

JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 26, 2009

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are He Who judges: humbling one and exalting another.

Holy God, You reign in power and majesty over all things. You rule in sovereignty and perfect authority over all the affairs of our lives. You call out and lift up those You desire to rule, and You enable and empower them to serve at Your pleasure.

Today, we thank You for revealing Your plan, for our state, through seen and unseen events. Let us catch a glimpse of Your destiny for us as a state and as a people. May we embrace Your purpose for us and tirelessly pursue it.

Grant us the privilege of effectively serving our communities and thank You for allowing us to see the potential and greatness of our state. Encourage each one of us, today, through the power of Your Spirit.

We ask these things, in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected.

HOUSE RESOLUTIONS

Representative Jones (89) offered House Resolution No. 226.

Representatives Brandom and Kander offered House Resolution No. 249.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 220 through House Resolution No. 225

House Resolution No. 227 through House Resolution No. 248

HOUSE CONCURRENT RESOLUTIONS

Representative Low, et al., offered House Concurrent Resolution No. 15.

Representative Tracy, et al., offered House Concurrent Resolution No. 16.

SECOND READING OF HOUSE BILLS

HB 353 through **HB 392** were read the second time.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 5, relating to compensation for elected officials, was taken up by Representative McGhee.

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

Representative Parson raised a point of order that **House Amendment No. 1** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Salva requested a division of the question on **HCR 5**.

The division of the question was denied by the Chair.

Representative Burnett made a privileged motion to lay **HCR 5** on the table.

Which motion was defeated by the following vote:

AYES: 032

Atkins	Bringer	Brown 50	Burnett	Calloway
Casey	Colona	Dougherty	Grill	Holsman
Hoskins 80	Hughes	Hummel	Kratky	LeVota
Liese	Low	McDonald	Morris	Nasheed
Norr	Pace	Quinn	Skaggs	Spreng
Talboy	Vogt	Walsh	Walton Gray	Wildberger
Witte	Yaeger			

NOES: 128

Allen	Aull	Biermann	Bivins	Brandom
Brown 30	Brown 73	Brown 149	Bruns	Burlison
Carter	Chappelle-Nadal	Cooper	Corcoran	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Frame	Franz	Funderburk	Gatschenberger
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Icet	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeBlanc	Lipke
Loehner	McClanahan	McGhee	McNary	McNeil
Meiners	Molendorp	Munzlinger	Nance	Nieves
Nolte	Oxford	Parkinson	Parson	Pollock

Pratt	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Wasson	Webb	Webber	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright	Yates
Zerr	Zimmerman	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

El-Amin Grisamore Meadows

On motion of Representative McGhee, **HCR 5** was read the third time and passed by the following vote:

AYES: 129

Allen	Aull	Biermann	Bivins	Brandom
Brown 30	Brown 73	Brown 149	Bruns	Burlison
Calloway	Carter	Casey	Chappelle-Nadal	Cooper
Corcoran	Cox	Cunningham	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Frame	Franz	Funderburk	Gatschenberger
Grill	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 121	Ice	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	Lipke
Loehner	McClanahan	McGhee	McNary	McNeil
Molendorp	Morris	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Oxford	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Still	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Wasson	Webber	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright
Yates	Zerr	Zimmerman	Mr Speaker	

NOES: 031

Atkins	Bringer	Brown 50	Burnett	Colona
Curls	Dougherty	Flook	Hoskins 80	Hughes
Hummel	Jones 63	Jones 89	LeBlanc	LeVota
Liese	Low	McDonald	Meiners	Pace

Salva	Spreng	Stevenson	Talboy	Vogt
Walsh	Walton Gray	Webb	Wildberger	Witte
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 003

El-Amin	Grisamore	Meadows
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Speaker Pro Tem Pratt declared the bill passed.

ESCORT COMMITTEES

The Speaker appointed the following committee to act with a like committee from the Senate pursuant to **HCR 10**: Representatives Zerr, McNary, Riddle, Gatschenberger, Schlottach, Schoeller, Scavuzzo, Yaeger, Harris and Brown (50).

The Speaker appointed the following committee to act with a like committee from the Senate pursuant to **HCR 11**: Representatives Diehl, Jones (89), Stevenson, Cox, Flook, Pratt, Talboy, Grill, Bringer and Storch.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 310 - Local Government

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 14, introduced by Representatives Low, Holsman, Curls, McClanahan, Jones (63), Oxford, Morris, Zimmerman, Storch, Kander, Walton Gray, Pace, Webb, Lampe and Yaeger, relating to the Missouri child poverty council.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 16, introduced by Representatives Davis, Sander, Funderburk, Koenig, Cooper, Wells and Scharnhorst, relating to protection of parental rights.

