

JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

SIXTY-SECOND DAY, MONDAY, APRIL 27, 2009

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend James Earl Jackson.

Holy Lord God, You are strong, mighty and powerful, and You move among us so that we cannot miss Your presence and activity in the world. You know all things, and all things are revealed by You and before You, and we thank You for that truth today.

Guide and direct us, this week, into what You know and have seen concerning the final weeks of this session. Help us to seriously consider the consequence of every decision made in this House and its long term effect on our state and its citizens.

May we continue to make a difference and have a positive influence, for good, in our state.

And now may You, Lord, Who is good, show kindness and truth to each of these, Your servants, who endeavor to do what is good, for the benefit of all.

I ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixtieth day was approved as printed.

The Journal of the sixty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2351 through House Resolution No. 2422

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 37, relating to the right to vote by secret ballot, was taken up by Representative Cunningham.

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

House Amendment No. 1

AMEND House Joint Resolution No. 37, Section 35, Page 1, Line 2, by inserting after the word, "**requires**" the word, "**public**"; and

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

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

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 1** goes beyond the scope of the amendment.

The Chair ruled the point of order well taken.

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

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

House Amendment No. 2

AMEND House Joint Resolution No. 37, Section 35, Page 1, Line 4, by inserting after all of said line the following:

"Section B. The official ballot title for section A of this act shall read as follows:

Shall the Missouri Constitution be amended to provide that voting by secret ballot is a fundamental right, and to prohibit the infringement or impairment of the right to vote by secret ballot in public elections or where any federal or state law requires designations or authorizations of employee representation?

It is estimated this proposal will have no costs or savings to state or local government entities."; and

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

Representative Skaggs raised a point of order that **House Amendment No. 2** amends previously amended material.

The Chair ruled the point of order not well taken.

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

AYES: 084

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flanigan
Flook	Franz	Gatschenberger	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Largent	Leara	Lipke	Loehner	McGhee
McNary	Molendorp	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt

Riddle	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Smith 14	Smith 150	Stevenson	Stream
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright	Yates	Mr Speaker	

NOES: 071

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Dougherty
Englund	Fallert	Fischer 107	Frame	Grill
Harris	Hodges	Holsman	Hoskins 80	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meadows	Meiners	Morris	Nasheed	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Spreng	Still	Storch
Swinger	Talboy	Todd	Vogt	Walsh
Walton Gray	Webber	Wildberger	Witte	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 008

El-Amin	Funderburk	Grisamore	Hughes	Silvey
Sutherland	Webb	Zerr		

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

House Amendment No. 3

AMEND House Joint Resolution No. 37, Section 35, Page 1, Line 3, by inserting after the words, "**referenda, or**" the following words, "**where state or federal law requires**"; and

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

Representative Burnett raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Fallert offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Joint Resolution No. 37, Section 35, Page 1, Line 3, by inserting after the words, "**referenda, or**" the following words, "**where state or federal law requires**"; and

Further amend Page 1, Line 3, by deleting the words "**or author of employee representation**"; and

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

Representative Fallert moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Dougherty
El-Amin	Englund	Fallert	Fischer 107	Frame
Grill	Harris	Hodges	Holsman	Hoskins 80
Hummel	Jones 63	Kander	Kelly	Kirkton
Komo	Kratky	Kuessner	Lampe	LeBlanc
LeVota	Liese	Low	McClanahan	McDonald
McNeil	Meadows	Meiners	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Schupp	Shively	Silvey	Skaggs	Spreng
Still	Storch	Sutherland	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webber
Wildberger	Witte	Yaeger	Zimmerman	

NOES: 083

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flook
Franz	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icey	Jones 89	Jones 117
Keeney	Kingery	Koenig	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	Stevenson	Stream	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Flanigan	Funderburk	Hughes	Kraus	Webb
Zerr				

On motion of Representative Schoeller, **House Amendment No. 3** was adopted by the following vote:

AYES: 084

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flook
Franz	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Iceet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Zerr	Mr Speaker	

