

# JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

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EIGHTEENTH DAY, MONDAY, FEBRUARY 9, 2009

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, scriptures confirm to us this truth: When we call upon You, You'll answer us....(*Psalm 91:15*)

Sovereign God, You are high and lifted up, yet You invite us to come and speak with You; even to hear You. We praise You for being an approachable and inviting God who makes good on every promise in Your Word. Thank You for extending Your hand to us in our frailties and weaknesses, revealing to us Your power and presence.

As we begin our work today and look to the week ahead, may we honor and acknowledge You in every part of our dealings. There may be many plans in our hearts, but it is only Your purpose that prevails. May we turn to You on calm and troubled days alike, always consulting You and one another concerning important legislative actions.

We thank You for the sufficiency of Your grace and the freshness of Your mercy showering us throughout this week.

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

The Pledge of Allegiance to the flag was recited.

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

AYES: 147

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 73
Brown 149	Bruns	Burlison	Carter	Casey
Chappelle-Nadal	Cooper	Corcoran	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	El-Amin	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 121	Hughes
Hummel	Ice	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Lair
Lampe	Largent	Leara	LeBlanc	LeVota
Liese	Lipke	Loehner	McClanahan	McDonald
McGhee	McNary	McNeil	Meiners	Molendorp
Morris	Munzlinger	Nance	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson

Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schupp	Self
Shively	Silvey	Skaggs	Smith 150	Spreng
Storch	Stream	Sutherland	Swinger	Thomson
Todd	Tracy	Viebrock	Vogt	Wallace
Walsh	Walton Gray	Wasson	Webb	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Zerr
Zimmerman	Mr Speaker			

NOES: 004

Burnett	Still	Talboy	Webber
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PRESENT: 000

ABSENT WITH LEAVE: 012

Calloway	Colona	Emery	Hoskins 80	Kuessner
Low	Meadows	Nasheed	Schoemehl	Smith 14
Stevenson	Tilley			

## **HOUSE RESOLUTION**

Representative Icet offered House Resolution No. 391.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 388 through House Resolution No. 390  
House Resolution No. 392 through House Resolution No. 397

## **HOUSE CONCURRENT RESOLUTION**

Representative Wilson (130), et al., offered House Concurrent Resolution No. 24.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 26** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 601** through **HB 632** were read the second time.

## **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 630** - Special Standing Committee on General Laws

## INTRODUCTION OF HOUSE BILLS

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

**HB 633**, introduced by Representatives LeVota, Talboy, Zimmerman, Yaeger, Aull, Scavuzzo, Schieffer, Brown (73), Norr, Calloway, Grill, Kander, Webber, Shively, Oxford, Schupp, Roorda, Fallert, Witte, Holsman, Walton Gray, Still, Harris, Liese, Kuessner and Atkins, relating to campaign contributions.

**HB 634**, introduced by Representatives Holsman, Storch, Carter, LeVota, Oxford, Atkins, Talboy, Grill, Schaaf, McGhee, Lampe, Jones (63), Roorda, Pace, Grisamore, Walton Gray, Kratky, Low, Schieffer and Kirkton, relating to medical assistance benefits.

**HB 635**, introduced by Representatives Holsman, Oxford, Lampe, Low, LeVota, Carter, Morris, Jones (63), Talboy, Roorda, Kirkton, Atkins, Walton Gray, Schieffer and LeBlanc, relating to universal health insurance coverage for all children.

**HB 636**, introduced by Representatives Holsman, Talboy, Atkins, Oxford, Low and Walton Gray, relating to the persistence to graduation fund.

**HB 637**, introduced by Representatives Holsman, Low, Talboy, Atkins, Oxford and Roorda, relating to school class size.

**HB 638**, introduced by Representatives Holsman, Grill, LeVota and Atkins, relating to candidate filing periods.

**HB 639**, introduced by Representatives Holsman, Low, Fallert, LeVota, Fischer (107), Schoeller, Englund, Talboy, Flook, Atkins, Grill, Roorda, Webber, Colona, Walton Gray and Oxford, relating to the solar and wind initiative program.

**HB 640**, introduced by Representatives Holsman, Flook, Oxford, Walton Gray, Roorda and Low, relating to tobacco paraphernalia.

**HB 641**, introduced by Representatives Holsman, Roorda, Atkins, Colona, Flook, Englund, Talboy, Low, Schoeller, Walton Gray, Oxford, Fischer (107) and Grill, relating to an income tax deduction for alternative energy sources.

**HB 642**, introduced by Representatives Sutherland, Englund, Grisamore, Grill, Low, Zimmerman and Kirkton, relating to public roadways.

