

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 25, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray.

Lord, may everything we do begin with Your inspiration and continue with Your help, so that all our prayers and works may begin in You and by You be happily ended.

(A blessing on this last day of assembling before the weekend)

May God strengthen you and bring your work to completion.

May hope accompany your journey until you return here.

May God's abiding presence be with you all the days of your life. Amen.

(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Bradley Campbell.

The Journal of the twelfth day was approved as corrected by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder

Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 009

Burnett	Daus	Donnelly	Harris 23	Haywood
Low 39	Lowe 44	Talboy	Vogt	

PRESENT: 003

Darrough	Schoemehl	Whorton
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ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Hughes	Liese
Muschany	Walton	Wasson		

Representative Pratt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 288 through House Resolution No. 316

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 551 through **HB 588** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 26** - Special Committee on Utilities
- HB 29** - Elementary and Secondary Education
- HB 30** - Elementary and Secondary Education
- HB 33** - Elementary and Secondary Education
- HB 37** - Special Committee on Utilities
- HB 62** - Corrections and Public Institutions

HB 78 - Special Committee on Utilities
HB 79 - Special Committee on Utilities
HB 82 - Transportation
HB 97 - Special Committee on Utilities
HB 154 - Special Committee on Utilities
HB 168 - Ways and Means
HB 172 - Special Committee on Tax Reform
HB 173 - Special Committee on Tax Reform
HB 180 - Special Committee on General Laws
HB 186 - Ways and Means
HB 250 - Higher Education
HB 261 - Judiciary
HB 287 - Local Government
HB 298 - Special Committee on Professional Registration and Licensing
HB 300 - Special Committee on General Laws
HB 313 - Higher Education
HB 314 - Special Committee on General Laws
HB 319 - Special Committee on Retirement
HB 327 - Special Committee on Job Creation and Economic Development
HB 328 - Special Committee on Job Creation and Economic Development
HB 344 - Special Committee on Agri-Business
HB 348 - Special Committee on Agri-Business
HB 359 - Ways and Means
HB 370 - Agriculture Policy
HB 439 - Special Committee on Workforce Development and Workplace Safety
HB 448 - Special Committee on Job Creation and Economic Development
HB 455 - Ways and Means
HB 457 - Ways and Means
HB 477 - Agriculture Policy
HB 478 - Agriculture Policy
HB 506 - Ways and Means
HB 512 - Judiciary
HB 516 - Ways and Means
HB 545 - Special Committee on General Laws

RE-REFERRAL OF HOUSE BILL

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

HB 543 - Elections

COMMITTEE REPORTS

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules it has adopted Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and recommends that it has examined the same and recommends that **House Resolution No. 267 be adopted.**

HOUSE RESOLUTION NO. 267 ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of the office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

- (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
- (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A Complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

- (1) Dismiss the complaint, or
- (2) Proceed by
 - (a) undertaking an investigative hearing; or
 - (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

- (1) Letter of reproof;
- (2) Reprimand; or
- (3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

- (1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.
- (2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes.
- (3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:
 - (a) Witnesses and other evidence offered by the complainant;
 - (b) Witnesses and other evidence offered by the respondent;
 - (c) Witnesses and other evidence offered by the Committee staff; and
 - (d) Rebuttal witnesses.
- (4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he

has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear or affirm that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Standards of Official Conduct of the 109th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 18, introduced by Representatives Davis, Jones (89), Sander, Stevenson, Lembke, Nieves, Fisher, Harris (110), Sater, Cooper (155), Onder and Funderburk, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

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

HB 589, introduced by Representative Lembke, relating to regional taxicab districts.

HB 590, introduced by Representative Tilley, relating to impaired pharmacists.

HB 591, introduced by Representatives Wildberger, Baker (25), Grill, Meadows, Roorda, Yaeger, Dougherty, Brown (50), Donnelly, Schaaf, Corcoran, Young, Wallace, Page and Curls, relating to publicly financed projects.

HB 592, introduced by Representatives Wildberger, Schaaf, Curls and Meadows, relating to insurance credit scores.

HB 593, introduced by Representatives Wildberger, Schaaf, Meadows, Dougherty, Whorton, Corcoran and Curls, relating to wireless telephone agreements.