NOES: 072

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Dougherty
El-Amin	Englund	Fallert	Fischer 107	Frame
Grill	Harris	Hodges	Holsman	Hoskins 80
Hummel	Jones 63	Kander	Kelly	Kirkton
Komo	Kratky	Kuessner	Lampe	LeBlanc
LeVota	Liese	Low	McClanahan	McDonald
McNeil	Meadows	Meiners	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Silvey	Skaggs	Spreng	Still
Storch	Swinger	Talboy	Todd	Vogt
Walsh	Walton Gray	Webber	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Flanigan	Funderburk	Hughes	Kraus	Salva
Stevenson	Webb			

Representative Walsh offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Joint Resolution No. 37, Section 35, Page 1, Line 4, by inserting immediately after all of said section and line the following:

“The provisions of this section shall not be interpreted in such a manner as to interfere with the National Labor Relations Act.”; and

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

Representative Wilson (130) offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Joint Resolution No. 37, Page 1, Line 4, by deleting the words "**interfere with the**" and inserting in lieu thereof the words "**violate the provisions of the**"; and

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

On motion of Representative Wilson (130), **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Walsh moved that **House Amendment No. 4, as amended**, be adopted.

Which motion was defeated by following vote:

AYES: 077

Atkins	Aull	Biermann	Bringer	Brown 30
Brown 50	Brown 73	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Corcoran	Curls
Dougherty	El-Amin	Englund	Fallert	Fischer 107
Frame	Grill	Harris	Hodges	Holsman
Hoskins 80	Hummel	Jones 63	Kander	Kelly
Kirkton	Komo	Kratky	Kraus	Kuessner
Lampe	LeBlanc	LeVota	Liese	Low
McClanahan	McDonald	McNeil	Meadows	Meiners
Morris	Nasheed	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Silvey
Skaggs	Spreng	Still	Storch	Sutherland
Swinger	Talboy	Todd	Vogt	Walsh
Walton Gray	Webber	Wildberger	Witte	Yaeger
Zerr	Zimmerman			

NOES: 083

Allen	Bivins	Brandom	Brown 149	Bruns
Burlison	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook

Franz	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	Stevenson	Stream	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk	Hughes	Webb
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Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cunningham	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dugger	Dusenberg	Emery	Ervin
Faith	Fisher 125	Flanigan	Flook	Franz
Funderburk	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Largent	Leara	Lipke	Loehner	McGhee
McNary	Molendorp	Munzlinger	Nance	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Zerr	Mr Speaker	

NOES: 072

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Dougherty
El-Amin	Englund	Fallert	Fischer 107	Frame
Grill	Harris	Hodges	Holsman	Hoskins 80
Hummel	Jones 63	Kander	Kelly	Kirkton
Komo	Kratky	Kuessner	Lampe	LeBlanc
LeVota	Liese	Low	McClanahan	McDonald
McNeil	Meadows	Meiners	Morris	Nasheed
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Schupp	Shively	Skaggs	Spreng	Still

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Storch	Swinger	Talboy	Todd	Vogt
Walsh	Walton Gray	Webber	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Davis	Hughes	Nieves	Sater
Tracy	Webb			

On motion of Representative Cunningham, **HJR 37, as amended**, was ordered perfected and printed by the following vote:

AYES: 083

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cunningham	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dugger	Dusenberg	Emery	Ervin
Faith	Fisher 125	Flanigan	Flook	Franz
Gatschenberger	Grisamore	Guernsey	Guest	Hobbs
Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	Stevenson	Stream	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright	Yates	Mr Speaker		

NOES: 074

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Dougherty
El-Amin	Englund	Fallert	Fischer 107	Frame
Funderburk	Grill	Harris	Hodges	Holsman
Hoskins 80	Hummel	Jones 63	Kander	Kelly
Kirkton	Komo	Kratky	Kuessner	Lampe
LeBlanc	LeVota	Liese	Low	McClanahan
McDonald	McNeil	Meadows	Meiners	Morris
Nasheed	Norr	Oxford	Pace	Quinn
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Schupp	Shively	Silvey	Skaggs
Spreng	Still	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webber
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Cox
Zerr

Davis

Hughes

Sutherland

Webb

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 265, relating to public school retirement systems, was taken up by Representative Franz.

