

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 14, 2010

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, You are Lord of all and the creator of all. You have a Father's love for every human being on earth. We thank You and we praise You!

You have created us with great abilities and talents. We thank You and we ask that Your Holy Spirit guide us to use them according to Your will and for the good of our State and beyond.

Today, let us pray also, for the people of Haiti, who suffered a terrible earthquake on Tuesday; its size about one-sixth that of Missouri, their population about the same as ours. Already poor, "no help exists in Haiti!" (Dr. Doug Boudreau, Jefferson City) after all the death, the injuries and the destruction there.

Almighty God, in Your mercy save spiritually those who have died. By Your inspiration, send people from everywhere to take the resources needed to Haiti and to save the living there.

Inspire us to know how we, individually and as an assembly, are to help the people of Haiti.

To You, Almighty God, be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 151

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	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
Hughes	Hummel	Ice	Jones 63	Jones 89
Jones 117	Kander	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeBlanc
LeVota	Liese	Lipke	Loehner	Low
McDonald	McGhee	McNary	McNeil	Meadows

Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Still	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Vogt
Wallace	Walsh	Walton Gray	Wasson	Webb
Webber	Wells	Weter	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Zimmerman
Mr Speaker				

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 007

Bringer	Cooper	Keeney	McClanahan	Riddle
Stevenson	Storch			

VACANCIES: 004

HOUSE RESOLUTION

Representatives Bruns and Deeken offered House Resolution No. 116.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 112 through House Resolution No. 115
House Resolution No. 117 through House Resolution No. 124

HOUSE CONCURRENT RESOLUTIONS

Representative Cox, et al., offered House Concurrent Resolution No. 28.
Representative Nieves offered House Concurrent Resolution No. 29.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 72 through **HJR 74** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1603 through **HB 1651** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 116 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 3 - Agri-Business

HCR 17 - Agri-Business

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 57 - Special Standing Committee on General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1322 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1324 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1326 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1337 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1414 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1434 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1500 - Special Standing Committee on Governmental Accountability and Ethics Reform

HB 1512 - Job Creation and Economic Development

HB 1540 - Crime Prevention

HB 1635 - Job Creation and Economic Development

HB 1644 - Corrections and Public Institutions

COMMITTEE REPORTS

Committee on Healthcare Transformation, Chairman Schaaf reporting:

Mr. Speaker: Your Committee on Healthcare Transformation, to which was referred **HB 1377**, 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 HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 26, introduced by Representatives Schieffer, Hodges, Shively, Bringer and Harris, relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

HCR 27, introduced by Representatives Sander, Day, McGhee, Wilson (119), Cox, Nance, Fisher (125) and Schieffer, relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 75, introduced by Representatives Ervin, Smith (150), Allen, Davis, Burlison, Kraus, Flook, Funderburk, Jones (89) and Koenig, relating to business personal property.

HJR 76, introduced by Representatives Dethrow, Smith (150), Fisher (125), Dougherty, Nasheed, Ervin, Schad, Sater, Kingery, Munzlinger, Guest, Wilson (119), Wright, Loehner, Grisamore, Pratt and Ruzicka, relating to bird, fish, game, wildlife, or forestry resources.

HJR 77, introduced by Representatives Kelly, Tilley, Komo, Sater, Still, Lampe, Pace, Biermann, Colona, Kirkton, Oxford, Storch, Webber, Hobbs, Bruns, Schieffer, Corcoran, McNeil, Hummel, Molendorp, Fallert, Hoskins (121), Nasheed, Atkins, Lipke, Kingery, Quinn, Zerr, Allen, Deeken, Meiners, Curls, Faith, Morris, LeBlanc, McClanahan, Spreng, Fischer (107), Schupp, Yaeger, Hodges, Aull, Burnett, Schoemehl, Largent, Munzlinger, Rucker, Harris, Wilson (130), Jones (63), Carter, Schad and Scavuzzo, relating to the fifth state building fund.

HJR 78, introduced by Representatives Smith (150), Schoeller, Sander, Dieckhaus and Schlottach, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

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

HB 1652, introduced by Representative Pratt, relating to telephone calls.

HB 1653, introduced by Representatives Pratt and Smith (14), relating to the designation of remembrance day in Missouri.

HB 1654, introduced by Representatives Zimmerman, Nance, Grill, Harris, Jones (63), Kirkton, Kratky, Molendorp, Nasheed, Oxford, Pace, Roorda, Sater, Still, Walton Gray, Weter, Yaeger, Morris and Scavuzzo, relating to requiring the notice of garnishment and writ of sequestration to contain only the last four digits of the federal taxpayer identification number.

HB 1655, introduced by Representatives Schaaf and Tilley, relating to campaign contributions by corporations.

HB 1656, introduced by Representatives Dethrow, Wright and Kingery, relating to license plates for property-carrying commercial motor vehicles.

HB 1657, introduced by Representative Dethrow, relating to motor vehicle dealer insurance.

