

# JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 26, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Marilyn Seaton, Office of the Assistant Chief Clerk.

Let us pray.

It is God to Whom and with Whom we travel, and while He is the End of our journey, He is also at every stopping place.

And the House says "Amen."

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-sixth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake

Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Austin	Black	Brattin	Diehl	Fitzwater
Hubbard	Jones 50	May	Muntzel	Rowden

VACANCIES: 002

### **HOUSE RESOLUTION**

Representative Bahr offered House Resolution No. 520.

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

House Resolution No. 509 through House Resolution No. 519  
House Resolution No. 521 through House Resolution No. 557

### **HOUSE CONCURRENT RESOLUTION**

Representative Kirkton offered House Concurrent Resolution No. 26.

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

**HB 685** through **HB 698** were read the second time.

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HJR 8**, relating to a veterans lottery ticket, was taken up by Representative Solon.

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

#### *House Amendment No. 1*

AMEND House Joint Resolution No. 8, Page 2, Section 39(b), Line 17, by striking "2014" and inserting in lieu thereof "2015"; and

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

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

Representative Leara assumed the Chair.

On motion of Representative Solon, **HJR 8, as amended**, was ordered perfected and printed.

### THIRD READING OF HOUSE BILL

**HCS HB 202**, relating to University of Missouri extension districts, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HCS HB 202** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowland	Runions	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 018

Anderson	Bahr	Burlison	Conway 104	Curtis
Curtman	Ellington	Fitzpatrick	Gardner	Guernsey
Haahr	Johnson	Koenig	Marshall	Mayfield
Parkinson	Schieber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 010

Black	Brattin	Franklin	Frederick	Hubbard
Jones 50	May	Muntzel	Rowden	Scharnhorst

VACANCIES: 002

Representative Leara declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HCS HB 388**, relating to the Parent and Community School Information Act, was taken up by Representative Swan.

**HCS HB 388** was laid over.

Speaker Jones resumed the Chair.

On motion of Representative Diehl, the House recessed until 3:00 p.m.

### **AFTERNOON SESSION**

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

### **PERFECTION OF HOUSE BILLS**

**HCS HB 388**, relating to the Parent and Community School Information Act, was again taken up by Representative Swan.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 388, Section 171.415, Page 1, Lines 7 to 17, and Page 2, Lines 18 to 22, by deleting all of said lines and inserting in lieu thereof the following:

**"required by section 160.522."**; and

Further amend said bill and section, Page 2, by renumbering subsections 4 to 7 as 3 to 6; and

Further amend said bill, section, and page, Line 39, by inserting immediately after all of said line the following:

**"7. In order to implement the provisions of this section, the department of elementary and secondary education shall promulgate rules establishing a report card that is easy for the general public to understand and contains information from the school accreditation program that accurately and completely reflects the performance level of individual attendance centers.**

**8. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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, 2013, shall be invalid and void."; and

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

Representative Guernsey 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 No. 388, Page 1, Lines 14 and 15 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

**"public to understand and contains information from the school improvement program that accurately reflects the performance level of individual attendance centers by indicating the standards applicable to each attendance center, overall score for the standard and the corresponding letter grade for each applicable standard and, where applicable, the scores on the components and the corresponding letter grade for each applicable component that comprise the standard in a format that does not exceed an eight and one-half by eleven inch one-sided sheet.";** and

Further amend said amendment, Page 1, Line 22, by inserting immediately after said line the following:

‘Further amend said bill, Page 2, Line 39, by deleting the words "**letter grade**" and inserting the word "**scores**"; and’; and

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

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

AYES: 118

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Montecillo	Morris	Neely	Neth	Nichols
Otto	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer

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Spencer	Stream	Swan	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 037

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Gardner
Harris	Hodges	Hummel	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Norr	Pace	Pierson	Pogue
Rizzo	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Keeney assumed the Chair.