Representative Franz moved that the House refuse to adopt **SCS HCS HB 265** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Pro Tem Pratt assumed the Chair.

SCS HCS HB 397 & HCS HB 947, relating to police retirement systems, was taken up by Representative Flook.

Representative Flook moved that the House refuse to adopt **SCS HCS HB 397 & HCS HB 947** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 269, as amended, relating to vehicle certificates of ownership, was taken up by Representative Parson.

Representative Parson moved that the House refuse to adopt **SCS HB 269, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 91, relating to a memorial bridge, was taken up by Representative Pollock.

Representative Pollock moved that the House refuse to adopt **SCS HB 91** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS#2 HCS HB 148, relating to the collection of taxes, was taken up by Representative Franz.

Representative Franz moved that the House refuse to adopt **SCS#2 HCS HB 148** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 17, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 17** was adopted.

On motion of Representative Icet, **HCS HB 17** was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SCS SB 242, relating to sewer districts, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 242, Section 204.363, by removing all of said section from the bill and inserting in lieu thereof the following:

"204.363. No person who owns real property that is used for residential purposes within the boundaries of any district created under section 30 of article VI of the Missouri Constitution shall be assessed any fee, charge, or tax for storm water management services if the district does not directly provide sanitary sewer services to such property and if the storm water runoff from such person's property does not flow, or is not otherwise conveyed, to a sewer maintained by such district."; and

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

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 242, Page 1, Section 204.363, Line 10, by inserting after the word "district", the following:

"and no city of the third classification that imposes a storm water usage fee based on the runoff rate of storm water on impervious surfaces shall impose such user fee on property owned by any church, public school nonprofit organization, or political subdivision."; and

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

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

On motion of Representative Jones (89), **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 242, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 242, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Cooper	Corcoran	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	El-Amin	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Largent	Leara	LeBlanc
Liese	Lipke	Loehner	McDonald	McGhee
McNary	McNeil	Meadows	Molendorp	Morris
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Vogt	Wallace	Walsh	Walton Gray
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright	Yaeger	Yates
Zerr	Mr Speaker			

NOES: 012

Bringer	Brown 73	Burnett	Kuessner	LeVota
Low	McClanahan	Schupp	Skaggs	Webber
Witte	Zimmerman			

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PRESENT: 000

ABSENT WITH LEAVE: 004

Hughes Meiners Salva Webb

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Brown 30	Brown 50	Brown 73	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Cooper	Corcoran	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	El-Amin	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flanigan	Flook	Frame	Franz
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Largent	Leara	LeBlanc
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meadows
Molendorp	Morris	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Oxford	Pace
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Vogt	Wallace	Walsh
Walton Gray	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Zerr	Zimmerman	Mr Speaker

NOES: 008

Bringer	Burnett	Kuessner	LeVota	Schupp
Skaggs	Spreng	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk Hughes Meiners Salva Webb

Speaker Richard resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SS SCS HCS HB 2: Representatives Icet, Stream, Sater, Kelly and Curls
SS SCS HCS HB 3: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 4: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 5: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 6: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 7: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 8: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 9: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 10: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 11: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HCS HB 12: Representatives Icet, Stream, Sater, Kelly and Curls
SCS HB 13: Representatives Icet, Stream, Sater, Kelly and Curls

Speaker Pro Tem Pratt resumed the Chair.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 53 - Special Standing Committee on Children and Families

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1161 - Elections

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Wallace reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SS SB 291**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Smith (14) reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **SCS SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Parson reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 945**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 103**, entitled:

An act to repeal sections 44.090, 174.700, 190.092, and 701.355, RSMo, and to enact in lieu thereof five new sections relating to public safety, with an expiration date for a certain section.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 103, Page 8, Section 190.092, Line 10, by inserting after all of said line the following:

"306.903. 1. Any person who abandons a boat dock and permits it to float freely without being moored upon lakes having at least nine hundred fifty miles of aggregate shoreline is guilty of an infraction, the penalty for which shall be a fine of not less than twenty-five dollars or more than one hundred dollars.

