

# JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

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FORTY-FIFTH DAY, WEDNESDAY, APRIL 3, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, there is much to know, much to learn and there is much to pray for each one of us from the Proverbs of Your servant, King Solomon.

I pray, O Father, that each one will be humble in heart for “It is not good to eat much honey, nor is it glory to search out one’s own glory” (*Proverbs 25:27*).

I pray that each will surround himself or herself with good counselors as “He who walks with wise men will be wise, but the companion of fools will suffer harm” (*Proverbs 13:20*) and “If a ruler listens to falsehood, all his officials will become wicked” (*Proverbs 29:12*).

Lord, may each guard his or her words. May truth be spoken for “Excellent speech is not fitting for a fool, much less are lying lips to a prince” (*Proverbs 17:7*). And may each of us speak with much gentleness, “A gentle answer turns away wrath, but a harsh word stirs up anger. The tongue of the wise makes knowledge acceptable, but the mouth of fools spouts folly” (*Proverbs 15:1-2*).

May we all seek wisdom for You have commanded to “Acquire wisdom! Acquire understanding! Do not forsake her, and she will guard you; love her and she will watch over you” (*Proverbs 4:5a-6*).

I pray that we will all pursue righteousness for “Righteousness exalts a nation...” (*Proverbs 14:34a*) and “It is an abomination for kings to commit wicked acts for a throne is established on righteousness” (*Proverbs 16:12*).

May we fear You and You alone; for “The fear of the LORD is the beginning of knowledge; Fools despise wisdom and instruction” (*Proverbs 1:7*).

Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son’s name. 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: John Kempker, Tucker Bernskoetter, Olivia Montgomery, Ethan Montgomery, Jared Boyer, John Mayorga, Gabe Osborn, Connor McClintock, Hunter McClintock, Logan McClintock, Nate Leesmann, Nick Leesmann, Eurelia Leesmann, Austin Bear, Cameron Wiss and Keegan Wiss.

The Journal of the forty-fourth day was approved as printed.

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

House Resolution No. 1158 through House Resolution No. 1208

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

**HJR 37** through **HJR 40** were read the second time.

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

**HB 977** through **HB 1042** were read the second time.

### **SECOND READING OF SENATE BILLS**

**SB 66, SB 188, SB 235, SCS SBs 289 & 314, SB 306, SB 330, SB 350** and **SCS SB 376** were read the second time.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 182**, relating to local sales tax on motor vehicles, was taken up by Representative Hough.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, Page 1, Line 4 of the Title, by striking the word "local"; and

Further amend said bill, Page 6, Section 144.020, Line 4, by deleting the words "**paragraph (9) hereof**" and inserting in lieu thereof the following:

**"subdivision (9) of this subsection"**; and

Further amend said bill and section, Page 7, Line 10, by deleting the words "**subsection (1) of section 144.020**" and inserting in lieu thereof the following:

**"this subsection"**; and

Further amend said bill, Page 10, Section 144.450, Line 6, by deleting the number "144.440" and inserting in lieu thereof the following:

**"[144.440] 144.020"**; and

Further amend said bill, Page 12, Section 144.610, Line 12, by inserting immediately after "**subsection 1**" the following:

**"of this section"**; and

Further amend said bill, Page 13, Section 1, Line 2, by deleting the words "**and 144.757**" and inserting in lieu thereof the following:

", **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**"; and

Further amend said section and page, Line 4, by deleting the words "**and 144.757**" and inserting in lieu thereof the following:

", **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**"; and

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

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

On motion of Representative Hough, **HCS SCS SB 182, as amended**, was adopted.

On motion of Representative Hough, **HCS SCS SB 182, as amended**, was read the third time and passed by the following vote:

AYES: 123

Allen	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hansen	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wood	Zerr	Mr Speaker		

NOES: 032

Anders	Anderson	Burlison	Conway 104	Curtis
Curtman	Dunn	Ellinger	Ellington	Fitzpatrick
Frame	Gardner	Guernsey	Hicks	Johnson
Kelly 45	Kirkton	Koenig	Marshall	May

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Mayfield	Morgan	Newman	Parkinson	Pogue
Remole	Ross	Schieber	Schupp	Walton Gray
Wieland	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hampton	McKenna	Otto	Smith 120	Stream
Wright				

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Burns	Butler	Cierpiot	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hansen	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Jones 50
Justus	Keeney	Kelley 127	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neely	Nichols	Norr	Pace
Pfautsch	Pierson	Pike	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wood	Wright	Zerr	Mr Speaker	

NOES: 039

Anders	Anderson	Bahr	Berry	Brattin
Burlison	Carpenter	Conway 104	Curtis	Curtman
Dunn	Ellinger	Ellington	Fitzpatrick	Frame
Gardner	Haahr	Hicks	Johnson	Kelly 45
Kirkton	Koenig	LaFaver	Marshall	May
Mayfield	McNeil	Mims	Morgan	Newman
Parkinson	Pogue	Remole	Ross	Schieber
Schupp	Walton Gray	Wieland	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 008

