

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 31, 2013

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

That He would grant you, according to the riches of His glory, to be strengthened with might by His spirit in the inner man. (Ephesians 3:16)

O Living God, Who is the light of life and the glory of every noble endeavor, we thank You for this quiet moment when facing important issues and carrying heavy responsibilities in that we can turn our hearts to You, Who alone can renew our strength and hold us steady amid the troubles of this time. In the secret place of the Most High may we find the resources we need for this high hour.

In all the perplexities of this period may we not lose our perspective and certainly not our poise. May the principles of freedom and justice upon which this state was founded still be our support as we face the challenge of this day. Grant that our faith may be triumphant over our fears, our courage surmount every discouragement and our loyalty to truth and good will be the solid ground upon which we walk together. Strengthened by Your spirit may we think clearly, plan creatively and act courageously.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 267 through House Resolution No. 297

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 19 was read the second time.

SECOND READING OF HOUSE BILLS

HB 354 through **HB 389** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 222 - Administration and Accounts

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Budget

HCR 4 - Budget

HCR 7 - Tourism and Natural Resources

HCR 9 - Government Oversight and Accountability

HCR 17 - Health Care Policy

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 10 - Agriculture Policy

HJR 11 - Emerging Issues in Agriculture

HJR 12 - Elections

HJR 13 - Elections

HJR 14 - Budget

HJR 17 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 26 - Ways and Means

HB 28 - Local Government

HB 29 - Health Insurance

HB 35 - Crime Prevention and Public Safety

HB 45 - Local Government

HB 47 - Health Care Policy

HB 50 - Elementary and Secondary Education

HB 51 - Tourism and Natural Resources

HB 56 - Agriculture Policy

HB 60 - Local Government

HB 65 - Local Government

HB 66 - Local Government

HB 67 - Crime Prevention and Public Safety

HB 69 - Special Standing Committee on Corrections

- HB 72** - Health Care Policy
- HB 73** - Veterans
- HB 76** - Elementary and Secondary Education
- HB 81** - Emerging Issues in Agriculture
- HB 84** - Local Government
- HB 85** - Transportation
- HB 91** - Workforce Development and Workplace Safety
- HB 96** - Economic Development
- HB 99** - Health Care Policy
- HB 104** - Local Government
- HB 111** - Elementary and Secondary Education
- HB 114** - Veterans
- HB 116** - Local Government
- HB 117** - Elections
- HB 118** - Utilities
- HB 119** - Utilities
- HB 121** - Utilities
- HB 122** - Transportation
- HB 129** - Retirement
- HB 130** - Transportation
- HB 134** - Elementary and Secondary Education
- HB 136** - Elementary and Secondary Education
- HB 141** - Health Insurance
- HB 144** - Judiciary
- HB 151** - Veterans
- HB 152** - Crime Prevention and Public Safety
- HB 154** - Transportation
- HB 162** - General Laws
- HB 163** - Elections
- HB 176** - Financial Institutions
- HB 177** - Health Care Policy
- HB 178** - Ways and Means
- HB 179** - Elementary and Secondary Education
- HB 181** - International Trade
- HB 182** - Economic Development
- HB 184** - Local Government
- HB 186** - Judiciary
- HB 189** - Elections
- HB 191** - Economic Development
- HB 201** - Economic Development
- HB 202** - Agriculture Policy
- HB 203** - Financial Institutions
- HB 205** - Agriculture Policy
- HB 210** - Judiciary
- HB 211** - Financial Institutions

