

# JOURNAL OF THE HOUSE

Second Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 5, 2006

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Forever, O Lord, Your Word stands firm as the Heavens. Your faithfulness is from generation to generation; You have established the Earth, and it stands fast.

You also keep us safe and secure, so that we are able to finish the tasks at hand. We have done what is right and good and have not abandoned our principles nor forgotten our primary directives.

As we rise early each day and as the day turns to evening, strengthen our bodies, refresh our minds, bring transparency to our motives.

May we know good judgment, wise and right discernment and knowledge, for we have much ahead of us.

Now may the Lord of Peace Himself give us peace always in every way. The Lord be with us all.

For it's in the name of Your Son we pray. 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: Luke Hennessey, Michael Schrock, Lauren Weyerich, Maggie Loida, J.D. Klein, Katelyn Elizabeth Drexler, Kyle David Rieger, Sarah Michelle Huber, Drue Ittner Voorhees, John Quernheim Fuszner, Jane Nelson Manwarring, Madeline Leigh Bert, William Michael Vondoersten, Holly Williams, Heidi McCoy, Kathryn Harrison, Morgan Lollar, Joshua Marcum, Nicole Harbison, Daryl Copeland and Jackie Thurmond.

The Journal of the fiftieth day was approved as corrected.

## SECOND READING OF HOUSE BILL - APPROPRIATIONS

**HB 1021** was read the second time.

## SECOND READING OF SENATE BILLS

**SB 778, SCS SBs 905 & 910 and SB 1002** were read the second time.

### SPECIAL RECOGNITION

The College of the Ozarks Women's and Men's Basketball Teams were introduced by Representatives Wood and Wallace and recognized for an outstanding 2005-2006 season.

Representative Johnson (47) assumed the Chair.

### PERFECTION OF HOUSE BILLS

**HB 1827**, relating to group health insurance, was taken up by Representative Wasson.

Speaker Jetton resumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Bill No. 1827, Section 376.421, Page 5, Line 139, by inserting immediately after the word "**health**" the word "**benefit**"; and

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

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

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

Representative Richard raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

Representative Richard 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.

On motion of Representative Wasson, **HB 1827, as amended**, was ordered perfected and printed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bogetto
Bringer	Brown 50	Bruns	Burnett	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Dake
Darrough	Daus	Davis	Day	Deeken

Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Fraser	George	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Scharmhorst	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Smith 150	Spreng	Stevenson	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Bowman	Boykins	Brooks	Brown 30
Jackson	Marsh	Meadows	Page	Salva
Swinger				

**HCS HBs 1461, 1375, 1110 & 1103**, relating to defensive use of force, was taken up by Representative Ruestman.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1461, 1375, 1110 & 1103, Section 563.074, Page 3, Line 3, by deleting the words “**is immune from**” and inserting in lieu thereof:

“**shall not be subject to**”; and

Further amend said line, by deleting the word “**and**” in the second instance and insert in lieu thereof:

“**or any**”; and

Further amend said page, Line 7, by deleting the words “**is immune from**” and inserting in lieu thereof:

“**shall not be subject to**”; and

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

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

Representative Sanders Brooks suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 121

Aull	Baker 25	Baker 123	Bearden	Behnen
Black	Bland	Bowman	Bringer	Brooks
Bruns	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Dake	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Fraser	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meiners	Moore	Munzlinger	Nance
Nieves	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Robb	Roorda
Rucker	Ruestman	Rupp	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Self
Shoemyer	Silvey	Smith 150	Stevenson	St. Onge
Storch	Tilley	Villa	Vogt	Wagner
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Young	Zweifel
Mr Speaker				

NOES: 006

Avery	Corcoran	Kraus	Salva	Skaggs
Wildberger				

PRESENT: 024

Bivins	Bogetto	Burnett	Darrough	Daus
Dougherty	George	Henke	Johnson 90	Lampe
Low 39	Muschany	Nolte	Robinson	Sater
Schoemehl	Smith 14	Smith 118	Sutherland	Threlkeld
Viebrock	Wallace	Whorton	Yates	

ABSENT WITH LEAVE: 012

Bean	Boykins	Brown 30	Brown 50	Dethrow
Hubbard	Marsh	Meadows	Myers	Roark
Spreng	Swinger			

On motion of Representative Ruestman, **HCS HBs 1461, 1375, 1110 & 1103, as amended**, was adopted.

On motion of Representative Ruestman, **HCS HBs 1461, 1375, 1110 & 1103, as amended**, was ordered perfected and printed.

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 Representative Cooper (120).