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

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McDonald	McGaugh	McKenna	McManus	Messenger
Miller	Molendorp	Montecillo	Morris	Neely
Neth	Nichols	Otto	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream

Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 022

Butler	Curtis	Dunn	Ellinger	Gardner
Hodges	LaFaver	McCann Beatty	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Norr
Pace	Pierson	Pogue	Rizzo	Runions
Schupp	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 388, Page 2, Section 171.415, Line 39, by inserting after all of said line the following:

**"8. Any attendance center or charter school that scores less than seventy percent overall shall be required to submit an action plan to the department of elementary and secondary education for its approval, describing the steps the attendance center or charter school will take to improve its grade during the next academic year after the grade is assigned.";** and

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

On motion of Representative Ellington, **House Amendment No. 2** was adopted by the following vote:

AYES: 148

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



Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	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	Zerr	Mr Speaker		

NOES: 006

Hampton	Miller	Neely	Pogue	Rowland
Thomson				

PRESENT: 001

Fitzpatrick

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Neely
Neth	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake

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Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Hubbard	Jones 50	May	Muntzel
Parkinson	Wright			

VACANCIES: 002

On motion of Representative Swan, **HCS HB 388, as amended**, was adopted.

On motion of Representative Swan, **HCS HB 388, as amended**, was ordered perfected and printed by the following vote:

AYES: 129

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Montecillo
Morris	Neely	Neth	Nichols	Otto
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon

Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webb	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 025

Anders	Butler	Carpenter	Curtis	Dunn
Ellinger	Hodges	Hummel	Mayfield	McCann Beatty
McDonald	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Norr	Pace	Pogue
Schupp	Smith 85	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Hubbard	Jones 50	May	Muntzel
Parkinson	Wright			

VACANCIES: 002

**HB 34**, relating to the School Construction Act, was taken up by Representative Guernsey.

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

*House Amendment No. 1*

AMEND House Bill No. 34, Page 1, In the Title, Line 2, by inserting immediately after the word "to" the following "**maintenance, and**"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"290.210. As used in sections 290.210 to 290.340, unless the context indicates otherwise:

(1) "Construction" includes construction, reconstruction, [improvement,] enlargement, [alteration,] painting and decorating **done as part of any of the foregoing**[, or major repair]. **Construction does not include maintenance work.**

(2) "Department" means the department of labor and industrial relations.

(3) "Locality" means the county where the physical work upon public works is performed, except that if there is not available in the county a sufficient number of competent skilled workmen to construct the public works efficiently and properly, "locality" may include two or more counties adjacent to the one in which the work or construction is to be performed and from which such workers may be obtained in sufficient numbers to perform the work, and that, with respect to contracts with the state highways and transportation commission, "locality" may be construed to include two or more adjacent counties from which workmen may be accessible for work on such construction.

(4) "Maintenance work" means the repair, but not the replacement, of existing facilities **and shall include repairs that restore existing facilities to a previous state or condition or improve the utility or enhance the appearance of existing facilities provided that** [when] the size, type or extent of the existing facilities is not thereby changed or increased. **Maintenance work shall not include major repairs which shall be defined as any work that exceeds the replacement cost of existing facilities.**

(5) "Prevailing hourly rate of wages" means the wages paid generally, in the locality in which the public works is being performed, to workmen engaged in work of a similar character including the basic hourly rate of pay and the amount of the rate of contributions irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan or program, and the amount of the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness

insurance, accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal or state law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the department, insofar as sections 290.210 to 290.340 are concerned, may be discharged by the making of payments in cash, by the making of irrevocable contributions to trustees or third persons as provided herein, by the assumption of an enforceable commitment to bear the costs of a plan or program as provided herein, or any combination thereof, where the aggregate of such payments, contributions and costs is not less than the rate of pay plus the other amounts as provided herein.

(6) "Public body" means the state of Missouri or any officer, official, authority, board or commission of the state, or other political subdivision thereof, or any institution supported in whole or in part by public funds.

