

# JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

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TWENTIETH DAY, WEDNESDAY, FEBRUARY 11, 2009

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend Phillip McClendon, Calvary Baptist Church, Joplin, MO.

Our Father, we praise You for Your love that embraces us and gives us security, Your joy that uplifts us and gives us resiliency, Your peace that floods our hearts and gives us calmness, Your Spirit that fills us and gives us strength and fortitude.

Guide us, Lord, so we can maximize the hours of this week. Help us to think clearly without confusion, to speak without resentment, to debate without division and to decide courageously without strife. May our speech honor You and deal with issues and not personalities. Grant these representatives Your grace to work this week as the honorable men and women who love You and count it a high privilege to serve, as leaders of our beloved Nation. 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: Kaylee Marie Scrivner, Wilber Song, Eric Pasewark, Josh Bressler, Oliver Reed, Alyssa Seidel, Kade Franks, Josh Paulson, Louie Edelen and Tucker Dyke.

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

AYES: 092

Allen	Brandom	Brown 149	Bruns	Burlison
Cooper	Corcoran	Cox	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Ervin
Faith	Fisher 125	Flanigan	Flook	Franz
Funderburk	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 80	Hoskins 121	Ice	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kratky
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Meiners	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	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: 065

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Curls	El-Amin	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kuessner
Lampe	LeBlanc	LeVota	Liese	McClanahan
McDonald	McNeil	Meadows	Morris	Norr
Pace	Quinn	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Skaggs
Spreng	Still	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webb
Webber	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Bivins	Brown 30	Cunningham	Davis	Low
Oxford				

Speaker Pro Tem Pratt assumed the Chair.

### **SPECIAL RECOGNITION**

The University of Missouri Women's Soccer Team was introduced by Representative Still and recognized for attaining the 2008 Big 12 Tournament Championship.

### **HOUSE RESOLUTIONS**

Representative Schoemehl offered House Resolution No. 514.  
Representative Jones (117) offered House Resolution No. 515.

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

House Resolution No. 433 through House Resolution No. 513  
House Resolution No. 516 through House Resolution No. 541

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

**HJR 27** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 653** through **HB 669** were read the second time.

**HOUSE RESOLUTION**

**HRs 294 & 212, with HCS, pending**, relating to the Freedom of Choice Act, was taken up by Representative Dixon.

Representative Munzlinger assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Dixon, **HCS HRs 294 & 212** was adopted by the following vote:

AYES: 116

Allen	Aull	Biermann	Brandom	Bringer
Brown 30	Brown 149	Bruns	Burlison	Casey
Cooper	Cox	Cunningham	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Hoskins 121	Hummel	Icet	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kratky
Kraus	Kuessner	Lair	Largent	Leara
Liese	Lipke	Loehner	McClanahan	McGhee
McNary	Meadows	Meiners	Molendorp	Munzlinger
Nance	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Zerr
Mr Speaker				

NOES: 040

Atkins	Brown 50	Brown 73	Burnett	Calloway
Carter	Chappelle-Nadal	Corcoran	Curls	El-Amin
Frame	Holsman	Hoskins 80	Hughes	Jones 63
Kander	Kelly	Kirkton	Komo	Lampe
LeBlanc	LeVota	Low	McDonald	McNeil
Morris	Nasheed	Norr	Oxford	Pace
Schupp	Skaggs	Still	Storch	Talboy
Vogt	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 002

Englund Grill

ABSENT WITH LEAVE: 005

Bivins Colona Roorda Salva Wildberger

## COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Wallace reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 242**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 289**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Committee on Healthcare Transformation, to which was referred **HB 286**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

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

**HJR 28**, introduced by Representatives Emery, Nieves, Ruestman, Parkinson, Nance, Schoeller and Viebrock, relating to impeachment trials.

## INTRODUCTION OF HOUSE BILLS

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

**HB 670**, introduced by Representative Witte, relating to eligibility of voters.

**HB 671**, introduced by Representatives Lair, Fisher (125), Brown (149), Dieckhaus, Koenig, Tracy, Ruestman, Zerr, Allen, Schaaf, Brown (50), Jones (89), Day, Tilley, Faith, Flanigan, Smith (150), Hobbs, Nance, Bruns, Nieves, Dougherty and Norr, relating to bingo.

**HB 672**, introduced by Representatives Low, LeVota, Frame, Yaeger, Oxford and Lampe, relating to prohibited acts by appointed public officials.

**HB 673**, introduced by Representatives Low, LeVota, Kander, Kratky, Yaeger, Walton Gray and Oxford, relating to motor vehicle windshield stickers.

**HB 674**, introduced by Representatives Low, El-Amin, LeVota, Yaeger, Walton Gray, Oxford and Morris, relating to compensation for wrongful imprisonment.

**HB 675**, introduced by Representatives Low, Oxford, LeVota, Kuessner, Yaeger, Kelly, Frame, Hughes and Morris, relating to corporate tax disclosures.

**HB 676**, introduced by Representatives Low, LeVota, Kander, Yaeger, Oxford and Morris, relating to a tax credit for service as a poll worker.