HB 594, introduced by Representatives Wildberger, Schaaf and Dougherty, relating to unaccredited school districts.

HB 595, introduced by Representatives Schlottach and Threlkeld, relating to transient guest tax for funding the promotion of tourism.

HB 596, introduced by Representative St. Onge, relating to annual bid bonds for state highways and transportation commission construction and maintenance projects.

HB 597, introduced by Representative Pratt, relating to expert witnesses.

HB 598, introduced by Representatives Flook, Ervin, Kraus, Nolte, Jones (117), Bivins, Davis and Munzlinger, relating to unemployment benefits calculations.

HB 599, introduced by Representatives Faith and Dempsey, relating to health care liens.

HB 600, introduced by Representatives Schlottach, Cooper (120), Wilson (130), Parson, Munzlinger, Pratt and Richard, relating to the vehicle protection product act.

HB 601, introduced by Representatives Lowe (44), Fallert, Zweifel, Meadows, Roorda, Komo, George, Corcoran, Low (39), Walsh, Bowman, Lampe, Bland, Daus, Frame, Schieffer, Dougherty, LeVota, Talboy, Vogt, Spreng, Kratky, Darrough, Young, Meiners, Wildberger and Burnett, relating to good faith employee negotiations.

HB 602, introduced by Representatives Cooper (155), Schad, Jones (117), Self and Pollock, relating to circuit courts.

HB 603, introduced by Representatives Villa, Wright-Jones and Johnson, relating to a sales tax for public safety.

HB 604, introduced by Representatives Oxford, Roorda, Chappelle-Nadal, Johnson, Bowman, Walton, Baker (25), Low (39), Lowe (44), Yaeger, Talboy, Bland, Zweifel, Meadows, Casey, Zimmerman, Aull, Lampe, Nasheed, Brown (50), Hughes, Daus, Walsh, Storch, Kratky, Donnelly and Holsman, relating solely to the creation of an earned income tax credit.

HB 605, introduced by Representatives Oxford, Casey, Daus, Chappelle-Nadal, Roorda, Walton and Bowman, relating to the regional taxicab commission.

HB 606, introduced by Representatives Oxford, Harris (110), Chappelle-Nadal and Young, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 607, introduced by Representatives Brown (50), Holsman, Curls, Hubbard, Chappelle-Nadal, El-Amin, Walton, Robb, Nasheed, LeVota, Hughes, Wildberger, Swinger, Casey, McGhee, Page, Darrough, Norr, Storch, Zweifel and Jones (89), relating to traffic violations.

HB 608, introduced by Representatives Smith (14), Onder, Bivins, Scharnhorst, Funderburk, Dempsey, Moore, Bearden, Emery, Self, Tilley, Jones (117), Day, McGhee, Casey, Meadows, Munzlinger, Schad, Portwood, Wilson (119) and May, relating to property exempt from taxation.

HB 609, introduced by Representatives Baker (25), Grill, McGhee, Oxford, Schneider, McClanahan, Quinn (9), Low (39), Schoemehl, Dougherty, Frame, Quinn (7), Schlottach, Lampe and Jetton, relating to teenage driver safety.

HB 610, introduced by Representatives Baker (25), Wright-Jones, LeVota, Johnson, Rucker, Bowman, Hodges, Haywood, Donnelly, Harris (23), Moore, McClanahan, Stevenson, Tilley, Storch, Cooper (155), Walsh, Chappelle-Nadal, Low (39), Lowe (44), Daus, Oxford, Swinger, Witte, Lampe and Dougherty, relating to address confidentiality for victims of domestic violence.

HB 611, introduced by Representatives Wildberger, Talboy, Walsh, Salva, Norr, Lampe, Scavuzzo, Yaeger, Meadows, Corcoran, Rucker and Casey, relating to an income tax deduction.

HB 612, introduced by Representatives Komo, Stream, Jones (89), Onder, Smith (150), Funderburk, Scharnhorst, Schoeller, Shively, Quinn (9), Villa, Donnelly, Roorda, Casey and Meadows, relating to the Vietnam veteran's survivors scholarship program.

HB 613, introduced by Representatives Pratt, Burnett, Rucker, Brown (50), Jetton, Schlottach, Faith, Wallace, Skaggs, Haywood, Harris (23), Bivins, Baker (123) and Baker (25), relating to the governing boards of certain state higher education institutions.