2. Any person who abandons a boat dock shall be responsible for the retrieval and disposal of such boat dock. Any person who violates subsection 1 of this section and who does not properly retrieve and dispose of such abandoned boat dock shall, upon a plea of guilty or a finding of guilt for such an offense, be ordered to reimburse the appropriate law enforcement agency, including the state water patrol, for the costs associated with the retrieval and disposal of the abandoned boat dock. The law enforcement agency may establish a schedule of such costs. However, the court may reduce the costs if it determines that the costs are excessive.

3. The state water patrol may accept gifts, grants, in-kind services and appropriations, and may enter into contracts with private or public entities for the enforcement and administration of this section.

4. Beginning January 1, [1996] **2010**, any person owning a boat dock on lakes having at least nine hundred fifty miles of shoreline **and lakes constructed or maintained by the United States Army Corps of Engineers except bodies of water owned by a person, corporation, association, partnership, municipality or other political subdivision, public water supply impoundments, and except drainage ditches construction by a drainage district, but not to include any body of water which has been leased to or owned by the state department of conservation** shall display identifying information on the dock, including but not limited to, a permit number issued to the owner by an entity having authority to issue such identification or permit number **and the appropriate "911" address or in the absence of a "911" system, the physical address nearest to the dock by land**. Any person owning a boat dock on lakes having at least nine hundred fifty miles of aggregate shoreline who violates this subsection may be guilty of an infraction, the penalty for which shall not exceed twenty-five dollars."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 177 & HCS HB 622**, entitled:

An act to repeal section 566.226, RSMo, and to enact in lieu thereof one new section relating to court records for sexual offenses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 247**, entitled:

An act to repeal sections 334.104 and 335.212, RSMo, and to enact in lieu thereof two new sections relating to nursing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 257**, entitled:

An act to repeal section 48.030, RSMo, and to enact in lieu thereof one new section relating to counties changing classification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 306**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 427**, entitled:

An act to repeal sections 41.150, 42.007, 173.234, 301.451, and 452.412, RSMo, and to enact in lieu thereof twelve new sections relating to members of the military and their families.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 427, Pages 4 - 5, Section 115.278, by deleting said section; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 427, Page 2, Section 42.007, Line 12, by inserting immediately after the word "leader" the following:

", and in appointing such members, preference shall be given to current or former members of the military and their spouses, parents, and children".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 427, Page 16, Section 452.412, Line 27, by inserting after all of said line the following:

"Section 1. The state highways and transportation commission shall erect signs commemorating the Korean War at every state road or state highway that crosses or intersects the thirty-eighth parallel."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 427, Page 14, Section 301.451, Line 24, by inserting after said line the following:

"301.3157. 1. Any person who has been awarded the military service award known as the "Armed Forces Expeditionary Medal" may apply for Armed Forces Expeditionary Medal motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for Armed Forces Expeditionary Medal license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Armed Forces Expeditionary Medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words "ARMED FORCES EXPEDITIONARY MEDAL" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also be inscribed with the words "expeditionary service" and bear a reproduction of the armed forces expeditionary service ribbon.

3. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for each set of Armed Forces Expeditionary Medal license plates issued pursuant to this section. A fee for the issuance of personalized license plates pursuant to section 301.144 shall not be required for plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 914**.

Emergency clause adopted.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 28, 2009.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, April 29, 2009, 8:00 a.m. Hearing Room 3.
Legislative assistants salaries, changes to the House Handbook and members' use of their 800 account.
Executive session may follow.

AGRICULTURE POLICY

Thursday, April 30, 2009, 9:00 a.m. Hearing Room 6.
Executive session will be held on: HB 233

BUDGET

Wednesday, April 29, 2009, 8:00 a.m. Hearing Room 3.
Tax Credit Review.
Executive session may follow.

ELECTIONS

Tuesday, April 28, 2009, 8:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: HB 1000

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 28, 2009, 8:00 a.m. Hearing Room 6.
Executive session.

