

# JOURNAL OF THE HOUSE

First Extraordinary Session, 95th GENERAL ASSEMBLY

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NINTH DAY, WEDNESDAY, JULY 14, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Representative Bob Dixon.

Our Father and our God, we humbly pause to invoke Your blessings on our assembly and our proceedings. We ask that You hear our prayer and attend to our needs as we debate the very important issues before this body. We ask that You would rest Your hand of blessing upon our nation, our state, and our families.

In the name of Christ, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Macie McDaniel, Nicolas Self, Zoe Anastosopolos, Tori Corp, Jordan McCready and Savannah McCready.

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

AYES: 136

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Black	Brandom	Brown 30	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Corcoran	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fisher 125	Flanigan
Flook	Frame	Franz	Gatschenberger	Grill
Grisamore	Guernsey	Harris	Hobbs	Hodges
Holsman	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	Liese
Lipke	Loehner	McClanahan	McDonald	McGhee
McNary	McNeil	Meadows	Meiners	Molendorp
Morris	Munzlinger	Nance	Newman	Nieves
Nolte	Norr	Oxford	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schupp	Self
Shively	Silvey	Smith 14	Spreng	Still

Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Wasson	Webber	Wells	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Mr Speaker				

NOES: 004

Bringer	Burnett	LeVota	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Cooper	Funderburk	Guest	Hoskins 80
Hughes	Kingery	Kirkton	LeBlanc	Low
Nasheed	Pace	Schoemehl	Skaggs	Smith 150
Stevenson	Storch	Vogt	Walton Gray	Webb
Weter	Zimmerman			

VACANCIES: 001

## MESSAGE 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 **SCS HCS HB 2**, entitled:

An act to amend chapter 620, RSMo, by adding thereto one new section relating to job growth.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 7, Section 620.1910, Line 216, by inserting after all of said line the following:

"Section B. Because of the governor's authority under the provisions of Section IV, Article 8 of the Missouri Constitution to specifically designate matters to be considered in an extraordinary session of the general assembly and the inextricable nature of the matters designated in the governor's proclamation for this first extraordinary session, section A of this act shall not become effective except upon the passage and approval by signature of the governor of the truly agreed and finally passed version of house bill no. 1 as enacted during the first extraordinary session of the second regular session of the ninety-fifth general assembly."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

## BILL IN CONFERENCE

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

On motion of Representative Viebrock, **CCR SCS HCS HB 1, as amended**, was adopted by the following vote:

AYES: 085

Atkins	Aull	Bivins	Brandom	Brown 30
Brown 50	Carter	Colona	Conway	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Dethrow	Dieckhaus	Diehl	Dougherty	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fisher 125	Flook	Frame	Franz	Gatschenberger
Grisamore	Hobbs	Holsman	Hummel	Jones 63
Jones 89	Kander	Keeney	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Leara	Liese	McDonald	McGhee	Meadows
Meiners	Molendorp	Morris	Nance	Newman
Nolte	Norr	Parkinson	Parson	Pratt
Quinn	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Scharnhorst	Schieffer
Schlottach	Schoeller	Self	Silvey	Stream
Swinger	Talboy	Tilley	Tracy	Viebrock
Wallace	Wasson	Wright	Yaeger	Mr Speaker

NOES: 052

Ayres	Biermann	Black	Bringer	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Day	Deeken	Denison	Dixon
Dugger	Flanigan	Grill	Guernsey	Harris
Hodges	Hoskins 121	Ice	Jones 117	Kelly
Largent	LeVota	Loehner	McClanahan	McNary
McNeil	Munzlinger	Nieves	Oxford	Pollock
Riddle	Ruzicka	Scavuzzo	Schad	Schupp
Shively	Smith 14	Still	Thomson	Todd
Vogt	Walsh	Webber	Wells	Wilson 130
Witte	Zerr			

PRESENT: 002

Lipke	Sutherland
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ABSENT WITH LEAVE: 023

Allen	Funderburk	Guest	Hoskins 80	Hughes
Kingery	Kirkton	LeBlanc	Low	Nasheed
Pace	Schoemehl	Skaggs	Smith 150	Spreng
Stevenson	Storch	Walton Gray	Webb	Weter
Whitehead	Wilson 119	Zimmerman		

