

JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 20, 2009

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, yesterday we commemorated the enormous civil rights work of Dr. Martin Luther King, Jr., and today we witnessed the inauguration of an African-American as the Forty-fourth President of the United States. We pray for President Barack Obama. Give him the wisdom and the support he needs to succeed. Martin Luther King prayed that he might do Your Holy will. Give President Obama the same desire to do Your will, and give him the virtues of perseverance and toughness when he is pursuing justice and right in the work as President.

We pray for all in authority. We are in positions of authority in this House. We pray for the virtues of perseverance and toughness when we are working for what is truly just and right.

We pray to You, our God forever and ever. 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: Caitlin Wisdom, Shelby Wisdom, Allyson Mello and Aaron Mello.

The Journal of the sixth day was approved as corrected by the following vote:

AYES: 090

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
El-Amin	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	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	Nasheed	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright	Yates	Zerr	Mr Speaker

NOES: 058

Atkins	Aull	Biermann	Bringer	Brown 73
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Englund	Fallert	Fischer 107	Frame
Harris	Hodges	Holsman	Hughes	Hummel
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	LeBlanc	Liese	Low	McClanahan
McDonald	McNeil	Meadows	Meiners	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Spreng	Still	Swinger	Talboy
Todd	Vogt	Walsh	Webb	Wildberger
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Cooper	Corcoran	Curls	Grill
Grisamore	Hoskins 80	Jones 63	Lampe	LeVota
Morris	Skaggs	Storch	Walton Gray	Webber

HOUSE RESOLUTIONS

Representative Bivins offered House Resolution No. 129.
Representative Deeken offered House Resolution No. 130.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 114 through House Resolution No. 128
House Resolution No. 131 through House Resolution No. 153

SECOND READING OF HOUSE BILLS

HB 285 through **HB 322** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

Representative Tilley offered **House Concurrent Resolution No. 10**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 10

BE IT RESOLVED, by the House of Representatives of the Ninety-fifth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 27, 2009, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-fifth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or

communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Concurrent Resolution No. 10** was adopted.

Representative Tilley offered **House Concurrent Resolution No. 11**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 11

BE IT RESOLVED, by the House of Representatives of the Ninety-fifth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 28, 2009, to receive a message from Her Honor Chief Justice Laura Denvir Stith, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-fifth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Concurrent Resolution No. 11** was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 5 - Rules

INTRODUCTION OF HOUSE BILLS

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

HB 323, introduced by Representatives Sutherland, Jones (89), Wasson, Wilson (119), Funderburk, Nance, Dusenberg, Schaaf, Meadows, Schad, Zimmerman, Scharnhorst, Spreng, Grisamore and Pace, relating to tax credits for disability home remodeling.

HB 324, introduced by Representative Silvey, relating to sales taxes affecting certain taxing districts.

HB 325, introduced by Representatives Walsh, Wildberger, Kratky, Sater, Schupp, Colona, Calloway, Carter, Meiners, Curls, Chappelle-Nadal, McGhee, Funderburk, Nasheed, Vogt, Still, Norr, LeBlanc, Jones (63), Atkins, Kander, Schoemehl, Jones (117), Schieffer, Lampe, Dixon, Kuessner, Wright, Kraus, Bringer, Yaeger, Kirkton, Corcoran, Storch, Spreng, Meadows, Sander, Pace, Low, Oxford, LeVota, Walton Gray and Morris, relating to orders of protection.

HB 326, introduced by Representative Sutherland, relating to social workers.

HB 327, introduced by Representatives Schaaf, Ervin and Flook, relating to the Missouri health facilities review committee.

HB 328, introduced by Representatives Hodges and Atkins, relating to county officers.

HB 329, introduced by Representatives Kraus, Yates, Dusenberg, McGhee, Dixon, Ruestman, Ervin, Jones (89), Nieves, Bivins, Weter and Schoeller, relating to real property taxation.

HB 330, introduced by Representatives Bruns, Sutherland and Roorda, relating to continuous alcohol monitoring.

COMMITTEE ASSIGNMENT

January 20, 2009

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

Dear Mr. Crumbliss:

I hereby appoint Representative Dan Brown to the Committee on Agriculture Policy.

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

Sincerely,

/s/ Ron Richard
Speaker

COMMUNICATION

January 20, 2009

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 report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten-percent interest in any of the value-added cooperatives.

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

Sincerely,

/s/ Therese Sander
District 22

The following members' presence was noted: Cooper and Hoskins (80).

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, January 21, 2009.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Thursday, January 15, 2009, Page 102, Line 2, by inserting immediately after the word "**TRANSPORTATION**", the words "**AND ECONOMIC DEVELOPMENT**".

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 21, 2009, 2:00 p.m. Hearing Room 3.

Public testimony for Departments of Conservation, Natural Resources and Agriculture.
Review of Department of Agriculture new decision items from previous year budgets.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, January 22, 2009, 8:00 a.m. Hearing Room 3.

Review of Departments of Natural Resources and Conservation.
New decision items from previous year budgets.

APPROPRIATIONS - EDUCATION

Thursday, January 22, 2009, 8:00 a.m. Hearing Room 1.

Organizational meeting/public testimony.
Testimony to be heard in sign up order.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 2009, Hearing Room 3 upon morning adjournment.
Organizational meeting/public testimony.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 21, 2009, 2:00 p.m. Hearing Room 5.

Public and provider testimony.

Testimony to be heard in sign-up order. Please call 573-751-1480.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 22, 2009, 8:00 a.m. Hearing Room 5.

Public and provider testimony.

Testimony to be heard in sign-up order. Please call 573-751-1480.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 21, 2009, Hearing Room 1 upon adjournment.

Organizational meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, January 26, 2009, 2:30 p.m. Senate Committee Room 1.

Quarterly business meeting.

Presentation of Oversight Program Evaluation Reports.

Some portions of the meeting may be closed pursuant to Section 610.021.

RULES

Wednesday, January 21, 2009, 4:30 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HCR 5

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 21, 2009

HOUSE BILLS FOR SECOND READING

HB 323 through HB 330