ENERGY AND ENVIRONMENT

Tuesday, April 28, 2009, 8:15 a.m. Hearing Room 1.
Possible Executive session.
Public hearing to be held on: SS SCS SB 376

ETHICS

Tuesday, April 28, 2009, 8:30 a.m. Hearing Room 3.
Closed meeting pursuant to the Ethics Committee Rules of Procedure.

HEALTH CARE POLICY

Wednesday, April 29, 2009, Hearing Room 6, 12:00 p.m. or upon afternoon recess.
Executive session may follow.
Public hearing to be held on: SCS SB 104

INSURANCE POLICY

Tuesday, April 28, 2009, 1:15 p.m. Hearing Room 7.
Executive session. CANCELLED

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, April 28, 2009, 5:00 p.m. Hearing Room 7.
Possible Executive session.
Public hearings to be held on: HB 1062, HB 1074

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, April 29, 2009, 8:30 a.m. Hearing Room 2.
Recommendation from Personnel Subcommittee.
Pursuant to Section 610.022.2 relating to closed meetings and Section 610.021.3 relating to personnel matters, vote may be taken to hold a closed meeting.

PUBLIC SAFETY

Wednesday, April 29, 2009, 1:30 p.m. House Chamber south gallery.
Executive session only.

RULES - PURSUANT TO RULE 25(32)(f)

Tuesday, April 28, 2009, 9:00 a.m. Hearing Room 4.
Possible Executive session.
Any bills referred to the Rules Committee - Pursuant to Rule 25(32)(f). CANCELLED

RULES - PURSUANT TO RULE 25(32)(f)

Tuesday, April 28, 2009, Hearing Room 5 upon evening adjournment.
Any bills referred to the Rules Committee - Pursuant to Rule 25(32)(f).
Possible Executive session.

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Tuesday, April 28, 2009, Hearing Room 4 upon morning recess.
Executive session may follow.
Public hearings to be held on: HB 399, HB 837

SPECIAL STANDING COMMITTEE ON HEALTH INSURANCE

Tuesday, April 28, 2009, Hearing Room 5 upon morning recess.
Executive session possible.
Public hearing to be held on: SS SCS SB 306

HOUSE CALENDAR

SIXTY-THIRD DAY, TUESDAY, APRIL 28, 2009

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 16 - Davis
- 2 HCS HJR 9 - Cox

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 21 - Icet
- 2 HCS HB 22 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 522 - Fisher (125)
- 2 HCS HB 703 - Jones (89)
- 3 HCS HB 497 - Ervin
- 4 HCS HB 414 - Low
- 5 HCS HB 967 - Hobbs
- 6 HB 746 - Bringer
- 7 HCS HB 330 - Riddle
- 8 HCS HB 313 - Yates
- 9 HCS HB 799 - Jones (89)
- 10 HCS HB 162 - Dusenberg
- 11 HB 321 - Emery
- 12 HCS HB 363, HA 1, pending - Silvey
- 13 HCS HB 735 - Yates
- 14 HCS HB 387 - Cooper
- 15 HCS HB 566 - Salva
- 16 HCS HB 190 - Flook
- 17 HCS HB 857 - Pollock
- 18 HCS HB 647 - Schaaf
- 19 HCS#2 HB 372 - Schaaf
- 20 HCS HB 356 - Wallace
- 21 HCS HB 654 - Schoeller
- 22 HCS HB 937 - Icet
- 23 HCS HB 1055 - Pratt
- 24 HB 84 - Wood
- 25 HCS HB 591 - Sutherland
- 26 HCS HB 819 - Cooper
- 27 HB 1058 - Smith (150)
- 28 HCS HB 945 - Wells

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 17 - Icet

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 95, (Fiscal Review 4-02-09) - Schaaf
- 2 HB 45, (Fiscal Review 4-22-09) - Sater

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HB 304 - Schad

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 17, (3-12-09, Pages 593-594) - Sander
- 2 HCR 19, (3-11-09, Pages 554-555) - Wright
- 3 HCR 45, (4-07-09, Page 956) - Wallace