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Benjamin Bachwartz, Emma Hilboldt, Evvie Hilboldt and Jack Hilboldt.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1939 - Representative Johnson (90)  
House Resolution No. 1940 - Representative Cunningham (145)  
House Resolution No. 1941  
and  
House Resolution No. 1942 - Representative Munzlinger  
House Resolution No. 1943 - Representative Schlottach  
House Resolution No. 1944  
through  
House Resolution No. 1990 - Representative Moore  
House Resolution No. 1991 - Representative Munzlinger  
House Resolution No. 1992 - Representative McGhee  
House Resolution No. 1993 - Representative Bruns  
House Resolution No. 1994 - Representative Bringer  
House Resolution No. 1995 - Representatives Dempsey and Schneider  
House Resolution No. 1996 - Representative Nieves, et al.  
House Resolution No. 1997 - Representative Darrough  
House Resolution No. 1998 - Representative Witte  
House Resolution No. 1999  
and  
House Resolution No. 2000 - Representative Aull  
House Resolution No. 2001  
through  
House Resolution No. 2014 - Representative Smith (118)

House Resolution No. 2015

and

House Resolution No. 2016 - Representative Donnelly

House Resolution No. 2017 - Representative Wilson (119)

### PERFECTION OF HOUSE BILLS

**HCS HB 1182**, relating to jurisdiction of juvenile courts, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS HB 1182** was adopted.

On motion of Representative Stevenson, **HCS HB 1182** was ordered perfected and printed.

**HCS HB 1397**, relating to computer spyware, was taken up by Representative Pratt.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1397, Page 5, Section 407.1492, Line 18, by inserting after all of said line the following:

**"3. A manufacturer or retailer of computer equipment shall not be liable under this act to the extent that the manufacturer or retailer is providing third-party branded software loaded on the equipment they are manufacturing or selling.";** and

Further amend said title, enacting clause and intersectional references accordingly.

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

On motion of Representative Pratt, **HCS HB 1397, as amended**, was adopted.

On motion of Representative Pratt, **HCS HB 1397, as amended**, was ordered perfected and printed.

**HCS HBs 1270 & 1027**, relating to ethanol-blended fuel, was taken up by Representative Behnen.

Representative Rector assumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1270 & 1027, Section 414.255, Page 1, Line 1, by inserting immediately after "1.", the following:

**" For purposes of this section, the following terms shall mean:**

**(1) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;**

(2) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(3) "Fuel ethanol-blended gasoline", a mixture of ninety percent gasoline and ten percent fuel ethanol in which the fuel ethanol meets ASTM International Specification D 4806, as amended. The ten percent fuel ethanol portion may be derived from any agricultural source;

(3) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(4) "Premium gasoline", gasoline with an antiknock index number of ninety-one or greater;

(5) "Price", the cost of the fuel ethanol plus fuel taxes and transportation expenses less tax credits, if any; or the cost of the fuel ethanol-blended gasoline plus fuel taxes and transportation expenses less tax credits, if any; or the cost of the unblended gasoline plus fuel taxes and transportation expenses less tax credits, if any;

(6) "Qualified terminal", a terminal that has been assigned a terminal control number ("tcn") by the Internal Revenue Service;

(7) "Supplier", a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;

(8) "Terminal", a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack; and

(9) "Unblended gasoline", gasoline that has not been blended with fuel ethanol.

2. "; and

Further amend said bill, section, page, and line, by deleting the word "exempted" and inserting in lieu thereof the word "**provided**"; and

Further amend said bill, section, page, and line, by deleting the word "subsection" and inserting in lieu thereof "**subsections 4 and**"; and

Further amend said bill, section, page, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

**"after January 1, 2008, all gasoline sold or offered for sale in Missouri at retail shall be fuel ethanol-blended gasoline."**; and

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

Representative Avery offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1270 & 1027, Page 3, Line 11, by deleting “2008”, and inserting in lieu thereof “2011”; and

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

Representative Cooper (120) resumed the Chair.

Representative Avery moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1270 & 1027, Section 414.255, Pages 1 thru 3, Lines 4 thru 52, by deleting all of said lines and inserting in lieu thereof the following:

**“3. If a distributor is unable to obtain fuel ethanol or fuel ethanol-blended gasoline from a position holder or supplier at the terminal at the same or lower price as unblended gasoline, then the purchase of unblended gasoline by the distributor and sale of the unblended gasoline at retail shall not be deemed a violation of this section. The position holder, supplier, distributor, and ultimate vender shall, upon request, provide the documentation regarding the sales transaction and price of fuel ethanol, fuel ethanol-blended gasoline and unblended gasoline to the department of agriculture and the department of revenue. All information obtained by the departments from such sources shall be confidential and not disclosed except by court order or as otherwise provided by law.**

**4. The following shall be exempt from the provisions of this section:**

- (1) Aviation fuel and automotive gasoline used in aircraft;**
- (2) Premium gasoline;**
- (3) E75-E85 fuel ethanol;**
- (4) Any specific exemptions declared by the United States Environmental Protection Agency; and**
- (5) Bulk transfers between terminals.**