HB 1658, introduced by Representatives Funderburk, Wells, Dougherty, Nance, Nasheed, Deeken, Schad, Smith (14), Walton Gray, Pratt, Brown (50) and Gatschenberger, relating to the homeowner grant program fund.

HB 1659, introduced by Representatives Burlison, Hoskins (121), Dixon, Diehl, Davis, Funderburk, Munzlinger, Ruestman, Gatschenberger, Schoeller, Wilson (119), Lampe, Norr, Ruzicka and Dougherty, relating to roadside vegetation.

HB 1660, introduced by Representatives Burlison, Davis, Cox, Koenig, Fisher (125), Guernsey, Wilson (119), Funderburk, Schad, Denison, Ruestman, Deeken, Jones (89), Nance, Dieckhaus, Nieves, Kraus, Schoeller, Dethrow, Allen, Nolte, Sander and Dugger, relating to state contracts and funds.

HB 1661, introduced by Representatives Pratt, LeVota and Grisamore, relating to state purchasing.

HB 1662, introduced by Representatives Brown (149), Munzlinger, Wright, Lair, Guernsey, Pollock, Wells, Shively, McDonald, Quinn, Dieckhaus, Riddle, Kuessner, Schlottach and Smith (150), relating to diseased animals.

HB 1663, introduced by Representatives Roorda, Meadows, Fallert, Harris, Frame, Casey and Komo, relating to taxes for central emergency dispatching services.

HB 1664, introduced by Representative Wasson, relating to county highway commissions.

HB 1665, introduced by Representatives Corcoran, Funderburk, Emery, Jones (63), Roorda, Walsh, Storch, Walton Gray, Pace, Hodges, Atkins, Schieffer, Liese, Meadows and Oxford, relating to adoption records.

HB 1666, introduced by Representatives Fischer (107), Roorda, Englund, Still, Schupp, LeBlanc, Jones (63), Webb, Pace, Storch, Swinger, Newman, Kander and Kelly, relating to intoxication-related traffic arrests.

HB 1667, introduced by Representatives McNeil, Schoeller, Atkins, Englund, Kirkton, Schupp, Still, Schieffer, Chappelle-Nadal, Roorda, McDonald, Kelly, McClanahan, Newman, Lampe, Wallace, Gatschenberger, Holsman, Molendorp, Riddle, Sutherland, Bivins, Allen and Zerr, relating to environmentally sustainable construction for state-funded buildings.

HB 1668, introduced by Representatives Lampe, Holsman, Kander, Schupp, Kirkton, Newman, Nasheed, Roorda, Salva, Englund, Walton Gray, Curls, McClanahan, Burnett, Skaggs, Bringer, Zimmerman, Vogt, Rucker, Witte, Spreng, Storch, Schoemehl, Walsh, Meiners, Hodges, Kratky, Meadows, Fallert, Low, Dougherty, Calloway, Corcoran, Shively, Carter, Quinn, Todd, Oxford, Pace, Colona, Atkins, McNeil, Biermann, Kelly, Morris, Harris, Fischer (107), Yaeger, Hoskins (80), Webber, Talboy, Dixon, Wells, Norr, Wasson, Wilson (119), Viebrock, Weter, Richard, Stream, Grisamore, Schoeller, Schad, Allen, Hummel, Still, Grill, Chappelle-Nadal, Hughes, Casey, Aull, Jones (63), Flanigan, Webb, Liese, LeVota and Scavuzzo, relating to the designation of a memorial highway.

HB 1669, introduced by Representatives Ruzicka, Smith (150), Ruestman, Dougherty, Largent, Jones (89), Munzlinger, Schoeller, Fisher (125), Wilson (119), Flanigan, Wilson (130), Denison, Nolte, Colona, Wells, Schad, Smith (14), Loehner, Jones (117), Dieckhaus, Scharnhorst, Emery, Cox, Guest and Parkinson, relating to carrying concealed weapons.

HB 1670, introduced by Representatives Meiners, Schaaf, Kelly, Holsman, Burnett, Low, Jones (63), Oxford, Atkins, Fallert, Brown (50), Pace, Walton Gray, Walsh, McNeil, Colona and Meadows, relating to the use of marijuana for medicinal purposes.

HB 1671, introduced by Representatives Cooper, Bruns, Nolte, Nance, Faith, Parson and Jones (117), relating to medical malpractice insurance.

HB 1672, introduced by Representatives Zerr, Day, Funderburk, Flanigan, Wilson (119), Allen, Brown (50) and Nieves, relating to special license plates for military veterans.

HB 1673, introduced by Representatives Zerr and Funderburk, relating to motor vehicle safety inspections.

HB 1674, introduced by Representative Lipke, relating to alcohol-related traffic arrests.