**HB 677**, introduced by Representative Viebrock, relating to special license plates.

**HB 678**, introduced by Representative Wasson, relating to the designation of Silver Star Families of America Day in Missouri.

**HB 679**, introduced by Representative Wasson, relating to practicing dentistry with a limited license.

**HB 680**, introduced by Representatives Shively, Quinn, Schieffer, Kuessner, Scavuzzo, Todd, Atkins and Hodges, relating to private investigations for farm commodities.

**HB 681**, introduced by Representatives Smith (150), Richard, Nieves, Pratt, Icet, Ruestman, Scharnhorst, Parkinson, Jones (89), Dieckhaus, Burlison, Kingery, Zerr, Koenig, Ruzicka, Franz, Loehner, Schad, Nance, Bandom, Wood, Gatschenberger, Leara, Hoskins (121), Largent, Allen, Thomson, Deeken, Funderburk, Wilson (119), Jones (117), Wells, Day, Brown (149), Lair, Silvey, Diehl, Faith, Keeney, Cox, Dugger, Fisher (125), Pollock, Munzlinger, Kraus and Tilley, relating to vacancies in certain statewide offices.

**HB 682**, introduced by Representatives Swinger, Wallace, Shively, Scavuzzo, Todd, Aull, Dusenberg, Kingery, Dieckhaus, McNary, Schad, Hughes, Stream, Kuessner, Wood, Wilson (119), LeVota, Roorda, Lampe, Tilley, Grisamore, Thomson, Weter, Pollock, Molendorp, Bandom, Wells, Bruns, Dethrow, Fallert, Meadows, Schupp, Yaeger, Schoemehl, Fischer (107), Brown (50), Atkins, Morris, Oxford, Norr, McDonald, Jones (63), Englund, Schieffer, LeBlanc, Liese, Biermann, Meiners, McClanahan, Calloway, Still, Kander, Webber, Burnett, Skaggs, Bringer, Witte, Holsman, Jones (117), Schoeller, Lair, Munzlinger, Hodges, McNeil, Pace, Cooper and Kraus, relating to loss of attendance due to inclement weather.

**HB 683**, introduced by Representatives Schieffer, Dixon, Wright, Webb, Englund, Holsman, Faith, Fallert, Aull, Kuessner, Wildberger, Rucker, McClanahan, Komo, Hodges, Meiners, Storch, Zimmerman, Harris, Fischer (107), Gatschenberger, Atkins, Casey, Tilley and Swinger, relating to temporary license plates.

**HB 684**, introduced by Representatives Gatschenberger, Kraus, Biermann, Parkinson, Scharnhorst, Zerr, Dieckhaus, Franz, Smith (150), Weter, Leara, Dugger, Allen, Ruestman, Smith (14), Cox, Largent, Icet, Pratt and Munzlinger, relating to property assessments.

**HB 685**, introduced by Representatives Jones (117), Parson, Wells, Nance, Molendorp, Jones (89), Davis, Keeney, Schad and Hobbs, relating to serving search warrants for certain traffic-related offenses.

**HB 686**, introduced by Representative Bringer, relating to foster care tuition waivers.

**HB 687**, introduced by Representative Bringer, relating to campaign contributions.

**HB 688**, introduced by Representative Bringer, relating to lobbyist gifts.

**HB 689**, introduced by Representative Bringer, relating to background checks for teachers.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 12, 2009.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, February 12, 2009, 8:00 a.m. Hearing Room 6.

There will be a presentation by the University of Missouri Extension after the public hearing.

Public hearing to be held on: HB 44

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Monday, February 16, 2009, 1:00 p.m. Hearing Room 5.

Department of Natural Resources overview and Governor's recommendations. CORRECTED

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

Monday, February 16, 2009, 1:00 p.m. Hearing Room 6.

Department of Mental Health 2010 budget review.

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

Tuesday, February 17, 2009, 2:00 p.m. Hearing Room 5.

2010 budget review for the Department of Mental Health and

Department of Health and Senior Services.

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

Wednesday, February 18, 2009, 2:00 p.m. Hearing Room 5.

2010 budget review for the Department of Health and Senior Services and

Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2009, 8:00 a.m. Hearing Room 5.  
2010 budget review for the Department of Social Services.

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.

FISCAL REVIEW

Thursday, February 12, 2009, 8:30 a.m. House Chamber south gallery.  
All bills referred to committee.  
Executive session may follow. CANCELLED

RETIREMENT

Thursday, February 12, 2009, 8:00 a.m. Hearing Room 1.  
Educational meeting.  
Executive session may follow.

WAYS AND MEANS

Thursday, February 12, 2009, 8:30 a.m. Hearing Room 3.  
Possible Executive session.  
Public hearings to be held on: HB 299, HB 432, HB 545, HB 591

**HOUSE CALENDAR**

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 12, 2009

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 28

**HOUSE BILLS FOR SECOND READING**

HB 670 through HB 689

**HOUSE BILLS FOR PERFECTION**

HB 96 w/HCS - Wallace

**HOUSE BILLS FOR THIRD READING - CONSENT**

HCS HB 111 - Day