**The director of the department of agriculture may by rule exempt or rescind additional gasoline uses from the requirements of this section. The governor may by executive order waive the requirements of this section or any part thereof in part or in whole for all or any portion of this state for reasons related to air quality. Any regional waiver shall be issued and implemented in such a way as to minimize putting any region of the state at a competitive advantage or disadvantage with any other region of the state.”; and**

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

On motion of Representative Behnen, **House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1270 & 1027, Section 414.255, Pages 3 & 4, Lines 55 thru 91, by deleting all of said lines and inserting in lieu thereof the following:

**“6. The department of agriculture is hereby authorized to promulgate rules to ensure implementation of, and compliance and consistency with, this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.**

**7. All terminals in Missouri shall offer for sale, in cooperation with position holders and suppliers, fuel ethanol-blended conventional gasoline, fuel ethanol, and unblended conventional gasoline. This subsection does not apply to terminals supplying federal reformulated gasolines.**

**8. Notwithstanding any other law to the contrary, all fuel retailers, wholesalers, distributors, and marketers shall be allowed to purchase fuel ethanol from any terminal or supplier. In the event a court of competent jurisdiction rules that this subsection does not apply to or impact existing contractual relationships, then this subsection shall only apply to and impact future contractual relationships.”; and**

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

On motion of Representative Munzlinger, **House Amendment No. 3** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	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
Jolly	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Scharnhorst	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
Young	Mr Speaker			

NOES: 041

Baker 25	Bland	Bogetto	Bowman	Brooks
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Haywood

Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Kratky	Kuessner	LeVota	Liese	Low 39
Lowe 44	Oxford	Page	Roorda	Salva
Schoemehl	Skaggs	Storch	Villa	Vogt
Walsh	Walton	Wildberger	Wright-Jones	Yaeger
Zweifel				

PRESENT: 017

Aull	Brown 50	Burnett	Dake	Dougherty
Frame	Harris 23	Harris 110	Henke	Lampe
Meiners	Robinson	Shoemyer	Spreng	Wagner
Whorton	Witte			

ABSENT WITH LEAVE: 008

Bean	Boykins	Brown 30	Corcoran	Marsh
May	Meadows	Swinger		

On motion of Representative Behnen, **HCS HBs 1270 & 1027, as amended**, was adopted.

On motion of Representative Behnen, **HCS HBs 1270 & 1027, as amended**, was ordered perfected and printed.

**HCS HB 1075**, relating to school course materials, was taken up by Representative Davis.

Speaker Pro Tem Bearden assumed the Chair.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1075, Page 2, Section 170.015, Line 33, by deleting the period “.” at the end of said line and inserting in lieu thereof punctuation and word “; **and**”; and

Further amend said section on said page, Line 34, by deleting the number “8.” and inserting in lieu thereof the number “(8)”; and

Further amend said section on said page, Lines 38-44, by renumbering and relettering the subsequent paragraphs accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted by the following vote:

AYES: 103

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Dake	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	George	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kraus

Lager	Lembke	Liese	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoemehl	Self
Shoemyer	Silvey	Smith 14	Smith 118	Smith 150
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Yates	Mr Speaker		

NOES: 045

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Brooks	Brown 50	Burnett	Chappelle-Nadal
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	Harris 23	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Low 39
Lowe 44	Oxford	Page	Parker	Robinson
Roorda	Salva	Skaggs	Storch	Wallace
Whorton	Wright 159	Wright-Jones	Yaeger	Zweifel

PRESENT: 003

Rucker	Walsh	Walton
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ABSENT WITH LEAVE: 012

Bean	Brown 30	Haywood	Marsh	Meadows
Myers	Schneider	Spreng	Swinger	Vogt
Wagner	Young			

Representative Baker (25) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1075, Page 3, Section 170.015, Line 86, by inserting after said line the following:

“9. The provisions of this section shall not become effective until July 1 following any calendar year where every pupil has a health care benefit plan with a designated family practitioner under section 167.611 RSMo.”.

Representative Baker (25) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bland	Bogetto	Bowman
Boykins	Brooks	Brown 50	Burnett	Chappelle-Nadal
Cooper 120	Corcoran	Curls	Darrough	Daus
Day	Donnelly	Dougherty	El-Amin	Frame
Fraser	George	Guest	Harris 23	Haywood
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner

Lampe	LeVota	Low 39	Lowe 44	Meiners
Oxford	Page	Parker	Pearce	Robinson
Roorda	Rucker	Salva	Schneider	Silvey
Skaggs	Smith 150	St. Onge	Storch	Tilley
Villa	Wallace	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 089

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Casey	Chinn
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Dake
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Lager	Lembke	Liese
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoemehl
Self	Shoemyer	Smith 14	Smith 118	Stevenson
Sutherland	Threlkeld	Viebrock	Wagner	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Bean	Brown 30	Marsh	Meadows	Spreng
Swinger	Vogt			

**Representative Harris (110) offered House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1075, Page 2, Section 170.015, Line 38, by inserting after the word fertilization “, including in vitro fertilization,”.

