Sater
- 9 HCS HB 1333 - Black
- 10 HB 1358 - Portwood
- 11 HCS HB 1432 - Moore
- 12 HB 1437 - Threlkeld
- 13 HB 1601, E.C. - Weter
- 14 HB 1687 - Wright (137)
- 15 HB 1722 - Sutherland
- 16 HB 1732 - Fraser

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HCS HB 1100 - Schaaf

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 667, 704, 941, 956 & 987
- 2 SB 735
- 3 SB 779
- 4 SB 806
- 5 SCS SB 830
- 6 SB 871
- 7 SB 964
- 8 SB 965
- 9 SB 990

HOUSE CONCURRENT RESOLUTION - INFORMAL

HCR 13, (2-15-06, Pages 255-256) - Sater