

# JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2013

The House met pursuant to adjournment.

Speaker Pro Tem Smith in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Bear ye one another's burdens and so fulfill the law of Christ. (Galatians 6:2)*

Almighty God, before the work of a new day begins we would be still in Your presence and receive the benediction of Your spirit. May the words of our mouths and the meditations of our hearts be acceptable in Your sight. Cleansed by Your forgiving love, made stronger by Your spirit, and becoming wise with Your wisdom we would face the unfinished tasks committed to our care this day.

These are times which call for greater courage, higher wisdom, broader sympathy, and deeper faith. May they increasingly become ours as we wait upon You. In all our decisions and in all our doing may we keep our hearts confident, our spirits courageous, our minds clear, and our hands clean. Together may we move forward to a greater day when people shall live together in good will and each one be ready to bear another's burden.

And the House says, "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: Elizabeth Meyer, Casey Hulshof and Kyle McNew.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Korman	Kratky	Lair	Lant	Lauer

Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Crawford	Diehl	Grisamore	Hodges
Keeney	Kolkmeyer	LaFaver	McManus	Pierson
Thomson				

VACANCIES: 002

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

House Resolution No. 324 through House Resolution No. 331

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 21** through **HJR 23** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 424** through **HB 458** were read the second time.

Speaker Jones assumed the Chair.

Speaker Pro Tem Smith resumed the Chair.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 5** - Veterans

## REFERRAL OF HOUSE JOINT RESOLUTIONS

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

- HJR 19** - Health Care Policy
- HJR 20** - Elections

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 75** - Local Government
- HB 78** - Special Standing Committee on Small Business
- HB 79** - International Trade
- HB 82** - Ways and Means
- HB 83** - Agriculture Policy
- HB 103** - Emerging Issues in Agriculture
- HB 105** - Special Standing Committee on Small Business
- HB 108** - Crime Prevention and Public Safety
- HB 138** - Local Government
- HB 142** - Utilities
- HB 149** - Ways and Means
- HB 161** - Local Government
- HB 168** - Higher Education
- HB 199** - Elections
- HB 200** - Elections
- HB 228** - Elementary and Secondary Education
- HB 252** - Children, Families, and Persons with Disabilities
- HB 274** - Health Care Policy
- HB 277** - Ways and Means
- HB 294** - Elementary and Secondary Education
- HB 307** - Crime Prevention and Public Safety
- HB 315** - Health Insurance
- HB 316** - Tourism and Natural Resources
- HB 318** - Judiciary
- HB 329** - Financial Institutions
- HB 332** - General Laws
- HB 354** - Special Standing Committee on Corrections
- HB 370** - Judiciary
- HB 371** - Judiciary
- HB 372** - General Laws
- HB 373** - Judiciary
- HB 374** - Judiciary
- HB 375** - Judiciary
- HB 381** - General Laws
- HB 383** - Downsizing State Government
- HB 385** - Economic Development

- HB 386** - Health Care Policy
- HB 389** - Economic Development
- HB 397** - Ways and Means
- HB 398** - Utilities
- HB 399** - Crime Prevention and Public Safety
- HB 400** - Health Care Policy
- HB 401** - Special Standing Committee on Corrections
- HB 409** - Workforce Development and Workplace Safety
- HB 410** - Ways and Means
- HB 412** - Agriculture Policy
- HB 415** - Transportation

### **COMMITTEE REPORTS**

**Committee on Elections**, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 5** and **HJR 12**, 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.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 48** and **HB 216**, 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 Insurance Policy**, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

### **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

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

**HJR 24**, introduced by Representatives Riddle and Davis, relating to bingo.

**HJR 25**, introduced by Representatives Koenig, Schieber, Wilson, Brattin, Burlison, White, Davis, Messenger, Lichtenegger, Higdon, Scharnhorst and McCaherty, relating to taxation.

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

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

**HB 14**, introduced by Representative Stream, 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, 2013.

## INTRODUCTION OF HOUSE BILLS

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

**HB 459**, introduced by Representatives Bahr, Parkinson, Hicks, Cornejo, Harris, McKenna, Frame, McCaherty, Jones (50), Conway (104), Sommer, Haefner, Englund, Kratky, Funderburk, Leara, Burns, English, Pierson, Gatschenberger, Zerr, Pace, Black, Montecillo, Koenig, Nichols, Roorda, Ellinger, Spencer, Curtman and Stream, relating to adoption of ordinances for redevelopment.

**HB 460**, introduced by Representative Engler, to authorize the conveyance of certain state properties.

**HB 461**, introduced by Representatives Phillips and Rowland, relating to the crime of tampering with physical evidence.

**HB 462**, introduced by Representatives Phillips, Rowland, English, Ellinger and Wood, relating to the state sex offender registry.

**HB 463**, introduced by Representatives Black, Hodges, Kelley (127) and Engler, relating to sexually violent predators.

**HB 464**, introduced by Representatives Higdon, Hampton, Fitzwater, Richardson, Jones (50), Hough, Rowland, Wieland, Brown, Phillips, Walker, Mayfield, Shumake, Lauer, Hoskins, Lair, Wilson, Pike, Franklin, Hansen, Hinson, Rizzo, Muntzel, Kratky, Conway (10), Roorda, Colona, Fraker and Bahr, relating to sheriffs.

**HB 465**, introduced by Representative Curtman, relating to motor vehicle sales by dealers.

**HB 466**, introduced by Representatives Curtman, Higdon, Brown and Koenig, relating to workers' compensation insurance.