On motion of Representative Harris (110), **House Amendment No. 3** was adopted by the following vote:

AYES: 118

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Boykins	Bringer	Bruns
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Dake	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fisher	Flook
Franz	George	Guest	Harris 110	Henke

Hobbs	Hoskins	Hubbard	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	LeVota
Liese	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Smith 118	Smith 150	Stevenson	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Wagner	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 031

Aull	Baker 25	Bogetto	Bowman	Burnett
Chappelle-Nadal	Darrough	Frame	Fraser	Harris 23
Haywood	Hughes	Johnson 61	Johnson 90	Jolly
Lampe	Low 39	Lowe 44	Oxford	Page
Richard	Skaggs	St. Onge	Storch	Vogt
Wallace	Wasson	Wildberger	Wright-Jones	Young
Zweifel				

PRESENT: 004

Brooks	Brown 50	Curls	Fares
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ABSENT WITH LEAVE: 010

Bean	Brown 30	Donnelly	Hunter	Lipke
Marsh	Meadows	Smith 14	Spreng	Swinger

**Representative Johnson (61) offered House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1075, Page 2, Section 170.015, Lines 44-45, by deleting all of said lines and replacing with:

"(5) Alcohol, drug, and tobacco use by the parents as well as lack of adequate health care for the family can be harmful can be harmful to the developing unborn child."

On motion of Representative Johnson (61), **House Amendment No. 4** was adopted by the following vote:

AYES: 122

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bogetto	Bowman
Boykins	Bringer	Brown 50	Bruns	Burnett
Casey	Chinn	Chappelle-Nadal	Cooper 120	Corcoran
Curls	Dake	Darrough	Daus	Day
Deeken	Dempsey	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Fares	Flook

Frame	Fraser	George	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Portwood	Pratt	Quinn
Robb	Robinson	Roorda	Rucker	Rupp
Salva	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoemehl	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Smith 150	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Villa
Vogt	Wagner	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wright 137	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 033

Bivins	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Denison	Dethrow	Emery	Faith
Fisher	Franz	Hunter	Ice	Jackson
Kelly	Kingery	Lager	Myers	Phillips
Pollock	Rector	Richard	Ruestman	Sander
Self	Stevenson	Viebrock	Wallace	Wasson
Wilson 130	Wood	Wright 159		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Brooks	Brown 30	Marsh	Meadows
Roark	Spreng	Swinger		

**HCS HB 1075, as amended**, was placed on the Informal Calendar.

**HCS HBs 1045, 1152, 1267 & 1634**, relating to memorial highways and bridges, was taken up by Representative Wells.

Representative Behnen assumed the Chair.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1045, 1152, 1267 & 1634, Page 1, Section 227.359, Line 7, by inserting after all of said line the following:

**"227.390. The portion of interstate 70 between mile marker 144 and mile marker 155 in the county of the first classification with more than forty thousand seven hundred but fewer than forty thousand eight hundred inhabitants, except where otherwise designated, shall be designated the "Missouri Fire Fighters' Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost of such signs to be paid by the Fire Fighters Association of Missouri.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wagner offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1  
to  
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1045, 1152, 1267 & 1634, Line 12, by inserting after the word “and” designate the “Mark McGwire” road on I-70, the “St. Louis Baseball Cardinals’ Highway.”.

Representative Wagner moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Baker 25	Baker 123	Bland	Boykins	Bringer
Burnett	Casey	Chappelle-Nadal	Donnelly	Dusenberg
El-Amin	Emery	Ervin	George	Harris 23
Haywood	Henke	Johnson 47	Johnson 61	Johnson 90
Jolly	LeVota	Liese	Low 39	Lowe 44
McGhee	Muschany	Page	Parker	Pratt
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Sutherland	Threlkeld	Vogt	Wagner
Wallace	Walsh	Wright-Jones	Yates	Zweifel

NOES: 103

Aull	Avery	Bearden	Behnen	Bivins
Black	Bogetto	Bowman	Bruns	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Dake	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Faith	Fares	Fisher	Flook
Franz	Fraser	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Lipke
Loehner	May	Meiners	Moore	Munzlinger
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Scharnhorst	Schlottach	Schneider
Schoemehl	Self	Smith 150	Stevenson	St. Onge
Storch	Tilley	Viebrock	Villa	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Young	Mr Speaker		