(7) "Public works" means all fixed works constructed for public use or benefit or paid for wholly or in part out of public funds. It also includes any work done directly by any public utility company when performed by it pursuant to the order of the public service commission or other public authority whether or not it be done under public supervision or direction or paid for wholly or in part out of public funds when let to contract by said utility. It does not include any work done for or by any drainage or levee district.

(8) "Workmen" means laborers, workmen and mechanics."; and

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

Representative Crawford assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald

McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Gatschenberger	Hubbard	Jones 50	May
Rowland	Swearingen	Wright		

VACANCIES: 002

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

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 059

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Engler	English	Englund	Frame
Gannon	Gardner	Harris	Higdon	Hodges
Hummel	Kelly 45	Kirkton	Korman	Kratky
LaFaver	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Solon	Torpey	Walton Gray
Webb	Webber	Wieland	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Funderburk	Gatschenberger	Hubbard	Jones 50
May	Rowland	Swearingen	Wright	

VACANCIES: 002

**HB 34, as amended**, was laid over.

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HJR 8** - Fiscal Review

**HB 698** - Economic Development

### COMMITTEE REPORTS

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 334**, 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.

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

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 152**, 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.

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 158**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HCR 9**, 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.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 30**, 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 Health Insurance, to which was referred **HB 346**, 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.

**Committee on Veterans**, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 5**, 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 BILLS

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

**HB 699**, introduced by Representative Grisamore, relating to youth with disabilities.

**HB 700**, introduced by Representative Barnes, relating to the Show-Me transformation act.

**HB 701**, introduced by Representative Molendorp, relating to the health insurance marketplace innovation act.

**HB 702**, introduced by Representatives Englund, Davis, Conway (10), Roorda, Hicks, Ross, McKenna, Butler, Frame, Swearingen, Webber, Gosen, Hinson, Carpenter, Gannon, Wood, Hurst, Solon, Dohrman, Pike, Lynch, Otto, Burns, Walton Gray, Neth, Colona, Hansen, Neely, McCaherty, Rizzo, Hummel, Bahr and Shumake, relating to the sale of unclaimed military medals.

**HB 703**, introduced by Representatives Conway (104), Haefner, Hinson, Marshall, Phillips, Otto, Mitten, Wilson, Rhoads, Allen, Lichtenegger and Solon, relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

**HB 704**, introduced by Representatives McKenna, Davis, Sommer, Spencer, Rizzo, Walton Gray, Carpenter, Dunn, Otto, Gannon, Lynch, Pike, Solon, Dohrman, Burns, McCaherty, Hansen, Neth, Neely, Shumake, Bahr, Conway (10), Roorda and Butler, relating to the display of the Honor and Remember flag at state buildings and state parks.

**HB 705**, introduced by Representative Kelly (45), relating to the meningococcal conjugate vaccine.

**HB 706**, introduced by Representative Funderburk, relating to employee password protection.

**HB 707**, introduced by Representative Grisamore, relating to the crime of causing injury to or the death of a service dog.

**HB 708**, introduced by Representative Grisamore, relating to the mental health employee disqualification list.

**HB 709**, introduced by Representative Grisamore, relating to state procurement.

**HB 710**, introduced by Representative Grisamore, relating to voter accessibility.

**HB 711**, introduced by Representative Grisamore, relating to lift accessible parking.

**HB 712**, introduced by Representative Grisamore, relating to MO HealthNet benefits.

**HB 713**, introduced by Representative Grisamore, relating to MO HealthNet benefits.

**HB 714**, introduced by Representative Grisamore, relating to the definition of employment pursuant to employment security law.