**HB 643**, introduced by Representative Kander, relating to campaign finance disclosures.

**HB 644**, introduced by Representative Wilson (130), relating to salvage vehicles.

**HB 645**, introduced by Representatives Munzlinger, Ruzicka and Jones (117), relating to authorization to carry concealed firearms.

**HB 646**, introduced by Representatives Kraus, Dieckhaus, Yates, Dusenberg, Day, Flook, Diehl, Jones (89), Molendorp, Koenig and Ruestman, relating to Missouri dependency exemptions.

**HB 647**, introduced by Representatives Schaaf and Scharnhorst, relating to HVAC Services.

**HB 648**, introduced by Representatives Yates, Zimmerman, Dusenberg, LeVota, Nance, Storch, Brown (30), Harris, Molendorp, Still, Lipke, Grill, Kraus, Brown (73), Englund, Fischer (107) and Kander, relating to ethics violations.

**HB 649**, introduced by Representatives Webber, Still, Talboy, Aull, Kander, Quinn, Kirkton, Schupp, Zimmerman, Bringer, Walsh, Curls, Komo, Skaggs, Englund, LeVota, Biermann and Kelly, relating to delivery and counting of absentee ballots.

**HB 650**, introduced by Representatives Meadows, Walsh, Quinn, Kander, Roorda, Yaeger, Fallert, Liese, Schieffer, Kratky, Englund, Schoemehl, Corcoran, Casey, Low, Wildberger, Denison, Webber, Dougherty, McDonald, Holsman, Frame, Kuessner, Faith, Atkins and Flook, relating to the regulation of contract carriers that transport railroad employees.

**HB 651**, introduced by Representatives Meadows and Low, relating to the posting of nurse staffing levels at hospitals.

**HB 652**, introduced by Representative Pratt, relating to the definition of certified mail.

### **WITHDRAWAL OF HOUSE BILL**

February 5, 2009

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

Dear Mr. Crumbliss:

I respectfully request withdrawal of **House Bill No. 582** relating to discrimination based on a person's sexual orientation.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

The following members' presence was noted: Calloway, Colona, Hoskins (80), Low, Meadows, Nasheed, Schoemehl, Smith (14) and Stevenson.

**ADJOURNMENT**

On motion of Representative Self, the House adjourned until 10:00 a.m., Tuesday, February 10, 2009.

**COMMITTEE MEETINGS**

**AGRI-BUSINESS**

Tuesday, February 10, 2009, 8:30 a.m. Hearing Room 4.  
Presentation by commodity groups.

**APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 10, 2009, 2:00 p.m. Hearing Room 4.  
Continuation of Department of Agriculture overview and Governor's recommendations.

**APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 11, 2009, 5:15 p.m. Hearing Room 3.  
Continuation of Department of Agriculture and Governor's recommendations if necessary.  
Department of Natural Resources overview and Governor's recommendations. CANCELLED

**APPROPRIATIONS - EDUCATION**

Tuesday, February 10, 2009, 2:00 p.m. Hearing Room 1.  
Department of Elementary and Secondary Education budget presentation continued.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 3.  
Budgets to be reviewed: Statewide Leasing, Office of Administration, Public Debt, Office of Administration employee benefits.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 11, 2009, 12:15 p.m. Hearing Room 3.  
Budgets reviewed: Statewide Leasing (continued),  
Office of Administration, Public Debt (continued),  
Office of Administration, employee benefits (continued),  
Office of Administration budget presentation,  
Department of Revenue's budget presentation

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 10, 2009, 2:00 p.m. Hearing Room 5.  
Department of Mental Health overview and  
Department of Health and Senior Services overview. AMENDED

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 11, 2009, 2:00 p.m. Hearing Room 5.  
Department of Health and Senior Services overview and  
Department of Social Services overview. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 12, 2009, 8:00 a.m. Hearing Room 5.

Continuation of the Department of Social Services overview. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 10, 2009, 2:00 p.m. Hearing Room 3.

Public Safety and Corrections budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2009, 2:00 p.m. Hearing Room 6.

Public Safety and Corrections budget presentation. CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 10, 2009, 8:00 a.m. Hearing Room 3.

Department of Economic Development budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 10, 2009, Hearing Room 7 upon adjournment or 2:00 p.m., whichever is later.

Departments of Insurance, Labor and Industrial Relations budget presentations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 11, 2009, Hearing Room 7 upon adjournment or 2:00 p.m., whichever is later.

Public testimony from innovation centers.

Department of Transportation budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 17, 2009, 8:00 a.m. Hearing Room 3.

Discuss Departments of Transportation, Labor and Industrial Relations Governor's recommendations.