PRESENT: 005

Brown 50	Curls	Frame	Oxford	Rucker
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ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 30	Corcoran	Jackson
Marsh	Meadows	Schad	Swinger	Wright 137

On motion of Representative Witte, **House Amendment No. 1** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bogetto
Bowman	Boykins	Bringer	Brown 50	Bruns
Burnett	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Curls	Dake
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Fares	Fisher	Flook
Frame	Franz	Fraser	George	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Icet	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoemehl	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Smith 150	Spreng	Stevenson
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 010

Cunningham 86	Darrough	Daus	Day	Faith
Hunter	Johnson 61	Rector	Rupp	Villa

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 30	Corcoran	Hughes
Jackson	Johnson 90	Marsh	Meadows	Swinger

**HCS HBs 1045, 1152, 1267 & 1634, as amended,** was placed on the Informal Calendar.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HJR 39**, relating to religious freedom in public places, was taken up by Representative Bearden.

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

*House Amendment No. 1*

AMEND House Joint Resolution No. 39, Section 5, Article I, Page 2, Line 9, by deleting the words “**on any public property, including schools,**”; and

Further amend said resolution, section, page and line, by inserting immediately after the word “**be**” the following: “**unreasonably**”; and

Further amend said resolution, section, and page, Line 14, by deleting the following: “**during both school hours and otherwise,**”; and

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

Representative Ervin offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to House Joint Resolution No. 39, by deleting Lines 4 and 5.

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

Representative Skaggs offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**.

*House Substitute Amendment No. 1*

*for*

*House Amendment No. 1*

AMEND House Joint Resolution No. 39, Section 5, Article I, Page 2, Line 9, by deleting the words “**on any public property, including schools,**”; and

Further amend said resolution, section, and page, Line 14, by deleting the following: “**during both school hours and otherwise,**”; and

Page 1, Line 1, by deleting the word “general” and inserting in lieu thereof the word “primary,” and on Page 1, Line 2, by deleting the word “November,” and inserting in lieu thereof the word “August”.

Representative Skaggs moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 058

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

NOES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Dake
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Guest	Harris 110	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	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	Rupp	Sander	Sater
Schaaf	Scharnhorst	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	Witte	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Brown 30	Day	Marsh	Meadows
Roorda	Schad	Swinger	Vogt	

Representative Donnelly offered **House Substitute Amendment No. 2 for House Amendment No. 1, as amended.**

*House Substitute Amendment No. 2  
for  
House Amendment No. 1*

AMEND House Joint Resolution No. 39, Section 5, Article I, Page 2, Line 9, by deleting the words “**on any public property, including schools,**”; and

Further amend said resolution, section, and page, Line 14, by deleting the following: “**during both school hours and otherwise,**”; and

Further amend said bill, Line 16, Page 2, by inserting after the word “**circumstances**” on said line, the words “**and are consistent with the 1<sup>st</sup> Amendment of the United States Constitution and its’ interpretation by the United States Supreme Court.**”; and

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

Representative Donnelly moved that **House Substitute Amendment No. 2 for House Amendment No. 1, as amended** be adopted.

Which motion was defeated by the following vote:

AYES: 056

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

NOES: 098

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Dake
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Guest
Harris 110	Hobbs	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lembke	Liese	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Scharnhorst	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	Witte	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Brown 30	Day	Marsh	Meadows
Roorda	Schad	Swinger	Vogt	

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

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	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	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	Rupp
Sander	Sater	Schaaf	Scharnhorst	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		

NOES: 051

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

PRESENT: 009

Dake	Harris 23	Henke	Meiners	Rucker
Shoemyer	Storch	Wagner	Wildberger	

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 30	Day	Marsh
Meadows	Rooda	Schad	Swinger	Vogt

On motion of Representative Bearden, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 115

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Bruns	Burnett	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145

Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Guest
Harris 23	Hobbs	Hubbard	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Lager	Lampe	Lembke	Liese	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Scharnhorst	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Smith 150	Stevenson	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 036

Aull	Baker 25	Bogetto	Bowman	Bringer
Brown 50	Casey	Chappelle-Nadal	Dake	Darrough
Dougherty	Frame	Fraser	George	Harris 110
Haywood	Henke	Hoskins	Hughes	Kuessner
LeVota	Low 39	Lowe 44	Meiners	Oxford
Robinson	Schoemehl	Shoemyer	Skaggs	Spreng
Wagner	Walsh	Witte	Wright-Jones	Yaeger
Young				

PRESENT: 003

Boykins	Brooks	Walton
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ABSENT WITH LEAVE: 009

Bean	Brown 30	Day	Marsh	Meadows
Roorda	Schad	Swinger	Vogt	

Representative Fraser requested a verification of the roll call on the motion to adopt **House Amendment No. 1, as amended.**