**HB 715**, introduced by Representative McCaherty, relating to motorcycle brake lights.

**HB 716**, introduced by Representative Grisamore, relating to the show-me healthy babies program.

**HB 717**, introduced by Representative Grisamore, relating to reentry into the custody of the children's division.

**HB 718**, introduced by Representative Grisamore, relating to extension of foster care.

**HB 719**, introduced by Representative Grisamore, relating to relocation of a child.

**HB 720**, introduced by Representative Grisamore, relating to Missouri dependency exemptions.

**HB 721**, introduced by Representative Grisamore, relating to foster children.

**HB 722**, introduced by Representatives Leara and Colona, relating to police retirement.

**HB 723**, introduced by Representative Grisamore, relating to the brain injury fund.

**HB 724**, introduced by Representative Kirkton, relating to mental health facility safety provisions.

**HB 725**, introduced by Representatives Phillips, Higdon, Roorda, Hinson and Wilson, relating to train conductors.



**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 16**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to children performing agriculture work.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 45**, entitled:

An act to repeal sections 487.020 and 488.426, RSMo, and to enact in lieu thereof two new sections relating to reimbursement for family court commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 59**, entitled:

An act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to the regulation of insurance guaranty associations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 75**, entitled:

An act to amend chapters 170 and 171, RSMo, by adding thereto two new sections relating to safety in public elementary and secondary schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 88**, entitled:

An act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 100**, entitled:

An act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of a person's interest in inherited retirement accounts and health savings plans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 138**, entitled:

An act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 176 & 192**, entitled:

An act to repeal section 227.303, RSMo, and to enact in lieu thereof two new sections relating to the designation of highway infrastructure, with a contingent effective date for a certain section.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, February 27, 2013.

### **COMMITTEE HEARINGS**

#### **AGRI-BUSINESS**

Thursday, February 28, 2013, Upon Morning Adjournment House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.

#### **BUDGET**

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Recommendations from appropriation committees

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, February 28, 2013, 8:00 AM House Hearing Room 4.  
Public hearing will be held: HB 297, HB 455, HB 406, HB 503, HB 451, HB 590  
Executive session may be held on any matter referred to the committee.

#### **ECONOMIC DEVELOPMENT**

Thursday, February 28, 2013, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 385, HB 698  
Executive session may be held on any matter referred to the committee.

#### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 76, HB 631  
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 340, HB 526

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

FISCAL REVIEW

Wednesday, February 27, 2013, 8:30 AM South Gallery.

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

FISCAL REVIEW

Thursday, February 28, 2013, 8:30 AM South Gallery.

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

HEALTH CARE POLICY

Wednesday, February 27, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 177, HB 298

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

We will not be hearing HB 400.

AMENDED

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

INTERNATIONAL TRADE

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253, HB 630

Executive session will be held: HB 79

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

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

JUDICIARY

Wednesday, February 27, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)  
House Hearing Room 1.

Public hearing will be held: HB 371, HB 210

Executive session will be held: HB 144, HB 213, HB 214, HB 215, HB 218

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

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 387, HB 565

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

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, 6:30 PM 409 W Miller St, Jefferson City, MO.

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

Committee dinner

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354, HB 460

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

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 27, 2013, 4:00 PM House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session will be held: HB 112

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

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 27, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 510, HB 495

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

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, February 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 604

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

UTILITIES

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398

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

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 409

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

**HOUSE CALENDAR**

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2013

**HOUSE BILLS FOR SECOND READING**

HB 699 through HB 725

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 11 & 7 - Reiboldt
- 2 HJR 4 - Neth
- 3 HJR 16 - McCaherty

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 14 - Stream

**HOUSE BILLS FOR PERFECTION**

- 1 HB 44 - Korman
- 2 HCS HB 169 - Diehl
- 3 HB 34, as amended - Guernsey
- 4 HCS HB 320 - Elmer

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

**HOUSE BILLS FOR THIRD READING**

HCS HB 158, E.C. - Flanigan

**SENATE BILLS FOR SECOND READING**

- 1 SB 16
- 2 SCS SB 45
- 3 SB 59
- 4 SB 75
- 5 SCS SB 88
- 6 SB 100
- 7 SB 138
- 8 SCS SBs 176 & 192