New decision items and core budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 17, 2009, Hearing Room 7 upon adjournment or 2:00 p.m., whichever is later.

Continued from morning, if needed - same agenda.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 18, 2009, Hearing Room 7 upon adjournment or 2:00 p.m., whichever is later.

Discuss Department of Economic Development and

Department of Insurance Governor's recommendations.

New decision items and core budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 24, 2009, 8:00 a.m. Hearing Room 3.

Discuss report.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 24, 2009, Hearing Room 7 upon adjournment or 2:00 p.m., whichever is later.  
Continued from morning, if needed - same agenda.

Discuss report.

**BUDGET**

Wednesday, February 11, 2009, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 23

**CRIME PREVENTION**

Wednesday, February 11, 2009, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 167, HB 260, HB 131, HB 105, HB 106

**ELECTIONS**

Tuesday, February 10, 2009, 8:00 a.m. Hearing Room 5. AMENDED

Public hearings to be held on: HB 173, HJR 13

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 11, 2009, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 236, HB 290, HB 456

**ENERGY AND ENVIRONMENT**

Tuesday, February 10, 2009, 8:00 a.m. Hearing Room 1.

Possible Executive session. CORRECTED

Public hearing to be held on: HB 109

**HEALTH CARE POLICY**

Wednesday, February 11, 2009, 12:00 p.m. Hearing Room 6.

Tobacco prevention strategies.

**HEALTHCARE TRANSFORMATION**

Tuesday, February 10, 2009, 5:00 p.m. Hearing Room 5.

Executive session may or may not follow.

We may hear testimony on the low wage trap. AMENDED

Public hearings to be held on: HB 293, HB 95, HB 459

**HIGHER EDUCATION**

Tuesday, February 10, 2009, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 247

**INTERNATIONAL TRADE AND IMMIGRATION**

Wednesday, February 11, 2009, 5:00 p.m. Hearing Room 7.

Presentations by Chris Gutierrez, President, Kansas City SmartPort, Inc. and

Dan Mehan, Missouri Chamber of Commerce and Industry reporting on China Hub Commission.

**JOB CREATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 10, 2009, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 240, HB 313, HB 507, HB 575

**LOCAL GOVERNMENT**

Wednesday, February 11, 2009, 8:30 a.m. Hearing Room 7.

This meeting is scheduled from 8:30 a.m. - 9:30 a.m.

Public hearing to be held on: HB 321

**PUBLIC SAFETY**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 204, HB 291, HB 580

**REAL ID AND PERSONAL PRIVACY**

Tuesday, February 10, 2009, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 13, HB 361, HB 53

**RETIREMENT**

Thursday, February 12, 2009, 8:00 a.m. Hearing Room 1.

Educational meeting.

Executive session may follow.

**RULES - PURSUANT TO RULE 25(32)(f)**

Tuesday, February 10, 2009, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 96 w/HCS

**RURAL COMMUNITY DEVELOPMENT**

Tuesday, February 10, 2009, House Chamber south gallery upon morning adjournment.

Executive session. AMENDED

**SPECIAL STANDING COMMITTEE ON CHILDREN AND FAMILIES**

Wednesday, February 11, 2009, 8:00 a.m. Hearing Room 1.

Executive session may follow

Public hearings to be held on: HB 46, HB 434

**SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN ANIMAL AGRICULTURE**

Tuesday, February 10, 2009, 5:00 p.m. Hearing Room 1.

Public hearings to be held on: HCR 4, HB 251, HB 568

Executive session may be held on: HB 176

**SPECIAL STANDING COMMITTEE ON GENERAL LAWS**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 158, HB 170, HB 316

**SPECIAL STANDING COMMITTEE ON HEALTH INSURANCE**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearing to be held on: HB 522

**SPECIAL STANDING COMMITTEE ON INFRASTRUCTURE AND TRANSPORTATION FUNDING**

Tuesday, February 10, 2009, 5:00 p.m. Hearing Room 4.

Executive session only.

Executive session will be held on: HB 215, HB 271, HB 359

**TAX REFORM**

Wednesday, February 11, 2009, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 494

**TRANSPORTATION**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 253, HB 269, HB 349, HB 358, HB 380

**UTILITIES**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 1.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 554

**VETERANS**

Tuesday, February 10, 2009, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 400, HB 427, HB 566, HB 82, HB 503

**HOUSE CALENDAR**

NINETEENTH DAY, TUESDAY, FEBRUARY 10, 2009

**HOUSE BILLS FOR SECOND READING**

HB 633 through HB 652

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/03/09)

HB 111 w/HCS - Day

**HOUSE RESOLUTIONS**

HRs 294 & 212 w/HCS, (2-05-09, Pages 261-262) - Dixon