On motion of Representative Bearden, **HJR 39, as amended,** was ordered perfected and printed by the following vote:

AYES: 134

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bogetto
Boykins	Bringer	Brown 50	Bruns	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Dake	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Guest	Harris 23	Harris 110	Haywood

Henke	Hobbs	Hubbard	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Scharnhorst	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Smith 150	Spreng
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 017

Bowman	Burnett	Daus	Dougherty	Fraser
George	Hoskins	Hughes	Jolly	Low 39
Lowe 44	Oxford	Villa	Wagner	Walsh
Wright-Jones	Young			

PRESENT: 003

Brooks	Curts	Darrough
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ABSENT WITH LEAVE: 009

Bean	Brown 30	Day	Marsh	Meadows
Roorda	Schad	Swinger	Vogt	

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 1485** - Fiscal Review (Fiscal Note)

**HCS HBs 1698, 1236, 995, 1362 & 1290** - Fiscal Review (Fiscal Note)

**HB 1021** - Budget

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1317** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1532** (Fiscal Note), begs leave to report it has been **furnished an updated fiscal note and does not require fiscal review**.

**Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 48**, 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 Children and Families**, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS SCR 25**, 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.

**Committee on Crime Prevention and Public Safety**, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 933**, 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 Crime Prevention and Public Safety, to which was referred **SB 981**, 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 Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1939**, 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.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 2008**, **HB 1901**, **HB 1218** and **HB 1062**, 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 Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1036**, 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.

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1347**, 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.

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1864**, 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.

**Committee on Utilities**, Chairman Rector reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 559**, 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 Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, today 40 million credit cardholders are exposed to the risk of fraud by data thieves; and

WHEREAS, in 2005, a credit card processing company, CardSystems Solutions, improperly retained masses of data in vulnerable files and data thieves moved in, resulting in approximately 200,000 credit card accounts being reported stolen; and

WHEREAS, other incidents in 2005 included CitiFinancial disclosing that unencrypted computer tapes for 3.9 million customers were lost by a package deliverer and ChoicePoint, the nation's largest broker of personal information were the target of thieves who were easily able to buy the data of 145,000 consumers; and

WHEREAS, in the hands of thieves, consumer data becomes liquid assets and must be guarded as such by companies; and

WHEREAS, with California's passage of a law requiring notice to affected consumers, the entire nation became aware that consumers' assets and identities are increasingly at risk of fraud because of the remarkable success of data thieves

WHEREAS, several pieces of legislation have been introduced in the United States Congress, including a bill proposing a national requirement for consumer notification with civil penalties for negligent companies, and a comprehensive bill to begin regulating data merchants by requiring registration with the Federal Trade Commission and to impose stronger safeguards, stop the easy access to Social Security numbers, and help identity theft victims regain their fiscal balance:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress to adopt a comprehensive federal law that protects consumer information from data thieves; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, the Commercial Motor Vehicle Safety Act of 1986 was signed into law with the goal to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways; and

WHEREAS, the federal Act retained a State's right to issue a driver's license, but established minimum national standards which States must meet when licensing commercial motor vehicle drivers; and

WHEREAS, the federal Act corrected the situation that existed prior to 1986 by making it illegal to hold more than one license and by requiring States to adopt testing and licensing standards for truck and bus drivers to check a person's ability to operate the type of vehicle the driver plans to operate; and

WHEREAS, since April 1, 1992, drivers have been required to have a commercial driver's license (CDL) in order to drive a commercial motor vehicle. The Federal Highway Administration (FHWA) issued standards for testing and licensing of commercial motor vehicle drivers which require States to issue CDLs to their commercial motor vehicle drivers only after the driver passes knowledge and skills tests administered by the State related to the type of vehicle to be operated; and

WHEREAS, drivers need CDLs if they are in interstate, intrastate, or foreign commerce and drive a vehicle that meets the federal definition of a commercial motor vehicle; and

WHEREAS, States develop their own tests which must be at least as stringent as the federal standards; and

WHEREAS, this restriction does not prohibit States from allowing a person 18 years of age to qualify for a CDL, because it is limited to intrastate operation only. Such a restriction prohibits a person between the ages of 18 and 21 with a CDL from the interstate operation of a commercial motor vehicle; and

WHEREAS, the establishment of a controlled pilot program by the Federal Motor Carrier Safety Administration (FMCSA) lowering the federal minimum age for commercial motor vehicle drivers in interstate commerce from 21 to 18, which would include behind the wheel training, mentoring, and an evaluation component, would be the first step in advancing the program while still promoting highway safety; and

WHEREAS, a FMCSA controlled pilot program for 18 to 21 year-olds has the potential of relieving a severe commercial motor vehicle driver shortage in the States and Nation, and creating excellent career opportunities:

WHEREAS, that the members of the House of Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Federal Motor Carrier Safety Administration to establish a controlled pilot program to evaluate the potential of lowering the age requirements for interstate commercial motor carrier drivers from 21 to 18 years of age; and

BE IT FURTHER RESOLVED, that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, Annette M. Sandberg, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 30**, 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 **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 41

Relating to the designation of Missouri walk and bicycle to school month and day.