HB 614, introduced by Representatives Deeken, McGhee and Moore, relating to state procurement.

HB 615, introduced by Representatives Jones (89), Cunningham (86), Ruzicka, Smith (150), Wells, Schad, Hunter, Weter, Onder, Funderburk, Scharnhorst, Moore, Jones (117), Schoeller, Munzlinger, Cox, Tilley, Davis, Cooper (155) and Dixon, relating to unlawful use of a weapon.

HB 616, introduced by Representative Wood, relating to county boards of equalization.

HB 617, introduced by Representatives Davis, Ruestman, Jones (89), Sander, Pollock, Nolte, Moore, Schaaf, Viebrock, Ervin, Lembke, Flook, Stevenson, Nieves, Threlkeld, Wright, Fisher, Harris (110), Casey, Meiners, Bearden, Kingery, Schoeller, Cox, Onder, Wood, Kelly, Deeken, May, Franz, Cooper (155), McGhee, Smith (150) and Funderburk, relating to prescription contraceptives for minors.

HB 618, introduced by Representatives Davis, Cooper (155), Bearden, McGhee, Smith (14), Onder, Funderburk, Portwood, Self, Fisher, Pollock, Tilley, Wood, Dempsey, Nieves, Kingery, Threlkeld, Muschany, Munzlinger and Cunningham (86), relating to Missouri's Good Samaritan law.

HB 619, introduced by Representatives Aull, Schaaf, Villa, Jones (117), Bowman, Roorda, Komo, Whorton, Witte, Swinger, Scharnhorst, Parson, Dougherty, Kuessner, Harris (110), Shively and Wilson (119), relating to the civil air patrol.

HB 620, introduced by Representatives Muschany, Cunningham (86), Bearden, Jones (117), McGhee, Nieves, Bivins, Ruestman and Baker (123), relating to teacher certification.

HB 621, introduced by Representatives Muschany, Icet, Nieves, Dixon, Ruestman, Corcoran, Bivins, Nolte, Cooper (158), Davis, Baker (123), Wilson (119), Schaaf, Faith, Cox, Schoeller, Dusenberg, Wasson, Munzlinger, Yates, Ervin, Frame, Bruns, Cunningham (86), Onder, Jones (89) and Portwood, relating to the federal income tax deduction.

HB 622, introduced by Representatives Daus, Johnson, Oxford, Wildberger, Aull, Meadows, Roorda, LeVota, Meiners, Villa, Chappelle-Nadal, Wallace, Whorton, Parson, Tilley, Scharnhorst, Kuessner, Yaeger, Zweifel, Robinson, Fallert, Lowe (44), Talboy, Loehner, Young, Cunningham (145), Bowman, Komo, Witte, Dougherty, George, Quinn (9), Salva, Darrough, Page, Burnett, Wood, Viebrock, Schad, Fisher, Pearce, Sutherland, Dusenberg, Bruns, Pratt, Nieves, Cooper (158), Smith (14), Schneider, Smith (150), Pollock, Sander, Corcoran, Brown (50), Hughes, Walton, Curls, Walsh, Vogt, Bland, Richard, Hunter, Sater, Day, Deeken, Kelly, Weter, Robb, Moore, Franz, Spreng, Skaggs, Low (39), Rucker, Grill, Swinger, Zimmerman, Harris (110), Haywood, Shively, McClanahan, Scavuzzo, Frame, Nasheed, Hodges, Kingery, McGhee, Cooper (120), Hoskins, Jones (89), Threlkeld, Kratky, Bringer, Hubbard, Baker (25), Harris (23), Marsh, Guest, Lampe, Donnelly, Storch, Schoemehl, Casey, Munzlinger and Dethrow, relating to proof of lawful presence for renewal of drivers' licenses.

HB 623, introduced by Representatives Faith, Funderburk and Smith (14), relating to the elimination of the sunset provision of the early intervention program for infants and toddlers with disabilities.

HB 624, introduced by Representatives Wilson (119), Quinn (9), Hodges, Schieffer, Robb, Deeken, Pollock, Wood, Smith (14), May, Aull and Sutherland, relating to property tax documentation.