INTRODUCTION OF HOUSE BILLS

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

HB 393, introduced by Representatives Schoeller, Lampe, Schieffer, McGhee, Denison, Viebrock, Cunningham, Wasson, Burlison, Parkinson, Jones (89), Norr and Dixon, relating to child abuse and neglect.

HB 394, introduced by Representative Skaggs, relating to state buildings.

HB 395, introduced by Representatives Nance, Nolte, Atkins and Denison, relating to MO HealthNet long-term care transition grants.

HB 396, introduced by Representative Nance, relating to the service of summons and petition.

HB 397, introduced by Representative Flook, relating to police retirement.

HB 398, introduced by Representatives Flook, Jones (89) and Burnett, relating to the admissibility of medical treatment evidence.

HB 399, introduced by Representative Schaaf, relating to dealer license plates for wholesale motor vehicle dealers operated in conjunction with wholesale motor vehicle auctions by the same owner.

HB 400, introduced by Representatives Nasheed, Tilley, Curls, Carter, Fischer (107), Casey, Roorda, Englund, Schupp, McNeil, Morris, Aull, Witte, Grill, Harris, Calloway, Frame, Wildberger, Walsh, Meiners, Kelly, Lampe, Biermann, Liese, Norr, Schieffer, Wilson (119), Denison, Wood, Hobbs, Hummel, Jones (63), LeVota, Oxford, Pace, Walton Gray, Brown (50), Flook, Nieves, Chappelle-Nadal, Dougherty, Talboy, Storch and Holsman, relating to free parking for certain veterans.

HB 401, introduced by Representatives Schaaf and Cooper, relating to hospital patient safety.

HB 402, introduced by Representative Franz, relating to banking institution tax credits.

HB 403, introduced by Representatives Franz, Stevenson, Norr, Sander, Wright, Denison and Pollock, relating to international parental child abduction.

HB 404, introduced by Representatives Franz and Pollock, relating to county inmate work and service programs.

HB 405, introduced by Representatives Low, Lampe, Oxford, Nasheed, Carter, Yaeger, Schupp, Kirkton, McClanahan, Schoemehl, McNeil, Jones (63), Atkins, Brown (73), Chappelle-Nadal, Morris, Skaggs, Storch, Walton Gray, Pace, Webb, Corcoran and Webber, relating to equal employment practices.

HB 406, introduced by Representatives Low, Jones (63), Morris, Walton Gray and Yaeger, relating to paid sick days.

HB 407, introduced by Representatives Low, Jones (63), Morris and Walton Gray, relating to paid family leave.

HB 408, introduced by Representatives Low, McNeil, Skaggs, Grill, Storch, Kander, Brown (73), Walton Gray, Corcoran, Pace and Lampe, relating to product safety for children.

HB 409, introduced by Representatives Low, Oxford, Skaggs, Zimmerman and Walton Gray, relating to school buses.

HB 410, introduced by Representatives Low, Holsman, Oxford, Kander, Zimmerman, Walton Gray, Pace, Corcoran and Lampe, relating to the sale of toxic toys.

HB 411, introduced by Representatives Low, Oxford, Zimmerman, Kander, Walton Gray and Lampe, relating to drivers' licenses.

HB 412, introduced by Representatives Low, Oxford, Skaggs, Zimmerman, Kander, Walton Gray and Yaeger, relating to lenders of unsecured loans.

HB 413, introduced by Representatives Low, Jones (63), Schieffer, Oxford, Morris, Skaggs, Grill, Zimmerman, Kander, Brown (73), Walton Gray, Pace, Corcoran, Lampe and Yaeger, relating to health insurance coverage for cervical cancer testing.

HB 414, introduced by Representatives Low, McNeil, Oxford, Morris, Wildberger, Skaggs, Zimmerman, Storch, Kander, Walton Gray, Pace, Kratky, Corcoran, Lampe and Yaeger, relating to victims of sexual rape or sexual assault.

HB 415, introduced by Representatives Bruns, Walsh, Roorda, Yaeger, Wilson (130), Funderburk, Munzlinger, Schad, Ruestman, Grisamore and Jones (117), relating to the crime victims' compensation fund.

HB 416, introduced by Representatives Pratt, Tilley, Nieves, Bruns, Jones (117), McGhee, Wildberger, Roorda, Franz, Salva, Meadows, Atkins, Corcoran, Scharnhorst, Jones (89), Schoeller, Diehl, Molendorp and Leara, relating to fire department employee residency requirements.

HB 417, introduced by Representatives Scharnhorst, Nieves, Hoskins, Bivins, Tilley, Jones (89), McGhee, Jones (117), Lipke, Pratt, Dougherty, Smith (14), Day, Davis, Franz, Stream, Dieckhaus, Icet, Stevenson, Nolte, Schaaf, McNary, Zerr, Diehl, Gatschenberger, Brown (73), Dixon and Funderburk, relating to the Missouri special needs scholarship tax credit program.

HB 418, introduced by Representatives Ervin and Flook, relating to small businesses.

HB 419, introduced by Representatives Viebrock and Stevenson, relating to child support liens.

HB 420, introduced by Representatives Viebrock and Smith (150), relating to impoundment of animals.

HB 421, introduced by Representative Viebrock, relating to election offenses of the third and fourth classes.

HB 422, introduced by Representatives Yates, Nance, Dusenberg, Wallace, Faith, Kraus, Ruestman, Cooper, McGhee, Schaaf, Bivins, Allen, Yaeger and Atkins, relating to the uninsured motorists.

HB 423, introduced by Representative Yates, relating to insurance identification cards.

HB 424, introduced by Representatives Davis, Sander, Funderburk, Koenig, Cooper, Wells and Scharnhorst, relating to the fundamental right of parents to rear their children.

HB 425, introduced by Representatives Cooper, Schaaf, Ruestman and Stevenson, relating to licensure for tattooing, permanent cosmetics, body piercing and branding.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 10**: Senators Bray, Callahan, Days, Dempsey, Engler, Goodman, Green, Scott, Stouffer and Shields.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 11**: Senators Bartle, Callahan, Cunningham, Days, Justus, Lembke, Mayer, Schaefer, Schmitt and Smith.

The following member's presence was noted: Grisamore.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, January 27, 2009.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Ninth Day, January 22, 2009, Page 139, Line 25, by deleting "Tracy", and inserting in lieu thereof "Smith (150)".

Page 141, Line 2, by deleting "Guersney", and inserting in lieu thereof "Guernsey".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, January 29, 2009, 8:00 a.m. Hearing Room 6.
Organizational meeting.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 4.
Department of Conservation new decision items from FY'08 and FY'09.
Continuation of Department of Agriculture new decision items from FY'09.

APPROPRIATIONS - EDUCATION

Wednesday, January 28, 2009, 2:00 p.m. Hearing Room 1.
Public testimony.
Testimony to be heard in sign up order.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 27, 2009, 12:00 p.m. Hearing Room 3.
Public Testimony for the Missouri Department of Revenue and Missouri Lottery.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 5.
Discussion with Missouri Department of Mental Health
regarding 2009 New Decision Items.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 28, 2009, 2:00 p.m. Hearing Room 5.
Discussion with Missouri Department of Health and Senior Services
regarding 2009 New Decision Items.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2009, 8:00 a.m. Hearing Room 5.
Discussion with Missouri Department of Social Services regarding
2009 New Decision Items.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 3.
Public testimony. CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 3.
Public testimony for the Departments of Economic Development, Insurance,
Labor and Industrial Relations and the Missouri Department of Transportation.

BUDGET

Wednesday, January 28, 2009, 8:00 a.m. Hearing Room 3.
Organizational meeting.

CRIME PREVENTION

Wednesday, January 28, 2009, 12:00 p.m. Hearing Room 5.
Public hearing to be held on: HB 62

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 28, 2009, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 96, HB 242

ENERGY AND ENVIRONMENT

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 1.
Organizational meeting.

ETHICS

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 1.
HR 193 Rules of Procedure.
Executive session.

HIGHER EDUCATION

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 6.
Organizational meeting.

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, January 27, 2009, 3:00 p.m. Hearing Room 1.
Executive session may follow. CORRECTED
Public hearings to be held on: HB 189, HB 190, HB 191, HB 312

LOCAL GOVERNMENT

Wednesday, January 28, 2009, 8:00 a.m. Hearing Room 7.
Public hearing to be held on: HB 322

SPECIAL STANDING COMMITTEE ON CHILDREN AND FAMILIES

Wednesday, January 28, 2009, 8:15 a.m. Hearing Room 1.
Executive session may follow. CANCELLED
Public hearing to be held on: HB 30

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Tuesday, January 27, 2009, 12:00 p.m. Hearing Room 4.
Executive session may follow.
Public hearing to be held on: HB 169

TRANSPORTATION

Tuesday, January 27, 2009, 12:00 p.m. Hearing Room 7.
Organizational meeting.
Presentation on transportation issues.

VETERANS

Tuesday, January 27, 2009, 1:00 p.m. Hearing Room 5.

This will also be an organizational meeting.

Executive session may follow.

Public hearings to be held on: HB 111, HB 270

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 27, 2009

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 14

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 16

HOUSE BILLS FOR SECOND READING

HB 393 through HB 425