WHEREAS, the health and safety of our children is of highest concern to the citizens of Missouri; and

WHEREAS, promoting safe and healthful walking and bicycling to school is of importance to Missouri parents and teachers, and has been shown to improve student's health and academic performance; and

WHEREAS, a lack of physical activity plays a leading role in rising rates of obesity, diabetes, and other health problems among children. Being able to walk or bicycle to school offers an opportunity to build healthful physical activity into a child's daily routine; and

WHEREAS, an important role for parents and caregivers is to teach children about pedestrian safety and become aware of the difficulties and dangers that children face on their trip to school each day and the health and environmental risks related to physical inactivity and air pollution; and

WHEREAS, the number of children walking and bicycling to school has decreased dramatically in recent years, with less than 10% walking or bicycling to school now compared with 50% just 30 years ago; and

WHEREAS, serious injury and death of hundreds of children nationwide could be saved each year if communities take steps to make bicycle and pedestrian safety a priority; and

WHEREAS, the Safe Routes to Schools program is recognized nationally and internationally as being effective in solving these problems and has been successfully piloted in several Missouri communities; and

WHEREAS, local Safe Routes to Schools efforts combining engineering, enforcement, encouragement, and education have been shown to improve school children's health, mobility, safety, and academic performance; and

WHEREAS, "International Walk to School Month" in October and "International Walk to School Day" the first Wednesday in October have proven to be helpful in creating and promoting local Safe Route to Schools programs across the United States and throughout the world:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate concurring therein, hereby commends and encourages the Safe Routes to Schools program overseen at the state level by the Missouri Department of Transportation and on the local level by many individuals, agencies, and schools; and

BE IT FURTHER RESOLVED that the creation of and participation in the local Safe Routes to Schools programs in communities throughout Missouri be encouraged; and

BE IT FURTHER RESOLVED that the needed cooperation and partnership among students, parents, teachers, parent-teacher groups, community leaders, community groups, public works departments, law enforcement agencies, school districts, the Missouri Department of Transportation, and other departments and agencies of state and local government to create successful Safe Routes to Schools programs be commended and encouraged; and

BE IT FURTHER RESOLVED that October 2006 is hereby declared to be "Missouri Walk and Bicycle to School Week" and October 4, 2006, is hereby declared to be "Missouri Walk and Bicycle to School Day" in Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1137**, 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 1412**, 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 1728**, 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 1873**, 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 **SB 645**, 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 **SCS SBs 701 & 948**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## COMMUNICATION

April 4, 2006

Mr. Stephen S. Davis, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Davis:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits or loan guarantees. I would not have more than a ten percent interest in the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Billy Pat Wright

## ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 6, 2006.

## CORRECTIONS TO THE HOUSE JOURNAL

### AFFIDAVITS

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on the motion for the previous question on House Amendment No. 1 to HJR 39 of the House Journal for Wednesday, April 5, 2006 showing that I voted "absent with leave" was incorrectly recorded. Pursuant to House Rule 88, I ask that the



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 "aye". 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 5th day of April 2006.

/s/ Joe Smith  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 5th day of April in the year 2006.

/s/ Stephen S. Davis  
Chief Clerk

### **COMMITTEE MEETINGS**

#### **BUDGET**

Thursday, April 6, 2006, 8:15 a.m. Hearing Room 3.  
Tax credit presentation. AMENDED

#### **FINANCIAL INSTITUTIONS**

Thursday, April 6, 2006, House Chamber side gallery upon morning adjournment. AMENDED  
Executive session will be held on: SB 641

#### **HEALTH CARE POLICY**

Thursday, April 6, 2006, 8:00 a.m. Hearing Room 7.  
Executive session may follow. AMENDED  
Public hearings to be held on: SCS SB 1117, SB 677, SCS SB 765,  
SB 900, SB 965, SB 974, SB 1084

#### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Monday, April 10, 2006, 1:00 p.m. Hearing Room 6.  
Appeal of license plate.  
Discuss future needs of MoDOT.  
Executive session may follow.