- HB 212** - Financial Institutions
- HB 213** - Judiciary
- HB 214** - Judiciary
- HB 215** - Judiciary
- HB 216** - Elections
- HB 217** - Downsizing State Government
- HB 218** - Judiciary
- HB 224** - Special Standing Committee on Urban Issues
- HB 226** - Ways and Means
- HB 229** - Elementary and Secondary Education
- HB 234** - Local Government
- HB 235** - Elections
- HB 257** - Health Care Policy
- HB 275** - International Trade
- HB 278** - Downsizing State Government
- HB 282** - Elementary and Secondary Education
- HB 287** - Judiciary
- HB 288** - Children, Families, and Persons with Disabilities
- HB 291** - Elementary and Secondary Education
- HB 293** - Tourism and Natural Resources
- HB 297** - Downsizing State Government
- HB 298** - Health Care Policy
- HB 299** - Crime Prevention and Public Safety
- HB 300** - Special Standing Committee on Urban Issues
- HB 301** - Special Standing Committee on Corrections
- HB 302** - Judiciary
- HB 303** - Transportation
- HB 304** - Transportation
- HB 309** - Veterans
- HB 311** - Local Government
- HB 312** - Higher Education
- HB 313** - Retirement
- HB 314** - Professional Registration and Licensing
- HB 319** - Workforce Development and Workplace Safety
- HB 320** - Workforce Development and Workplace Safety
- HB 321** - Workforce Development and Workplace Safety
- HB 334** - Agri-Business
- HB 345** - Utilities
- HB 349** - Transportation
- HB 388** - Elementary and Secondary Education

RE-REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was re-referred to the Committee indicated:

HJR 11 - Agriculture Policy

COMMITTEE REPORTS

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 169**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 44**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 20, introduced by Representatives Hampton, Redmon and Rowland, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

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

HB 390, introduced by Representatives Kratky, English, Schupp, Ellinger and Morgan, relating to unlawful use of a weapon.

HB 391, introduced by Representatives Kratky, English, Schupp, Mitten, Ellinger and Morgan, relating to a tax credit for certain small businesses.

HB 392, introduced by Representatives Kratky, English, Schupp, Ellinger and Morgan, relating to unlawful use of a weapon.

HB 393, introduced by Representatives Kratky, English and Morgan, relating to a tax credit for renovation of rental property.

HB 394, introduced by Representatives Kratky, English, White, McKenna, Schupp, Mitten, Ellinger, Morgan and Burns, relating to text messaging while operating motor vehicles.

HB 395, introduced by Representatives Kratky, English, Mitten, Ellinger, Gosen, Morgan and Solon, relating to the resale of scrap metals.

HB 396, introduced by Representatives Kratky and English, relating to the transitional school district.

HB 397, introduced by Representative Riddle, relating to local sales tax exemptions.

HB 398, introduced by Representatives Riddle, Funderburk, Houghton, Leara, Hansen, Shumake, Love, Gatschenberger, Rowland, Burns, Neely, Redmon, Webb, Hubbard, Hurst, Barnes, Crawford, Grisamore, Stream, Molendorp, McManus, Berry, Pike, Davis, Hicks, Haefner, Kelly (45), Burlison, Nichols, Higdon, Zerr, Gosen, Flanigan, Parkinson, McCaherty, Lant, Allen, Runions, Spencer, Kelley (127), White, Colona, Scharnhorst, Reiboldt, Conway (10), Conway (104), Remole, Wood, Bahr, Walker, Phillips, Bernskoetter, Englund, Anderson, Austin, Morris, Rowden, Fraker, Walton Gray, Ellington, Gardner, Dugger, Pace, Miller, Pierson, Hinson, Wilson, Rhoads, Hummel, McGaugh, Fitzwater, Rizzo, Montecillo, Harris, McCann Beatty, Frame, Roorda, Norr, Korman, Justus, Mims, Dunn, Curtis, English, Cornejo, Otto, May and Smith (85), relating to ratemaking for public utilities.

HB 399, introduced by Representatives Riddle, Wilson, Rhoads, Pike, Hinson, Conway (104), Higdon, Phillips and Hicks, relating to the removal of non-elected chief law enforcement officers.

HB 400, introduced by Representatives Riddle, Miller, Wood, Hurst, Fitzwater, Spencer, Harris, Cornejo, Kolkmeier, Reiboldt, Diehl, Neely, Lichtenegger, Lant, Brown, Messenger, Johnson, Rowland, Walker, Entlicher, Anderson, Fitzpatrick, Wilson, Crawford, Korman, White, Hansen, Cross, Shumake, English, Cox, Lynch, McCaherty, Haefner, Rehder, McGaugh, Hicks, Schieffer, Houghton, Conway (104), Lauer, Kelley (127), Elmer, Parkinson, Swan, Richardson, Pfautsch, Rowden, Jones (50), Barnes, Fraker, Bahr, Guernsey, Zerr, Schieber, Ross, Flanigan, Koenig, Pogue, Pike, Remole, Smith (120), Wieland, Redmon, Higdon, Dohrman, Cierpiot, Torpey, Solon, Thomson, Leara, Cookson, Gannon, Dugger, Scharnhorst, Morris, Muntzel, Brattin, Austin, Gatschenberger, Black, Grisamore, Curtman, Bernskoetter, Keeney, Stream, Jones (110), Davis, Engler, Allen, Sommer, Franklin, Phillips, Justus, Rhoads, Schatz, Frederick, Burlison, Hampton, Haahr, Love, Hinson, Gosen, Fowler, Funderburk and Hodges, relating to administration of abortion-inducing drugs.

HB 401, introduced by Representatives Shumake, Rowden, Redmon, Lichtenegger, Hansen and Entlicher, relating to the Missouri Advisory Boards and Commissions Association.

HB 402, introduced by Representatives Shumake, Walker, Bahr, Hansen, Lichtenegger, Redmon and Entlicher, relating to family intervention orders.

HB 403, introduced by Representatives Gosen, Reiboldt, Lant and Kelly (45), relating to unsecured loans of seven hundred fifty dollars or less.

HB 404, introduced by Representative Conway (104), relating to workers' compensation.

HB 405, introduced by Representatives Harris, Reiboldt, Schatz, Engler, Rowland, McCaherty, Mayfield, Fitzwater, Redmon, Otto, McGaugh, Miller, Wood, Pierson, Frame, Anders, McKenna, Ellinger, Hummel, Norr, Hodges, McDonald and Runions, relating to museums.

HB 406, introduced by Representative Wieland, relating to the family support payment center.

HB 407, introduced by Representatives Wieland, Gannon and Roorda, relating to petitions for incorporation.

HB 408, introduced by Representatives McNeil, Newman, Kelley (127), English, Morgan, Redmon and Fitzwater, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 409, introduced by Representatives Love and Remole, relating to prevailing wage determinations for third class counties.

HB 410, introduced by Representatives Love, Funderburk, Spencer, English, Justus, Reiboldt, Swan, McNeil, Meredith and Morris, relating to sales and use taxes.

HB 411, introduced by Representatives Muntzel and Jones (50), relating to compensatory leave for nonexempt state employees.

HB 412, introduced by Representatives Reiboldt, Redmon, Johnson, Hampton, Black, Love, Crawford, Houghton, Schieffer, Hodges, McGaugh, Fitzwater, Pike, Dugger and Entlicher, relating to agricultural loan guarantees.

HB 413, introduced by Representatives Fitzwater, Phillips, Morris, Lant, Reiboldt, Justus, Kelly (45), Walker, Rowland, Pike, Ross, Rhoads, Cookson, Wood, Houghton, Fraker and Hampton, relating to the tax credit for wood energy procedures.

HB 414, introduced by Representative Kelly (45), relating to revenue bonds for public projects.

HB 415, introduced by Representatives Phillips and Rowland, relating to special license plates.

HB 416, introduced by Representative Korman, relating to transient guest taxes.

COMMITTEE APPOINTMENTS

January 28, 2013

Representative Bill Lant
State Representative, Room 235
State Capitol
Jefferson City, MO 65101

Dear Representative Lant:

I hereby appoint you as the Chair of the Subcommittee on Child Abuse Reporting and Investigating. This subcommittee is one of the two subcommittees created within the Joint Committee on Child Abuse and Neglect.