VACANCIES: 001

On motion of Representative Viebrock, **CCS SCS HCS HB 1** was read the third time and passed by the following vote:

AYES: 084

Atkins	Aull	Bivins	Brandom	Brown 30
Brown 50	Carter	Colona	Conway	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Dethrow	Dieckhaus	Diehl	Dougherty	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fisher 125	Flook	Frame	Franz	Gatschenberger
Grisamore	Hobbs	Holsman	Hummel	Jones 63
Jones 89	Kander	Keeney	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Leara	Liese	McDonald	McGhee	Meadows
Meiners	Molendorp	Nance	Newman	Nolte
Norr	Parkinson	Parson	Pratt	Quinn
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Silvey	Spreng	Stream
Swinger	Talboy	Tilley	Viebrock	Wallace
Wasson	Wright	Yaeger	Mr Speaker	

NOES: 053

Ayres	Biermann	Black	Bringer	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Chappelle-Nadal	Day	Deeken	Denison	Dixon
Dugger	Flanigan	Grill	Guernsey	Harris
Hodges	Hoskins 121	Ice	Jones 117	Kelly
Largent	LeVota	Loehner	McClanahan	McNary
McNeil	Munzlinger	Nieves	Oxford	Pollock
Riddle	Ruzicka	Scavuzzo	Schad	Schupp
Shively	Smith 14	Still	Thomson	Todd
Vogt	Walsh	Webber	Wells	Wilson 119
Wilson 130	Witte	Zerr		

PRESENT: 002

Lipke                      Sutherland

ABSENT WITH LEAVE: 023

Allen	Funderburk	Guest	Hoskins 80	Hughes
Kingery	Kirkton	LeBlanc	Low	Morris
Nasheed	Pace	Schoemehl	Skaggs	Smith 150
Stevenson	Storch	Tracy	Walton Gray	Webb
Weter	Whitehead	Zimmerman		

VACANCIES: 001

Speaker Richard declared the bill passed.

# HOUSE BILL WITH SENATE AMENDMENTS

**SCS HCS HB 2, as amended**, relating to economic development, was taken up by Representative Nolte.

On motion of Representative Nolte, **SCS HCS HB 2, as amended**, was adopted by the following vote:

AYES: 100

Atkins	Aull	Biermann	Bivins	Black
Brandom	Brown 30	Brown 50	Bruns	Burnett
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Cooper	Corcoran	Cox	Cunningham
Curls	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Englund	Ervin	Faith	Fallert
Fisher 125	Flook	Frame	Gatschenberger	Grill
Grisamore	Hobbs	Hodges	Holsman	Hoskins 121
Hummel	Jones 63	Jones 89	Kander	Kelly
Komo	Kratky	Kuessner	Lair	Lampe
LeVota	Liese	McDonald	McGhee	McNeil
Meadows	Meiners	Morris	Munzlinger	Nance
Newman	Nolte	Norr	Parson	Quinn
Roorda	Rucker	Ruestman	Salva	Sander
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schupp	Self	Shively	Silvey	Smith 14
Spreng	Still	Stream	Sutherland	Swinger
Talboy	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Wasson	Webber	Wilson 130
Witte	Wright	Yaeger	Zerr	Mr Speaker

NOES: 041

Ayres	Bringer	Brown 149	Burlison	Davis
Day	Deeken	Dethrow	Dugger	Dusenberg
Emery	Flanigan	Franz	Guernsey	Harris
Icet	Jones 117	Keeney	Koenig	Kraus
Largent	Leara	Lipke	Loehner	McClanahan
McNary	Molendorp	Nieves	Oxford	Parkinson
Pollock	Pratt	Riddle	Ruzicka	Sater
Schad	Schoeller	Thomson	Tracy	Wells
Wilson 119				

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Funderburk	Guest	Hoskins 80	Hughes
Kingery	Kirkton	LeBlanc	Low	Nasheed
Pace	Schoemehl	Skaggs	Smith 150	Stevenson
Storch	Walton Gray	Webb	Weter	Whitehead
Zimmerman				

VACANCIES: 001

On motion of Representative Nolte, **SCS HCS HB 2, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 101