HB 1675, introduced by Representatives Nolte, Nance, Grisamore, Pollock, Nasheed, Funderburk, Wilson (119), Wright, Schad, Allen, Storch, Flook, Smith (150), Kraus, McGhee, Komo, Kingery, Silvey, Hobbs, Bruns, Ervin, Talboy, Grill, Diehl, Sutherland, Franz, Nieves, Zerr, Molendorp, Carter, Rucker, Kelly, Jones (63), Brown (50), Spreng, Corcoran, Koenig, Jones (89), Roorda and Pratt, relating to job growth.

HB 1676, introduced by Representatives Sutherland and Hodges, relating to guardians and conservators.

HB 1677, introduced by Representative Hoskins (80), relating to the designation of dress in blue for colon cancer awareness day.

HB 1678, introduced by Representative Hoskins (80), relating to student transfers.

COMMITTEE APPOINTMENTS

January 14, 2010

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

Dear Mr. Crumbliss:

I hereby remove Representative Chris Carter from the Appropriations - Agriculture and Natural Resources Committee.
I hereby appoint Representative Chris Carter to the Appropriations - Public Safety Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Ron Richard
Speaker

January 14, 2010

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

Dear Mr. Crumbliss:

I hereby appoint Representative Mark Parkinson to serve on the Conservation and Natural Resources Committee, the Senior Citizen Advocacy Committee, the Tourism Committee and the Transportation Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Ron Richard
Speaker

January 14, 2010

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

Dear Mr. Crumbliss:

I hereby appoint Representative Stacey Newman to serve on the Healthcare Transformation Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Ron Richard
Speaker

January 14, 2010

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

Dear Mr. Crumbliss:

I hereby appoint Representative Gina Walsh to serve on the Financial Institutions Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Ron Richard
Speaker

COMMUNICATION

January 13, 2010

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

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official advisory that my husband is a member of the Missouri State Highway Patrol (MSHP); and some of the issues, bills and amendments that I will be voting on could have a direct impact on our family, in the same manner in which other similarly situated members of the MSHP are affected.

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

Sincerely,

/s/ Shelley Keeney
State Representative
District 156

WITHDRAWAL OF HOUSE BILL

January 12, 2010

The Honorable Ron Richard
Speaker of the House of Representatives
State Capitol
Room 308
Jefferson City, MO 65101

Dear Speaker Richard:

I respectfully request **House Bill No. 1275** be withdrawn, as we need to make a revision. Thank you for your assistance in this matter.

Sincerely,

/s/ Don Wells
State Representative
District 147

The following member's presence was noted: McClanahan.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Tuesday, January 19, 2010.

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, January 20, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearing to be held on: HCR 7, HCR 3, HCR 17

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 20, 2010, 2:00 p.m. Hearing Room 7.

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

2010 budget reports. CORRECTED

APPROPRIATIONS - EDUCATION

Tuesday, January 19, 2010, 2:00 p.m. Hearing Room 1.

Organizational meeting and public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 20, 2010, 8:00 a.m. Hearing Room 3.

Informational meeting. Missouri State Tax Commission.

Recess at 10:00 a.m. Reconvene upon morning recess. CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 19, 2010, 12:00 p.m. Hearing Room 5.

Departmental overview continued.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 20, 2010, 1:00 p.m. Hearing Room 5.

Continuation of public and provider testimony.

Contact Representative Sater's office to sign up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 21, 2010, 8:00 a.m. Hearing Room 5.

Continuation of public and provider testimony.

Contact Representative Sater's office to sign up.

CRIME PREVENTION

Wednesday, January 20, 2010, Hearing Room 5 upon morning recess.

Public hearing to be held on: HB 1540

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 20, 2010, 8:00 a.m. Hearing Room 6.

Public hearing to be held on: HB 1543

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, January 19, 2010, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1635, HB 1512

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 21, 2010, 9:00 a.m. Hearing Room 1.

First quarter meeting.

JOINT COMMITTEE ON TAX POLICY

Tuesday, January 19, 2010, Senate Committee Room 1, 4:30 p.m. or upon adjournment.

Recommendations meeting.

Pursuant to Section 610.022.2 relating to closed meetings and Section 610.021(3) relating to personnel matters, a vote may be taken to hold a closed meeting.

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Wednesday, January 20, 2010, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1442

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Wednesday, January 20, 2010, 8:00 a.m. Hearing Room 5.

Public hearing to be held on: HB 1322, HB 1500

SPECIAL STANDING COMMITTEE ON HEALTH INSURANCE

Tuesday, January 19, 2010, 12:00 p.m. Hearing Room 6. CORRECTED

Public hearing to be held on: HB 1311, HB 1341

SPECIAL STANDING COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, January 19, 2010, 12:00 p.m. Hearing Room 7.

Executive session will follow.

Public hearing to be held on: HB 1544

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 19, 2010

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 26 and HCR 27

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 75 through HJR 78

HOUSE BILLS FOR SECOND READING

HB 1652 through HB 1678

HOUSE CONCURRENT RESOLUTIONS

HCS HCR 18, (1-13-10, Page 66) - Diehl