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 277 - Brandom
- 2 HCS SB 421, E.C. - Cunningham
- 3 SB 66 - Hoskins (121)
- 4 SCS SB 127 - Funderburk
- 5 SCS SB 394 - Ervin
- 6 HCS SB 147 - Zerr
- 7 HCS SB 154 - Wallace
- 8 SB 156 - Wood
- 9 SB 232 - Dixon
- 10 HCS SCS SB 338 - Lipke
- 11 HCS SCS SB 157 - Scharnhorst
- 12 HCS SCS SB 47 - Bruns
- 13 HCS SCS SB 563 - Leara
- 14 HCS SB 435 - Brown (149)
- 15 SB 398 - Loehner
- 16 HCS SB 263 - Wright
- 17 SCS SB 265 - Jones (89)
- 18 SB 161 - Viebrock
- 19 HCS SCS SB 411 - Viebrock
- 20 HCS SCS SB 152 - Loehner
- 21 HCS SB 196 - Scavuzzo

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 1 - Wasson
- 2 HCS SB 377, E.C. - Flook
- 3 HCS SS SB 307 - Schaaf
- 4 SCS SB 140 - Jones (89)
- 5 SS SCS SB 141 - Jones (89)
- 6 HCS SB 171 - Schlottach
- 7 SCS SB 153 - Cunningham
- 8 SCS SB 202 - Dusenberg
- 9 SB 217 - Stevenson
- 10 SB 224 - Pratt
- 11 SCS SB 231 - Stevenson
- 12 SCS SB 243 - Jones (89)
- 13 HCS SB 296 - Wells
- 14 SB 513 - Diehl
- 15 SB 526 - Brown (149)
- 16 HCS SCS SB 71 - Icet

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HBs 93 & 216, as amended, E.C. - Thomson
- 2 SCS HCS HB 111 - Day
- 3 SCS HB 861 - Day
- 4 SCS HCS HB 752 - Schieffer
- 5 SS SCS HCS HB 359, as amended, E.C. - Denison
- 6 SS SCS HB 395, as amended, E.C. - Nance
- 7 SS HCS HB 661, as amended, E.C. - Ruzicka
- 8 SS HB 259, as amended - Tilley
- 9 SCS HB 171 - Cox
- 10 SCS HCS HB 272 - Chappelle-Nadal
- 11 SCS HCS HB 237, HB 238 & HB 482 - Jones (89)
- 12 SCS HB 866 - Wells
- 13 SCS HCS HBs 836 & 753 - Curls
- 14 SCS HB 867 - Guest
- 15 SCS HCS HB 667 - Jones (117)
- 16 HB 644, SA 1, SA 2 - Wilson (130)
- 17 SCS HB 326 - Sutherland
- 18 SCS HCS HB 236, E.C. - Lipke
- 19 SCS HB 506 - Funderburk
- 20 SCS HB 922 - Smith (14)
- 21 SCS HB 257 - Schieffer
- 22 SS SCS HCS HB 247 - Loehner
- 23 SS#2 SCS HB 103, as amended - Wildberger
- 24 SCS HCS HB 427, as amended - Largent
- 25 SCS HCS HB 177 & HCS HB 622 - Cox

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 265, (request Senate recede/grant conference), E.C. - Franz
- 2 SCS HCS HB 397 & HCS HB 947, (request Senate recede/grant conference) - Flook
- 3 SCS HB 269, as amended, (request Senate recede/grant conference) - Parson
- 4 SCS HB 91, (request Senate recede/grant conference) - Pollock
- 5 SCS#2 HCS HB 148, (request Senate recede/grant conference) - Franz

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 2 - Icet
- 2 SS SCS HCS HB 3 - Icet
- 3 SCS HCS HB 4 - Icet
- 4 SCS HCS HB 5 - Icet
- 5 SCS HCS HB 6 - Icet
- 6 SCS HCS HB 7 - Icet
- 7 SCS HCS HB 8 - Icet
- 8 SCS HCS HB 9 - Icet
- 9 SCS HCS HB 10 - Icet
- 10 SCS HCS HB 11 - Icet
- 11 SCS HCS HB 12 - Icet
- 12 SCS HB 13 - Icet