Atkins	Aull	Biermann	Bivins	Black
Brandom	Brown 30	Brown 50	Bruns	Burnett
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Cooper	Corcoran	Cox	Cunningham
Curls	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Englund	Ervin	Faith	Fallert
Fisher 125	Flook	Frame	Gatschenberger	Grill
Grisamore	Hobbs	Hodges	Holsman	Hoskins 121
Hummel	Jones 63	Jones 89	Kander	Kelly
Komo	Kratky	Kuessner	Lair	Lampe
LeVota	Liese	McDonald	McGhee	McNeil
Meadows	Meiners	Morris	Munzlinger	Nance
Newman	Nolte	Norr	Parson	Quinn
Roorda	Rucker	Ruestman	Salva	Sander
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schupp	Self	Shively	Silvey	Smith 14
Spreng	Still	Stream	Sutherland	Swinger
Talboy	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Wasson	Webber	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Mr Speaker				

NOES: 040

Ayres	Bringer	Brown 149	Burlison	Davis
Day	Deeken	Dethrow	Dugger	Dusenberg
Emery	Flanigan	Franz	Guernsey	Harris
Icet	Jones 117	Keeney	Koenig	Kraus
Largent	Leara	Lipke	Loehner	McClanahan
McNary	Molendorp	Nieves	Oxford	Parkinson
Pollock	Pratt	Riddle	Ruzicka	Sater
Schad	Schoeller	Thomson	Tracy	Wells

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Funderburk	Guest	Hoskins 80	Hughes
Kingery	Kirkton	LeBlanc	Low	Nasheed
Pace	Schoemehl	Skaggs	Smith 150	Stevenson
Storch	Walton Gray	Webb	Weter	Whitehead
Zimmerman				

VACANCIES: 001

Speaker Richard declared the bill passed.

**RECESS**

On motion of Representative Tilley, the House recessed pending the signing of **CCS SCS HCS HB 1** and **SCS HCS HB 2** by the Speaker of the House.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1**.

**SIGNING OF HOUSE BILLS**

All other business of the House was suspended while **CCS SCS HCS HB 1** and **SCS HCS HB 2** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 1** and **SCS HCS HB 2** were delivered to the Governor by the Chief Clerk of the House.

**COMMITTEE APPOINTMENTS**

July 13, 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 John Diehl as a member of the Rules Committee, and appoint Representative Bryan Pratt as a member of the Rules Committee.

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

Sincerely,

/s/ Ron Richard  
Speaker

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July 13, 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 Jerry Nolte from the Job Creation and Economic Development Committee. I hereby appoint Representative Will Kraus to the Job Creation and Economic Development Committee.

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

Sincerely,

/s/ Ron Richard  
Speaker

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July 13, 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 Ron Richard as a member of the Rules Committee, and appoint Representative Steve Tilley as a member of the Rules Committee.

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

Sincerely,

/s/ Ron Richard  
Speaker

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July 13, 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 Tom Self as a member of the Rules Committee, and appoint Representative Kenny Jones as a member of the Rules Committee.

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

Sincerely,

/s/ Ron Richard  
Speaker

## **ADJOURNMENT**

On motion of Speaker Richard, the House of Representatives of the Ninety-fifth General Assembly, convened in the First Extraordinary Session on June 24, 2010, adjourned sine die, as of July 14, 2010.

RONALD F. RICHARD  
Speaker of the House

D. ADAM CRUMBLISS  
Chief Clerk of the House

## **CORRECTIONS TO THE HOUSE JOURNAL**

### **AFFIDAVITS**

I, State Representative James Morris, District 58, hereby state and affirm that my vote to third read and finally pass Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1, as amended, was incorrectly recorded as absent with leave. 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 vote on this motion, and my vote was incorrectly recorded and the correct vote should have been recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of July 2010.

/s/ James Morris  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Cole )

Subscribed and sworn to before me this 14th day of July in the year 2010.

/s/ Patricia W. Parris  
Notary Public

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I, State Representative Mike Spreng, District 76, hereby state and affirm that my vote to adopt the Conference Committee Report for Senate Committee Substitute for House Committee Substitute for House Bill No. 1, as amended, was incorrectly recorded as absent with leave. 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 vote on this motion, my vote was incorrectly recorded, and the correct vote should have been recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of July 2010.

/s/ Mike Spreng  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Cole )

Subscribed and sworn to before me this 14th day of July in the year 2010.

/s/ Patricia W. Parris  
Notary Public