

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2007

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by David Willis, Intern for Speaker Rod Jetton.

Thank You God for another wonderful day, and thank You for the grace and mercy that You have given us. Thank You for the wonderful weather we have been having this week and thank You for the rain that we are receiving.

I pray for our legislators, Lord, give them the strength they need to represent their constituents and make the right decisions to the best of their ability, with Your help, God.

Give us the strength for another day, Lord. In Jesus' name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1629 and House Resolution No. 1630

HOUSE CONCURRENT RESOLUTIONS

Representative Walton offered House Concurrent Resolution No. 52.

Representative Lampe, et al., offered House Concurrent Resolution No. 53.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 49 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 31 through **HJR 36** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1206 through **HB 1277** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 8 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 3, SCS SBs 45 & 39, SCS SB 66, SCS SB 82, SS SB 112, SCS SB 137, SB 140, SS SCS SBs 239, 24 & 445, SCS SB 302, SB 306, SS SCS SB 320, SCS SB 328, SB 338, SCS SB 393, SB 398, SS SB 417, SB 419, SCS SB 477, SB 481, SB 513, SCS SB 520, SCS SB 530, SB 582, SS SCS SB 591, SB 593, SB 605, SCS SB 638, SB 648 and SB 666 were read the second time.

COMMITTEE REPORTS

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, President George W. Bush established the Security and Prosperity Partnership (SPP) of North America, with the nations of Mexico and Canada on March 23, 2005; and

WHEREAS, a television reporter asked President Bush on March 23, 2005, whether in light of the European Union the SPP was a step towards continental integration and he responded, "...So that the vision that you asked about in your question as to what kind of union might there be, I see one based upon free trade, that would then entail commitment to markets and democracy, transparency, rule of law..."; and

WHEREAS, the gradual creation of such a North American Union from a merger of the United States, Mexico, and Canada would be a direct threat to the Constitution and national independence of the United States, and imply an eventual end to national borders within North America; and

WHEREAS, a White House news release confirmed the continuing existence of the SPP and its "ongoing process of cooperation" on March 31, 2006; and

WHEREAS, Congressman Ron Paul has written that a key to the SPP plan is an extensive new NAFTA superhighway: "[U]nder this new 'partnership', a massive highway is being planned to stretch from Canada into Mexico, through the State of Texas"; and

WHEREAS, this trilateral partnership to develop a North American Union has never been presented to Congress as an agreement or treaty, and has had virtually no congressional oversight; and

WHEREAS, state and local governments throughout the United States would be negatively impacted by the SPP/North American Union process, such as the "open borders" vision of the SPP, eminent domain takings of private property along the planned superhighways, and increased law enforcement problems along those same superhighways:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to use all of its efforts, energies, and diligence to withdraw the United States from any further participation in the Security and Prosperity Partnership of North America and any other bilateral or multilateral activity however named

which seeks to advance, authorize, fund, or in any way promote the creation of any structure to accomplish any form of North American Union as herein described; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HCS HB 85**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 37, introduced by Representatives Baker (25), McClanahan and Lampe, relating to bonding for higher education projects.

HJR 38, introduced by Representative Yates, relating to voter identification.

INTRODUCTION OF HOUSE BILLS

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

HB 1278, introduced by Representative Cooper (158), relating to the second injury fund.

HB 1279, introduced by Representatives Avery and Portwood, relating to financial institutions.

HB 1280, introduced by Representative Hobbs, relating to the Missouri local government employees' retirement system.

HB 1281, introduced by Representatives Stream, Jetton, Stevenson, Wallace, Wilson (130), Fares, Bowman, Cox, Munzlinger, Pearce, Funderburk, Ruzicka, Jones (117), Icet, Richard, Hobbs, Guest, Moore, Tilley, Silvey, Faith, Cunningham (145), Schoeller, Smith (150), Robb, Scharnhorst, Fisher, Thomson, Cooper (158), Hubbard, Brown (50), Cunningham (86), El-Amin, Avery, Cooper (120), Grisamore, Schlottach, Threlkeld, Wasson, Weter, Bivins, Baker (123), Kraus, Pollock, Franz, Ruestman and Schad, relating to the establishment of metropolitan successor and metro school districts.

HB 1282, introduced by Representatives Scharnhorst, Avery and Bruns, relating to sales and use tax.

HB 1283, introduced by Representatives Dixon and Schoeller, relating to school board elections.

HB 1284, introduced by Representatives Dixon and Schoeller, relating to school district participation in the Baldrige continuous quality improvement program.

HB 1285, introduced by Representative Cooper (158), relating to exclusions from public records.

HB 1286, introduced by Representative Dixon, relating to the child abuse prevention task force.

HB 1287, introduced by Representative Cooper (120), relating to excursion gambling boats.

HB 1288, introduced by Representative Cooper (158), relating to collection of delinquent taxes.

HB 1289, introduced by Representative Onder, relating to controlled substances.

HB 1290, introduced by Representative Muschany, relating to the definition of health care providers for purposes of medical malpractice.

HB 1291, introduced by Representative Cooper (158), relating to political subdivision notice requirements.

HB 1292, introduced by Representative Corcoran, relating to tax relief requirements for corporations.

HB 1293, introduced by Representative Sander, relating to emergency services.

HB 1294, introduced by Representative Yates, relating to school food.

HB 1295, introduced by Representative Faith, relating to transit authority sales taxes.