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

Sincerely,

/s/ Kurt Schaefer
Chairperson
Joint Committee on Child Abuse and Neglect

January 31, 2013

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

Dear Mr. Crumbliss:

The Speaker hereby appoints Representative Jim Hansen to the Committee on Emerging Issues in Agriculture.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMITTEE CHANGE

January 31, 2013

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

Dear Mr. Crumbliss:

I hereby remove Representative Mike Cierpiot from the Joint Committee on Transportation Oversight and appoint Representative Glen Kolkmeier.

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

Very truly yours,

/s/ Timothy W. Jones

Speaker of the House

The following members' presence was noted: Allen, Anders, Anderson, Austin, Barnes, Berry, Black, Brown, Burlison, Burns, Butler, Cierpiot, Colona, Conway (104), Cookson, Cornejo, Crawford, Cross, Curtis, Curtman, Davis, Dunn, Ellington, English, Englund, Entlicher, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Hoskins, Houghton, Hubbard, Hurst, Johnson, Jones (110), Justus, Keeney, Kelley (127), Kelly (45), Koenig, Korman, Kratky, Lair, Lant, Leara, Lichtenegger, Love, Mayfield, McCaherty, McDonald, McKenna, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Neely, Neth, Newman, Nichols, Norr, Otto, Pace, Pfautsch, Phillips, Pike, Pogue, Rehder, Reiboldt, Remole, Rhoads, Riddle, Ross, Rowden, Rowland, Runions, Scharnhorst, Shull, Shumake, Smith (85), Spencer, Stream, Swan, Thomson, Torpey, Walker, Walton Gray, White, Wieland, Wilson, Wood, and Zerr.

ADJOURNMENT

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

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 46

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

AGRICULTURE POLICY

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 202

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

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 1.

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

DHE Budget presentation/DESE Budget presentation

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 1.

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

DESE Budget presentation, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 3.

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

Public Debt (HB 1) and Office of Administration Debt (HB 5)–Budget presentation

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 3.

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

Office of Administration Operations, Fringe Benefits and Attached Programs (HB 5)–Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM this day to continue hearing budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

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

Office of Administration Leasing (HB 13), Public Defender Commission, and Judiciary (HB 12)–Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

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

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

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

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

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

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

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

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

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

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

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

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

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

Missouri Department of Labor and Industrial Relations budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 288

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

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 4, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 35, HB 67, HB 152, HB 299

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

ECONOMIC DEVELOPMENT

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

Public hearing will be held: HB 124, HB 158, HB 227

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

ELECTIONS

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

Public hearing will be held: HJR 4, HB 216, HB 113, HB 117

Executive session will be held: HJR 4, HB 216

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

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 81

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

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Rd., Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HIGHER EDUCATION

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 6.

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

Presentation of proposed higher education funding model

INSURANCE POLICY

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 133

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

INSURANCE POLICY

Monday, February 4, 2013, 6:00 PM 516 S Country Club Dr., Jefferson City, MO 65109.
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
This will be for informational purposes only.

JOINT COMMITTEE ON EDUCATION

Monday, February 4, 2013, 11:00 AM House Hearing Room 2.
Director of the Joint Committee on Education, Dr. Stacey Preis, and Senate and House staff will present a detailed updated draft of the higher education funding model.

LOCAL GOVERNMENT

Monday, February 4, 2013, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 128, HB 175
Executive session may be held on any matter referred to the committee.

RULES

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 6.
Executive session will be held: HB 44
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 4.
This will be an organizational meeting for the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 4, 2013, 6:00 PM House Hearing Room 5.
This will be an organizational meeting for the committee.

TRANSPORTATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 85, HB 122, HB 349
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 77
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, FEBRUARY 4, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 20

HOUSE BILLS FOR SECOND READING

HB 390 through HB 416

HOUSE BILLS FOR PERFECTION

HCS HB 87 - Burlison

HOUSE RESOLUTIONS

HR 139 - Diehl