Hampton	McKenna	Neth	Otto	Phillips
Smith 85	Smith 120	Stream		

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HB 152**, relating to school officers, was taken up by Representative Solon.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	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
Hansen	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 046

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

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PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Hicks	Hodges	Kelly 45	McKenna
Otto	Parkinson	Pierson	Rowden	Smith 85
Smith 120	Stream			

VACANCIES: 002

On motion of Representative Solon, **HB 152** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Molendorp
Montecillo	Morris	Muntzel	Neth	Nichols
Norr	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 020

Burns	Curtis	Dunn	Ellinger	Ellington
English	Gardner	Hummel	LaFaver	Marshall
May	McDonald	Mims	Mitten	Morgan
Newman	Roorda	Runions	Schupp	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Hodges	Kolkmeier	McKenna	Neely
Otto	Pierson	Redmon	Rowden	Smith 85
Smith 120	Stream			

VACANCIES: 002

Representative Keeney declared the bill passed.

### PERFECTION OF HOUSE BILL

**HCS HB 30**, relating to physical therapy services, was taken up by Representative Scharnhorst.

**HCS HB 30** was laid over.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

### AFTERNOON SESSION

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

### PERFECTION OF HOUSE BILLS

**HB 316**, relating to the Division of Tourism Revenue Fund, was taken up by Representative Phillips.

On motion of Representative Phillips, **HB 316** was ordered perfected and printed.

**HCS HB 168**, relating to higher education residency status, was taken up by Representative Davis.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 168, Page 2, Section 173.1150, Line 29, by inserting after of said section and line the following:

**"Section 1. 1. This section shall be known as "Clark's Law."**

**2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training.";** and

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

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

On motion of Representative Davis, **HCS HB 168, as amended**, was adopted.

On motion of Representative Davis, **HCS HB 168, as amended**, was ordered perfected and printed.

**HCS HB 46**, relating to the Preserving Freedom from Unwarranted Surveillance Act, was taken up by Representative Guernsey.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 46, Page 2, Section 305.637, Line 5, by inserting after the word "**surveillance**" the words "**or observation under the doctrine of open fields**"; and

Further amend said bill and page, Section 305.641, Line 7, by inserting after all of said section and line the following:

"Section B. Because of the need to protect Missourians from invasions of privacy in the state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 46, Page 1, Line 2 in the Title, by deleting the word "unmanned"; and

Further amend said bill and page, Section 305.635, Line 12, by inserting after the number "**(3)**" the following:

"**"Manned Aircraft", an aircraft that is operated by a human on board the aircraft. (4)**"; and

Further amend said bill and page, Section 305.637, Line 1, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

Further amend said bill, Page 2, Section 305.637, Line 4, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

Further amend said bill and page, Section 305.639, Line 1, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

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

Representative Curtman offered **House Amendment No. 1 to House Amendment No. 2**.



House Amendment No. 1  
to  
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 46, Page 1, Line 16, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 305.637, Line 7, by inserting after all of said line, the following:

**"3. No person, group of persons, entity, or organization, including, but not limited to, journalists, reporters, or news organizations, shall use a drone or other unmanned aircraft to conduct surveillance of any individual or property owned by an individual or business without the consent of that individual or property owner.";** and'; and

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

Representative Dugger assumed the Chair.

On motion of Representative Curtman, **House Amendment No. 1 to House Amendment No. 2** was adopted.

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

AYES: 091

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

NOES: 059

Anders	Austin	Bernskoetter	Black	Burns
Butler	Carpenter	Colona	Conway 10	Cox
Cross	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Higdon	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Lauer	Marshall
May	Mayfield	McCaherty	McDonald	McManus

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McNeil	Meredith	Miller	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Pace
Pierson	Rizzo	Roorda	Runions	Schieber
Schupp	Smith 85	Swearingen	Torpey	Walton Gray
Webb	Webber	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Engler	Hampton	Jones 50	McCann Beatty
McKenna	Mims	Molendorp	Otto	Smith 120
Sommer				

VACANCIES: 002

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 46, Page 1, Section 305.635, Line 12, by inserting immediately after the number "(3)" the following:

"**Model aircraft**", an unmanned aircraft that is:

- (a) Capable of sustained flight in the atmosphere;
  - (b) Flown within visual line of sight of the person remotely operating the aircraft; and
  - (c) Flown for hobby or recreational purposes.
- (4)"; and

Further amend said bill, Page 2, Section 305.639, Line 1, by inserting the number "1." immediately following the number "**305.639.**"; and

Further amend said bill, page and section, Line 9, by inserting after all of said line the following:

**"2. This act does not prohibit the use of a model aircraft."**; and

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

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
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	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
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Solon	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 050

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

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Conway 104	Hampton	Jones 50	McKenna
Molendorp	Otto	Shumake	Smith 120	Sommer
Mr Speaker				

VACANCIES: 002

On motion of Representative Guernsey, **HCS HB 46, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 46, as amended**, was ordered perfected and printed.