HB 625, introduced by Representatives Dempsey, Hubbard, Nolte, Lampe, Portwood, Kingery, Wilson (119), Wilson (130), Whorton, Schad, Sater, Aull and Page, relating to the teacher and school employee retirement system.

HB 626, introduced by Representative Flook, relating to the police retirement system and the civilian employees' retirement system of the police department of Kansas City.

HB 627, introduced by Representatives McClanahan, Walsh, Baker (25), Johnson, Norr, Schieffer, Aull, George, Dougherty, Donnelly, Hodges, Nasheed, Yaeger, Chappelle-Nadal, Brown (50), Curls, Zweifel, Komo, Shively, Holsman, Fallert, Schoemehl, Page, Burnett, Skaggs, Grisamore, Low (39), LeVota, Zimmerman, Roorda, Young, Scavuzzo, Wildberger, Oxford, Bland, Haywood, Storch, Vogt, Meadows, Daus, Frame and Bruns, relating to carbon monoxide detection devices.

HB 628, introduced by Representatives Loehner, Jones (117), Jones (89), Self, Wallace, Hobbs, Whorton, Kuessner, Schad, Parson, Franz, Quinn (7), Dethrow, McGhee, Wilson (119) and Schlottach, relating to surface mining and gravel excavation.

HB 629, introduced by Representative Hunter, relating to workers' compensation.

HB 630, introduced by Representatives Schlottach, Weter, Scharnhorst, Loehner, McGhee, Onder, Wright, Schad, Dougherty, Munzlinger, Moore, Wallace, Dethrow, Storch, Nance, Kuessner, Quinn (7) and Parson, relating to a tax credit for sales of certain cattle.

HB 631, introduced by Representative Schlottach, relating to the department of transportation and highway patrol retirement system.

HB 632, introduced by Representatives Burnett, Deeken, Lowe (44) and Quinn (9), relating to parole or release of certain female offenders.

COMMUNICATION

January 25, 2007

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

Dear Mr. Crumbliss:

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

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

Sincerely,

/s/ John Quinn
State Representative
District 7

WITHDRAWAL OF HOUSE BILL

January 24, 2007

Adam Crumbliss
Chief Clerk
Room 306C
State Capitol

Dear Chief Clerk Crumbliss,

After much consideration, I am requesting the withdrawal of **House Bill No. 164**, my Wood Shake Shingle legislation.

If you have any questions, please feel free to call me at 1-2565.

Yours truly,

/s/ Ray Weter
State Representative
142nd District

The following members' presence was noted: Bowman and Wasson.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 4:00 p.m., Monday, January 29, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Ellen Brandom, District 160, hereby state and affirm that my vote as recorded on Page 185 of the House Journal for January 24, 2007 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 25th day of January 2007.

/s/ Ellen Brandom
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 25th day of January in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 5.

Organizational meeting.

Public testimony for Departments of Agriculture, Natural Resources and Conservation.

If testifying, contact Helen or Phyllis at 573-751-3972. Budget overviews.

APPROPRIATIONS - EDUCATION

Monday, January 29, 2007, 11:00 a.m. Hearing Room 1.

Overview presentation by the Department of Elementary and Secondary Education. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 3.

Presentation by Department of Elementary and Secondary Education on the Foundation Formula and continuation of overview if necessary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, January 29, 2007, 12:00 p.m. Hearing Room 3.

Organizational meeting. Public testimony heard in order of sign up.

Please contact chairman's office to add your name as a witness to be heard.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 3.

Public and provider testimony to be heard. Witnesses will be heard in sign up order.

Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 3.

Organizational meeting.

Presentation by the Department of Transportation.

ELECTIONS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting only.

Presentation by: Governor's Office, Secretary of State, Ethics Commission,

MO Association of County Clerks and Election Authorities.

HIGHER EDUCATION

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 1.

Informational meeting.

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 346

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 7.

Organizational meeting.

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting for presentations of service providers for small businesses and entrepreneurs.

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, January 30, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 444, HB 217, HB 225, HB 239, HB 243, HB 297, HB 308, HB 402

SPECIAL COMMITTEE ON VETERANS

Tuesday, January 30, 2007, 1:00 p.m. Hearing Room 7.

Organizational meeting only.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 29, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 589 through HB 632

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 15 - Icet

HOUSE RESOLUTION

HR 267, (1-25-07) - Dempsey