**HB 467**, introduced by Representatives Lichtenegger, Swan, Haefner, Zerr, Kirkton, Neely, Hampton, Frederick, Otto, Walker, Koenig and Shumake, relating to public water systems.

**HB 468**, introduced by Representative Higdon, relating to immunity for law enforcement officers conducting court directed service of process.

**HB 469**, introduced by Representatives Higdon, English, Wieland, Kolkmeier and Walker, relating to automated traffic enforcement systems.

**HB 470**, introduced by Representative Barnes, relating to virtual schools.

**HB 471**, introduced by Representatives Spencer, Anderson, Fitzpatrick, Kelley (127), Gannon, Walker, Rhoads, Kolkmeier, Pike, Scharnhorst, Zerr, Berry and Diehl, relating to the designation of engineer awareness week in Missouri.

**HB 472**, introduced by Representatives Rhoads, Ross, Cornejo, Haahr, Miller, Hicks, Spencer, Redmon, Riddle, Fitzwater, Rowden, Remole, Englund, Bahr and Messenger, relating to the highways and transportation commission.

**HB 473**, introduced by Representatives Funderburk, Webb and Roorda, relating to gas corporations.

**HB 474**, introduced by Representatives Brattin, Smith (120), Fitzpatrick, Hansen, Bahr, Neely and McGaugh, relating to members of the general assembly.

**HB 475**, introduced by Representatives Brattin, Koenig, White and McGaugh, relating to retirement benefits for members of the general assembly.

**HB 476**, introduced by Representative Brattin, relating to nondriver's licenses.

**HB 477**, introduced by Representatives Morgan, Schupp, Pace, Smith (85), Dunn, Mayfield, Newman, Otto, Runions, Zerr, Montecillo, Colona, McNeil, McCann Beatty, Walton Gray, Ellington, Butler, Hodges, Anders, Conway (10), Ellinger, Pierson, Carpenter, May, Englund, McDonald, Kirkton, Roorda, Kratky, Mitten, Webber, Mims, McManus, Rizzo, Swearingen, Nichols, Norr, Kelly (45), Engler, Curtis, Burns, Hummel, English, LaFaver, Webb, Schieffer, Gardner and Meredith, relating to school safety.

**HB 478**, introduced by Representatives Wieland, Dugger, Crawford, Swearingen, Nichols, English, Frame, Brown, Scharnhorst, Koenig, Lauer, Hinson and Rizzo, relating to credit unions.

## COMMITTEE APPOINTMENTS

February 6, 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 Kevin Engler and Representative Elijah Haahr to the Committee on Appropriations - Infrastructure and Job Creation.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones  
Speaker of the House

-----

February 6, 2013

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Margo McNeil to the Committee on Appropriations - Infrastructure and Job Creation.

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

Sincerely,

/s/ Jacob Hummel  
House Minority Leader  
District 81

## COMMUNICATION

February 5, 2013

D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
201 West Capitol Avenue  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Stephen C. Cookson  
Representative  
District 153

The following members' presence was noted: Barnes, Diehl, Grisamore, Hodges, Kolkmeier, LaFaver, McManus and Thomson.

## ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, February 7, 2013.

## COMMITTEE HEARINGS

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 11, 2013, 1:00 PM House Hearing Room 1.

Department of Agriculture Budget presentation

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 4.

Department of Agriculture and Department of Natural Resources Budget presentations

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.

Department of Natural Resources Budget presentation

### APPROPRIATIONS - EDUCATION

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 1.

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

Analyst markup sheets

### APPROPRIATIONS - EDUCATION

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 1.

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

Analyst markup sheets, continued

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 3.

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

Continuation of Department of Health and Social Services Budget presentation, if necessary

Department of Mental Health Budget presentation

### CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

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

Public hearing will be held: HB 252

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

### DOWNSIZING STATE GOVERNMENT

Thursday, February 7, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 217, HB 278

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



FISCAL REVIEW

Thursday, February 7, 2013, 8:30 AM South Gallery.

Executive session will be held: HCS HB 87

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

AMENDED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

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

The committee will hear testimony on tax credits.

HEALTH CARE POLICY

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

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

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

HEALTH CARE POLICY

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

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

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

CANCELLED

INSURANCE POLICY

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

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

Informational meeting

LOCAL GOVERNMENT

Monday, February 11, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 65, HB 184, HB 175, HB 116, HB 161, HB 75

Executive session will be held: HB 128

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

CORRECTED

RULES

Thursday, February 7, 2013, 9:30 AM House Hearing Room 5.

Executive session will be held: HCS HB 169, HCS HB 202, HCS HBs 256, 33 & 305, HCS HB 233

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

Note correction on HCS HBs 256, 33 & 305

CORRECTED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 78, HB 105

Executive session will be held: HB 78, HB 105

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

**TOURISM AND NATURAL RESOURCES**

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

Public hearing will be held: HCR 7

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

Katie Steele Danner, Director of Tourism, will speak briefly.

Aaron Jeffries, Missouri Department of Conservation, will speak briefly.

AMENDED

**HOUSE CALENDAR**

SEVENTEENTH DAY, THURSDAY, FEBRUARY 7, 2013

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 24 and HJR 25

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 14

**HOUSE BILLS FOR SECOND READING**

HB 459 through HB 478

**HOUSE BILLS FOR PERFECTION**

HB 44 - Korman

**HOUSE BILLS FOR THIRD READING**

HCS HB 87, (Fiscal Review 2-5-13), E.C. - Burlison