**HCS HBs 446 & 211**, relating to real estate loans, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HBs 446 & 211** was adopted.

On motion of Representative Cox, **HCS HBs 446 & 211** was ordered perfected and printed.

**HCS HB 134**, relating to bullying in schools, was taken up by Representative Allen.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 134, Page 1, Section 160.775, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"need a safe learning environment. Policies shall treat **all** students equally [and shall not contain specific lists of protected classes of students who are to receive special treatment]. **Bullying that is reasonably perceived as being motivated by actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation and gender identity, intellectual ability, physical appearance, or a mental, physical or sensory disability or disorder, or on the basis of association with others identified by these categories is prohibited.** Policies may"; and

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

Representative Marshall offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

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

AMEND House Committee Substitute for House Bill No. 134, Page 1, Section 160.775, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"need a safe learning environment. Policies shall treat **all** students equally [and shall not contain specific lists of protected classes of students who are to receive special treatment]. Policies may"; and

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

Representative Hummel raised a point of order that the distribution of **House Substitute Amendment No. 1 for House Amendment No. 1** was not timely.

Representative Dugger requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	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	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch

Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood		

NOES: 047

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

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Ellington	Frame	Hampton	Jones 50
Korman	McKenna	Otto	Riddle	Scharnhorst
Smith 85	Smith 120	Sommer	Stream	Zerr
Mr Speaker				

VACANCIES: 002

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

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo

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Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 005

Carpenter	Ellington	Gardner	Lair	McNeil
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PRESENT: 000

ABSENT WITH LEAVE: 009

Frame	Hampton	Jones 50	McKenna	Otto
Scharnhorst	Smith 85	Smith 120	Sommer	

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	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
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	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	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schieber	Shull	Shumake	Solon	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	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Jones 50	Kelley 127	McCann Beatty	McKenna
Otto	Redmon	Scharnhorst	Schatz	Smith 85
Smith 120	Sommer			

VACANCIES: 002

On motion of Representative Allen, **HCS HB 134, as amended**, was adopted.

On motion of Representative Allen, **HCS HB 134, as amended**, was ordered perfected and printed.

### THIRD READING OF HOUSE BILL - CONSENT

**HB 581**, relating to memorial highways, was taken up by Representative Roorda.

On motion of Representative Roorda, **HB 581** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	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	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McDonald	McGaugh	McManus

McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Pace	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 011

Hampton	Hubbard	Jones 50	McCann Beatty	McKenna
Otto	Parkinson	Scharnhorst	Smith 85	Smith 120
Sommer				

VACANCIES: 002

Representative Dugger declared the bill passed.

### THIRD READING OF HOUSE BILL

**HCS HB 169**, relating to prosecuting and circuit attorneys, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 169** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
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	Fitzpatrick	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	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant



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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Hampton	Jones 50	McKenna	Otto	Pogue
Scharnhorst	Smith 85	Smith 120	Sommer	Webber

VACANCIES: 002

Representative Dugger declared the bill passed.

### **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Appropriations Bills were referred to the Committee indicated:

**HB 17** - Budget  
**HB 18** - Budget  
**HB 19** - Budget

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 168** - Fiscal Review  
**HB 316** - Fiscal Review  
**HB 891** - Agriculture Policy  
**HB 1035** - Ways and Means

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

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

**SCR 2** - General Laws  
**SCS SCR 5** - Health Care Policy

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SB 12** - Judiciary  
**SB 35** - General Laws  
**SCS SB 36** - Judiciary  
**SB 59** - Health Insurance  
**SB 60** - Insurance Policy  
**SB 66** - Downsizing State Government  
**SCS SB 69** - Judiciary  
**SB 72** - Tourism and Natural Resources  
**SB 73** - Judiciary  
**SS SCS SB 116** - Elections  
**SCS SB 147** - Health Insurance  
**SCS SB 178** - Health Care Policy  
**SCS SB 186** - Veterans  
**SB 188** - Special Standing Committee on Corrections  
**SB 193** - Elementary and Secondary Education  
**SB 208** - Children, Families, and Persons with Disabilities  
**SB 211** - Elementary and Secondary Education  
**SB 222** - Judiciary  
**SCS SB 224** - Crime Prevention and Public Safety  
**SB 230** - Health Care Policy  
**SB 235** - Financial Institutions  
**SB 236** - Crime Prevention and Public Safety  
**SCS SB 240** - Utilities  
**SS SCS SB 241** - Utilities  
**SCS SB 248** - Economic Development  
**SB 306** - Professional Registration and Licensing  
**SCS SB 324** - Insurance Policy  
**SB 329** - Agriculture Policy  
**SB 350** - Budget  
**SCS SB 376** - Health Care Policy

## COMMITTEE REPORTS

**Committee on Budget**, Vice-Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 14**, 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 Downsizing State Government**, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 616**, 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 Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 698**, 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 Elementary and Secondary Education**, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 808**, 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 Utilities**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SB 191**, 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.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 237**, 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 **SCS SB 106**, 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.