#### **LOCAL GOVERNMENT**

Thursday, April 6, 2006, 8:00 a.m. Hearing Room 6.  
Executive session to be held first.  
Executive session may follow after Public hearing. AMENDED  
Public hearings to be held on: HB 1976, SB 951, SB 725, SB 884, SB 1177,  
SCS SB 968, SB 1130, SB 1016, SB 1094, SB 1101, SCS SB 1175, SB 1207  
Executive session will be held on: SCS SB 751, SCS SB 802, SB 809,  
SCS SB 932, SB 893, SB 936

**LOCAL GOVERNMENT**

Monday, April 10, 2006, Hearing Room 6 upon afternoon adjournment.  
Executive session.

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

Thursday, April 6, 2006, Hearing Room 1 upon morning adjournment. AMENDED  
Public hearings to be held on: HB 1499, HB 1884, HB 1910, HB 1811,  
HCS HB 1944, HCS HB 1316, HCS HB 1928, HCS HB 1539,  
HCS HB 2008, 1901, 1218 & 1062, HCS HB 1939, SB 561, SCS SCR 25

**SENIOR CITIZEN ADVOCACY**

Thursday, April 6, 2006, 8:15 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1560

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Thursday, April 6, 2006, 8:15 a.m. House Chamber side gallery.  
Executive session. CANCELLED

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 11, 2006, 8:00 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearings to be held on: HB 2007, SCS SB 925, SB 1165

**TRANSPORTATION**

Tuesday, April 11, 2006, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: SCS SB 1059, SCS SB 1048, SB 990,  
SB 952, SB 931, SCS SB 747, SB 697, SB 1139, SB 1039

**HOUSE CALENDAR**

FIFTY-SECOND DAY, THURSDAY, APRIL 6, 2006

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 40 - Avery
- 2 HJR 44 - Whorton
- 3 HJR 43 - Dethrow

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1151 - Cunningham (86)
- 2 HCS HB 974 - Davis
- 3 HB 1498 - Dethrow (4 hours debate on Perfection)
- 4 HB 1065 - Tilley
- 5 HB 1071 - Phillips
- 6 HB 1865 - Bearden

- 7 HCS HB 1378, 1379, 1391 & 1541 - St. Onge
- 8 HCS HB 1482 - Jackson
- 9 HB 1619 - Sutherland
- 10 HCS HB 1620 - Sutherland
- 11 HCS HB 1141 - Jackson
- 12 HCS HB 1837 - Yates
- 13 HCS HB 1441 - Sutherland
- 14 HCS HB 1534 - Lembke
- 15 HCS HB 1080 - Schaaf
- 16 HCS HB 1092 - Sater
- 17 HCS HB 1322 - Lipke
- 18 HCS HB 1487 - Parker
- 19 HCS HB 1581 - Jetton
- 20 HB 1905 - Jetton
- 21 HCS HB 1660 & 1269 - Behnen
- 22 HCS HB 1677 - Ervin
- 23 HCS HB 1726 - Johnson (47)
- 24 HCS HB 1767 - Bruns
- 25 HCS HB 1155 - Yates
- 26 HCS HB 1194 - Cunningham (86)
- 27 HCS HB 1162 - Deeken
- 28 HB 1728 - Rector
- 29 HCS HB 1137 - Darrough
- 30 HCS HB 1873 - Lembke
- 31 HB 1412 - Portwood

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1783 & 1479 - Bearden (3 hours debate on Perfection)
- 2 HCS HB 1305, as amended - Smith (118)
- 3 HCS HB 1075, as amended - Davis (150 minutes debate on Perfection)
- 4 HCS HB 1045, 1152, 1267 & 1634, as amended - Wells

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 41, (4-05-06) - Sutherland

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 39 - Bearden

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1532 - Lembke
- 2 HCS HB 1349, (Fiscal Review 3-29-06) - Loehner
- 3 HCS HB 1317 - Lipke
- 4 HCS HB 1632 - Cooper (120)
- 5 HCS HB 1485, (Fiscal Review 4-05-06) - Icet

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- 6 HCS HB 1698, 1236, 995, 1362 & 1290, (Fiscal Review 4-05-06) - Lipke
- 7 HB 994 - Dusenberg
- 8 HB 1827 - Wasson
- 9 HCS HB 1461, 1375, 1110 & 1103 - Ruestman
- 10 HCS HB 1182 - Stevenson
- 11 HCS HB 1397 - Pratt
- 12 HCS HB 1270 & 1027 - Behnen

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1522 - Sander

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 10, (4-05-06) - Zweifel
- 2 HCR 18, (4-05-06) - Kuessner
- 3 HCR 30, (3-29-06, Pages 753-754) - Wilson (130)

**SENATE BILL FOR THIRD READING - CONSENT**

(4/06/06)

SCS SBs 701 & 948 - Jackson

**SENATE BILL FOR THIRD READING**

SB 645 - Richard

**SENATE CONCURRENT RESOLUTION**

SCS SCR 21, (1-24-06, Pages 115-116) - Ervin