

JOURNAL OF THE HOUSE

First Extraordinary Session, 95th GENERAL ASSEMBLY

EIGHTH DAY, TUESDAY, JULY 13, 2010

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The House stood at ease until 6:00 p.m.

Speaker Richard assumed the Chair.

Representative Tilley suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 130

Aull	Ayres	Biermann	Bivins	Black
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Casey	Chappelle-Nadal
Colona	Conway	Cox	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Englund	Ervin	Faith	Fallert
Fisher 125	Flanigan	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Harris	Hobbs	Hodges	Holsman	Hoskins 121
Hummel	Jones 63	Jones 89	Kander	Keeney
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	McClanahan	McDonald
McGhee	McNary	McNeil	Meadows	Meiners
Molendorp	Morris	Munzlinger	Nance	Newman
Nolte	Norr	Oxford	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schupp	Self	Shively
Silvey	Smith 14	Still	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Wasson
Webber	Wells	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Mr Speaker

NOES: 000

PRESENT: 005

Atkins	Corcoran	Kelly	Spreng	Vogt
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ABSENT WITH LEAVE: 027

Allen	Calloway	Carter	Cooper	Emery
Guest	Hoskins 80	Hughes	Icet	Jones 117
Kingery	Kirkton	LeBlanc	Low	Nasheed
Nieves	Pace	Sater	Schoemehl	Skaggs
Smith 150	Stevenson	Storch	Walton Gray	Webb
Weter	Zimmerman			

VACANCIES: 001

The Journal of the sixth day was approved as printed.

The Journal of the seventh day was approved as printed.

On motion of Representative Tilley, the House stood at ease until 9:00 p.m.

Speaker Pro Tem Pratt assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1, as amended, relating to retirement, was taken up by Representative Viebrock.

Representative Viebrock moved that the House refuse to adopt **SCS HCS HB 1, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Schupp made a substitute motion that the House refuse to adopt **SCS HCS HB 1, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences on Section 104.1091, Subsection 8.

Which motion was defeated by the following vote.

AYES: 051

Aull	Biermann	Black	Bringer	Burnett
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Curls	Dougherty	Englund	Fallert
Frame	Grill	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kelly	Komo
Lampe	LeVota	Liese	McClanahan	McDonald
McNeil	Morris	Newman	Norr	Oxford
Quinn	Roorda	Rucker	Scavuzzo	Schieffer

Schupp	Shively	Still	Swinger	Talboy
Todd	Walsh	Webber	Whitehead	Witte
Yaeger				

NOES: 074

Ayres	Bivins	Brandom	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Ervin	Faith	Fisher 125	Flanigan	Flook
Franz	Funderburk	Grisamore	Guernsey	Hobbs
Hoskins 121	Jones 89	Jones 117	Kander	Keeney
Koenig	Kraus	Kuessner	Lair	Largent
Leara	Lipke	McGhee	McNary	Molendorp
Munzlinger	Nance	Nolte	Parkinson	Parson
Pollock	Pratt	Riddle	Ruestman	Ruzicka
Sander	Schad	Schoeller	Self	Silvey
Smith 14	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Wilson 119	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 037

Allen	Atkins	Cooper	Corcoran	Emery
Gatschenberger	Guest	Hoskins 80	Icet	Kingery
Kirkton	Kratky	LeBlanc	Loehner	Low
Meadows	Meiners	Nasheed	Nieves	Pace
Salva	Sater	Schaaf	Scharnhorst	Schlottach
Schoemehl	Skaggs	Smith 150	Spreng	Stevenson
Storch	Vogt	Walton Gray	Webb	Weter
Wilson 130	Zimmerman			

VACANCIES: 001

Representative Viebrock again moved that the House refuse to adopt **SCS HCS HB 1, 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.

Speaker Richard resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Crowell, Pearce, Engler, Green and Keaveny.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SCS HCS HB 1: Representatives Viebrock, Franz, Leara, Roorda and Burnett

RECESS

Representative Tilley moved that the House stand in recess pending the distribution of the Conference Committee Report on **SCS HCS HB 1, as amended**, or 2:00 a.m., whichever is earlier, and then stand adjourned until 9:00 a.m., Wednesday, July 14, 2010.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ James Viebrock
/s/ Ward Franz
/s/ Mike Leara
/s/ Jeffrey Roorda

FOR THE SENATE:

/s/ Jason Crowell
/s/ David Pearce
/s/ Kevin Engler
/s/ Timothy Green
/s/ Joseph Keaveny

The following member's presence was noted: Sater.

ADJOURNMENT

Pursuant to the motion of Representative Tilley, the House adjourned until 9:00 a.m., Wednesday, July 14, 2010.

HOUSE CALENDAR

NINTH DAY, WEDNESDAY, JULY 14, 2010

BILLS IN CONFERENCE

CCR SCS HCS HB 1, as amended - Viebrock