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 117**, 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 Rules**, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 234**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 182, as amended**, and has taken up and passed **HCS SCS SB 182, as amended**.

Emergency clause adopted.

### ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 4, 2013.

### COMMITTEE HEARINGS

#### ADMINISTRATION AND ACCOUNTS

Thursday, April 4, 2013, Upon Morning Adjournment House Hearing Room 7.

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

Will be voting on remaining Issue Development Standing Committees

#### AGRI-BUSINESS

Thursday, April 4, 2013, Upon Morning Adjournment House Hearing Room 6.

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

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

Thursday, April 04, 2013, 8:00 AM House Hearing Room 6.

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

Review of Fiscal Year 12 single year audit findings pertaining to the Department of Social Services.

Public comments are welcome.

#### AMENDED

#### APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

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

Work session on resolution in conjunction with HJR 14.

#### DOWNSIZING STATE GOVERNMENT

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

Public hearing will be held: HB 887, HB 765, HB 817, SB 18, SB 137

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

#### FISCAL REVIEW

Thursday, April 4, 2013, 8:30 AM South Gallery.

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

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 9, 2013, 8:30 AM House Hearing Room 7.

Quarterly business meeting

Some portions of the meeting may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Thursday, April 4, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SB 138, SB 58, HB 909, HB 846

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

RETIREMENT

Thursday, April 4, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 86, HB 737, HB 782, HB 861

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

AMENDED

RULES

Thursday, April 4, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HCS HB 161, HCS HB 175, HB 326, HCS HB 398, HCS HBs 404 & 614, HCS HBs 455 & 297, HCS HB 458, HCS HB 462, HCS HB 589, HCS HB 621, HB 756, HCS HB 787, HCS HB 850, HCS HJR 14, HCS HB 601, HCS HB 698, HCS HB 813

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

AMENDED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Thursday, April 4, 2013, 9:00 AM North Gallery.

Executive session will be held: HB 593, HB 695

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

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, April 8, 2013, 5:00 PM or Upon Afternoon Adjournment if after 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 236, HB 441, HB 726

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

TOURISM AND NATURAL RESOURCES

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

Public hearing will be held: HB 328, HB 467

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

**HOUSE CALENDAR**

FORTY-SIXTH DAY, THURSDAY, APRIL 4, 2013

**HOUSE BILLS FOR PERFECTION**

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 30 - Scharnhorst
- 5 HB 47 - Cross
- 6 HCS HB 137 - Hinson
- 7 HB 217 - Cox
- 8 HCS HB 221 - Leara
- 9 HB 253 - Berry
- 10 HB 400 - Riddle
- 11 HB 443 - Hubbard
- 12 HCS HB 343 - Guernsey
- 13 HCS HB 470 - Barnes
- 14 HCS HB 215 - Cox
- 15 HB 42 - Rowland
- 16 HB 103 - Kelley (127)
- 17 HCS#2 HB 178 - Koenig
- 18 HCS HB 197 - Lauer
- 19 HB 322 - Gosen
- 20 HCS HB 468 - Higdon
- 21 HCS HB 505 - Haefner
- 22 HCS HB 701 - Molendorp
- 23 HCS HB 335 - Hinson
- 24 HCS HB 114 - McCaherty
- 25 HCS HB 194 - Diehl
- 26 HB 218 - Cox
- 27 HB 255 - Torpey
- 28 HCS HB 345 - Cierpiot
- 29 HCS HBs 373 & 435 - Elmer
- 30 HCS HBs 374 & 434 - Elmer
- 31 HCS HB 389 - Engler
- 32 HB 526 - Franklin
- 33 HB 533 - Riddle
- 34 HCS HB 722 - Leara
- 35 HB 148 - Davis

**HOUSE BILLS FOR THIRD READING**

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 315 - Rowland
- 4 HB 316, (Fiscal Review 4/3/13) - Phillips
- 5 HCS HB 168, (Fiscal Review 4/3/13) - Davis
- 6 HCS HB 46, E.C. - Guernsey
- 7 HCS HBs 446 & 211 - Cox
- 8 HCS HB 134 - Allen

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11 - Walton Gray
- 2 HCR 28 - Lynch
- 3 HCR 25 - Allen