HB 1296, introduced by Representative Richard, relating to excursion gambling boats.

HB 1297, introduced by Representative Yates, relating to peace officer's powers of arrest and fresh pursuit.

HB 1298, introduced by Representative Yates, relating to general assembly members' salaries.

The following members' presence was noted: Bruns, Casey, Faith, Frame, Hodges, Kingery, Low (39), Nieves, Portwood, Roorda, Todd and Weter.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 2:00 p.m., Monday, April 2, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 7.

Al Harper, successful owner and operator of the Durango to Silverton and Great Smokey Mountain railroads, will discuss his successful model for freight and tourism and how they may apply to Missouri.

BUDGET

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

Executive session may follow.

Public hearing to be held on: HJR 20

CONSERVATION AND NATURAL RESOURCES

Monday, April 2, 2007, 12:30 p.m. Hearing Room 1. CANCELLED

Executive session will be held on: HB 886, SCS SB 420

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 6.

Executive session only.

ELECTIONS

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1170

JOINT COMMITTEE ON EDUCATION

Tuesday, April 3, 2007, 9:00 a.m. State Capitol, Room 111.

Discussion of Job Description of Director.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Tuesday, April 3, 2007, 12:30 p.m. Hearing Room 7.

Challenge hearing for SB 469.

JOINT COMMITTEE ON TAX POLICY

Monday, April 2, 2007, 12:00 p.m. Hearing Room 7.

Discussion on sales tax holiday and tax audits. CANCELLED

JUDICIARY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 504, HB 509, HB 757, HB 800

LOCAL GOVERNMENT

Tuesday, April 3, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 81, SB 237, SB 271

RULES

Tuesday, April 3, 2007, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCR 26, HCS HCR 21, HCS HJR 9, HCS HB 709, HCS HB 478, HCS HB 995, HCS HB 252, HCS HB 417, HCS HB 121, HCS HB 1044, HCS HB 98, HCS HB 508, HCS HB 490, HB 249, HB 821, HB 716, HB 461

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, April 2, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Health and Senior Services.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 3, 2007, upon afternoon adjournment Hearing Room 6.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Mental Health.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 4, 2007, 12:00 p.m. To be announced.

Working session on Medicaid reform.

This session will focus on Medicaid for children and parents.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 363, HB 1092

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, April 3, 2007, 9:00 a.m. House Chamber south gallery.

Executive session. Reconsideration HCS HB 752.

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 166, SB 376

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, April 3, 2007, 5:00 p.m. Hearing Room 7.

Committee will meet at 5:00 p.m. or upon afternoon adjournment, whichever comes first.

Executive session may follow.

Public hearing to be held on: SB 322

TRANSPORTATION

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work on Omnibus bill.

Public hearings to be held on: HB 646, SCS SB 91,

SCS SB 104, SB 200, SB 238, SB 240, SB 395

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 2, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 37 and HJR 38

HOUSE BILLS FOR SECOND READING

HB 1278 through HB 1298

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng
- 8 HCS HB 466 - Schaaf
- 9 HCS HB 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden

- 14 HCS HB 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 554 - Cooper (155)
- 26 HCS HB 555 - Cooper (155)
- 27 HB 574 - St. Onge
- 28 HB 596 - St. Onge
- 29 HCS HB 811 - Schad
- 30 HB 412 - Emery
- 31 HCS HB 457 - Sutherland
- 32 HB 462 - Munzlinger
- 33 HB 215 - Stevenson
- 34 HB 432 - Schaaf
- 35 HCS HB 699 - Tilley
- 36 HCS HB 768 - St. Onge
- 37 HCS HB 795 - Flook
- 38 HCS HB 122 - Nance
- 39 HCS HB 891 - Kratky
- 40 HCS HB 914 - Wasson
- 41 HCS HB 159 - Bivins
- 42 HCS HB 184 - Dempsey
- 43 HCS HB 227 - Swinger
- 44 HCS HB 845 - Dixon
- 45 HCS HB 487 - Cooper (120)
- 46 HCS HB 892 - Day
- 47 HB 915 - Dougherty
- 48 HB 916 - Dougherty
- 49 HCS HB 945 - Parson
- 50 HCS HB 298 - Cooper (120)
- 51 HCS HB 493 - Baker (123)
- 52 HCS HB 512 - Pratt
- 53 HCS HB 261 - Yates
- 54 HCS HBs 619 & 118 - Aull
- 55 HB 746 - Franz
- 56 HB 791 - Wilson (130)
- 57 HB 882 - Page
- 58 HCS HB 1002 - Fisher

- 59 HCS HB 124 - Nance
- 60 HB 134 - Guest
- 61 HCS HB 329 - Cunningham (145)
- 62 HCS HB 343 - Munzlinger
- 63 HCS HB 497 - Sater
- 64 HCS HB 583 - Johnson
- 65 HCS HBs 654 & 938 - Day
- 66 HCS HB 741 - Pearce
- 67 HCS HB 765 - Dempsey
- 68 HCS HBs 807 & 690 - Baker (123)
- 69 HCS HB 818 - Ervin

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILL FOR PERFECTION - CONSENT

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins
- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright
- 4 HB 41 - Portwood
- 5 HB 428 - Cox
- 6 HCS HB 616 - Wood
- 7 HB 684, E.C. - Bruns
- 8 HB 740 - Pearce
- 9 HB 941 - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton