

JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 12, 2009

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(Today is the two hundredth birthday of Abraham Lincoln.
A prayer attributed to him will be our prayer this morning.
It applied to his day and is appropriate for ours also.)*

God bless our native land;
Firm may she ever stand
Through storm and night;
When the wild tempests rave,
O Ruler of wind and wave,
Thou Who art strong to save,
Be Thou her might!

For her our prayer shall be,
Our father's God, to Thee,
On Whom we wait;
Be her walls, holiness -
Her rulers righteousness,
In all her homes be peace,
God save the State!

Not for this land alone,
But be God's mercies shown
From shore to shore
And may the nations see
That men should brothers be,
And form one family
The wide-world o'er.

(Amen)

The Pledge of Allegiance to the flag was recited.

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

AYES: 156

Allen	Atkins	Aull	Biermann	Brandom
Brown 30	Brown 50	Brown 73	Brown 149	Bruns
Burlison	Calloway	Carter	Casey	Chappelle-Nadal

Colona	Cooper	Corcoran	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	El-Amin	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeBlanc	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McNary
McNeil	Meadows	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	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	Schoemehl	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webb	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Zerr	Zimmerman
Mr Speaker				

NOES: 005

Bringer	Burnett	Talboy	Vogt	Webber
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PRESENT: 000

ABSENT WITH LEAVE: 002

Bivins	McGhee
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HOUSE RESOLUTION

Representative Dethrow, et al., offered House Resolution No. 552.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 542 through House Resolution No. 551

House Resolution No. 553 through House Resolution No. 559

HOUSE CONCURRENT RESOLUTIONS

Representative Schlottach offered House Concurrent Resolution No. 26.

Representative Curls offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 28 was read the second time.

SECOND READING OF HOUSE BILLS

HB 670 through **HB 689** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 9** - Elections
- HJR 10** - Special Standing Committee on General Laws
- HJR 19** - Elections
- HJR 22** - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 27** - Veterans
- HB 33** - Public Safety
- HB 42** - Special Standing Committee on Children and Families
- HB 45** - Senior Citizen Advocacy
- HB 50** - Special Standing Committee on Health Insurance
- HB 59** - Elections
- HB 68** - Ways and Means
- HB 76** - Health Care Policy
- HB 79** - Health Care Policy
- HB 84** - Special Standing Committee on General Laws
- HB 89** - Special Standing Committee on Urban Issues
- HB 110** - Ways and Means
- HB 115** - Elections
- HB 125** - Retirement
- HB 128** - Tourism
- HB 129** - Financial Institutions
- HB 160** - Crime Prevention
- HB 194** - Judiciary
- HB 206** - Small Business
- HB 207** - Local Government
- HB 208** - State Parks and Waterways
- HB 248** - Tax Reform
- HB 257** - Local Government
- HB 276** - Corrections and Public Institutions
- HB 278** - Transportation
- HB 295** - Special Standing Committee on Workforce Development and Workplace Safety

- HB 296** - Special Standing Committee on Children and Families
- HB 298** - Health Care Policy
- HB 302** - Agri-Business
- HB 328** - Local Government
- HB 337** - Crime Prevention
- HB 339** - Corrections and Public Institutions
- HB 340** - Tourism
- HB 342** - Health Care Policy
- HB 357** - Health Care Policy
- HB 360** - Special Standing Committee on Infrastructure and Transportation Funding
- HB 367** - Insurance Policy
- HB 372** - Healthcare Transformation
- HB 397** - Retirement
- HB 417** - Health Care Policy
- HB 421** - Elections
- HB 462** - Elections
- HB 466** - Elections
- HB 468** - Local Government
- HB 481** - Special Standing Committee on Workforce Development and Workplace Safety
- HB 482** - Judiciary
- HB 495** - Energy and Environment
- HB 499** - Elections
- HB 506** - Homeland Security
- HB 515** - Higher Education
- HB 516** - Judiciary
- HB 525** - Health Care Policy
- HB 526** - Elementary and Secondary Education
- HB 527** - Ways and Means
- HB 528** - Ways and Means
- HB 532** - Special Standing Committee on Children and Families
- HB 533** - Health Care Policy
- HB 534** - Special Standing Committee on Emerging Issues in Animal Agriculture
- HB 536** - Special Standing Committee on Professional Registration and Licensing
- HB 542** - Elementary and Secondary Education
- HB 546** - Judiciary
- HB 550** - Real ID and Personal Privacy
- HB 551** - Elections
- HB 556** - Rural Community Development
- HB 569** - Health Care Policy
- HB 574** - Local Government
- HB 594** - Agriculture Policy
- HB 595** - Judiciary
- HB 596** - Elementary and Secondary Education
- HB 598** - Special Standing Committee on General Laws
- HB 599** - Job Creation and Economic Development
- HB 604** - Conservation and Natural Resources
- HB 607** - Special Standing Committee on Health Insurance

HB 608 - Small Business
HB 613 - Elections
HB 614 - Healthcare Transformation
HB 616 - Health Care Policy
HB 617 - Special Standing Committee on Emerging Issues in Animal Agriculture
HB 618 - Agri-Business
HB 627 - Veterans
HB 628 - Special Standing Committee on Professional Registration and Licensing
HB 631 - Higher Education
HB 632 - Agri-Business
HB 642 - Transportation
HB 644 - Transportation
HB 645 - Agri-Business
HB 651 - Health Care Policy
HB 652 - Judiciary
HB 661 - Conservation and Natural Resources
HB 662 - Homeland Security
HB 664 - Ways and Means

RE-REFERRAL OF HOUSE BILL

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

HB 267 - Special Standing Committee on General Laws

COMMITTEE REPORTS

Committee on Rural Community Development, Chairman Wilson (119) reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 65**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 86**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on General Laws, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Standing Committee on General Laws, to which was referred **HB 310**, 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.

INTRODUCTION OF HOUSE BILLS

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

HB 690, introduced by Representatives Funderburk, Munzlinger, Leara, Ruzicka, Hobbs, Jones (89), Parkinson, Fisher (125), Nieves, Schad, Dougherty, Guernsey, Zerr, Sander and Smith (14), relating to public firearms ranges.

HB 691, introduced by Representative Schaaf, relating to an impaired physician program.

HB 692, introduced by Representatives Pratt, Jones (89), Sutherland, Kelly, Webber, Gatschenberger, Tilley, McClanahan, Faith, Schlottach, Viebrock, Deeken, Munzlinger, Schoemehl, Still, Calloway, Dieckhaus, Zimmerman, Guernsey, Low and Burnett, relating to student curators.

HB 693, introduced by Representatives Biermann, Hummel, Zimmerman, Yaeger, Atkins, Schieffer, Walton Gray and Webber, relating to the A+ schools program.

HB 694, introduced by Representatives Cooper, Jones (117), Pollock, Schad and Self, relating to the twenty-sixth judicial circuit.

HB 695, introduced by Representatives Davis, Scharnhorst, Parkinson, Sander, Funderburk and Gatschenberger, relating to the joint committee on ballot statements.

HB 696, introduced by Representatives Davis, Nolte, Nieves, Dusenberg, Guernsey, Parkinson, Koenig, Funderburk, McGhee, Gatschenberger, Ruestman, Allen, Smith (14), Nance, Jones (117) and Munzlinger, relating to drivers' examinations.

HB 697, introduced by Representatives Cooper and Schaaf, relating to emergency management.

HB 698, introduced by Representatives Zimmerman, Atkins, Low, Munzlinger, Oxford, Yaeger, Roorda, Schaaf, Weter and Walton Gray, relating to donation receptacles.

HB 699, introduced by Representatives Zimmerman, Roorda, Kander, Meadows, Oxford, Pace, Tilley and Schoeller, relating to the Missouri sunshine law.

HB 700, introduced by Representatives Zimmerman, Norr, Walton Gray, Atkins, Brown (73), Corcoran, Englund, Grill, Hodges, Kelly, Low, McNeil, Meadows, Morris, Oxford, Pace, Schieffer, Schupp, Still, Talboy and Yaeger, relating to senior citizen homestead deferral of taxes.

HB 701, introduced by Representatives Talboy, Zimmerman, Webber, Still, Wildberger, Rucker, Low, Burnett, Hughes, Kander, Holsman, Brown (50), LeVota, Dougherty, El-Amin, Morris, Oxford, Nasheed, Carter, Jones (63), Storch, Vogt, Colona, Walsh, Pace, Calloway, Chappelle-Nadal, Brown (73), Webb, Atkins, Spreng, McNeil, Walton Gray, Schupp, Englund, Komo, Kirkton, Yaeger, Schoemehl, Casey, Hummel, Norr, LeBlanc, Meadows, Fallert, Curls, Lampe, Liese, Meiners, Kratky, Hoskins (80), Corcoran, Grill and McDonald, relating to discrimination based on sexual orientation.

HB 702, introduced by Representative Flook, relating to municipal technology business facility projects.

HB 703, introduced by Representatives Jones (89), Storch, Tilley, Scharnhorst, Nieves and Calloway, relating to motor vehicle sales taxes.

HB 704, introduced by Representative Hoskins (80), relating to a tax credit for personal property taxes paid on motor vehicles.

HB 705, introduced by Representatives Brown (149), Guernsey, Franz, Schlottach, Denison, Lair, Wells, Flanigan, Smith (150) and Schad, relating to the practice of veterinary medicine.

HB 706, introduced by Representatives Brown (149), Munzlinger, Lair, Wells, Schlottach, Flanigan, Smith (150) and Schad, relating to the show-me milk credit.

HB 707, introduced by Representatives Wilson (130) and Bruns, relating to long-term care facilities.

HB 708, introduced by Representative Tracy, relating to an income tax exemption for MO HealthNet reimbursements.

HB 709, introduced by Representatives Dusenberg, Jones (89), Yates, Allen and Gatschenberger, relating to voter identification.

HB 710, introduced by Representatives Flanigan and Stevenson, relating to transient guest taxes.

HB 711, introduced by Representatives Curls, Talboy and Atkins, relating to residential construction disclosure forms.

HB 712, introduced by Representatives Curls and Talboy, relating to tax increment financing projects.

HB 713, introduced by Representatives Curls and Talboy, relating to recording fees.

HB 714, introduced by Representative Curls, relating to mortgages.

HB 715, introduced by Representative Bringer, relating to the telemarketing no-call list.

HB 716, introduced by Representatives Todd, Casey, Roorda, Cooper, Rucker, Scavuzzo, Kuessner, Schlottach, Quinn, Wilson (119), Scharnhorst, Wright, Stream, Schoemehl, Kratky, Schupp, Kirkton, Shively, Schieffer, Hodges, Walton Gray, Pace, Calloway, Still, Sander, Witte, Harris, Oxford, Wildberger, McGhee, Atkins, Kander, Norr, Yaeger, Meiners, Carter, Meadows and Brown (73), relating to newborn screenings.

COMMITTEE CHANGES

February 12, 2009

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

Dear Mr. Crumbliss:

I hereby remove Representative Terry Swinger from the Special Standing Committee on Workforce Development and Workplace Safety and I hereby appoint Representative Jacob Hummel to the Special Standing Committee on Workforce Development and Workplace Safety.

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

Sincerely,

/s/ Ron Richard
Speaker

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 16, 2009.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, February 17, 2009, 2:00 p.m. Hearing Room 6.
Organizational meeting.
Discuss yearly resolutions.

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 - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 17, 2009, 2:00 p.m. Hearing Room 4.
Continuation of Department of Natural Resources overview and Governor's recommendations.

APPROPRIATIONS - EDUCATION

Tuesday, February 17, 2009, 2:00 p.m. Hearing Room 1.
Department of Higher Education budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 17, 2009, 12:00 p.m. Hearing Room 3.
Budgets to be reviewed: Judiciary and Office of Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 18, 2009, 12:00 p.m. Hearing Room 3.
Budgets to be reviewed: Statewide Elected Officials, General Assembly,
Judiciary continued, Public Defender continued.
Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

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

CORRECTIONS AND PUBLIC INSTITUTIONS

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

Executive session may follow.

Public hearings to be held on: HB 282, HB 544, HB 211, HB 537

ENERGY AND ENVIRONMENT

Tuesday, February 17, 2009, 8:30 a.m. Hearing Room 1.

Executive session only.

HEALTHCARE TRANSFORMATION

Tuesday, February 17, 2009, 5:00 p.m. Hearing Room 6.

We will have speakers on the low wage trap.

Executive session may or may not follow. AMENDED

Public hearings to be held on: HB 372, HB 614

HIGHER EDUCATION

Tuesday, February 17, 2009, 8:00 a.m. Hearing Room 6.

Public hearing to be held on: HB 498

Executive session will be held on: HB 247

HOMELAND SECURITY

Monday, February 16, 2009, 5:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 124, HB 39, HB 320, HB 662, HB 506

JOINT COMMITTEE ON TAX POLICY

Tuesday, February 17, 2009, 8:30 a.m. Senate Lounge.

Discussions on: Low Income Housing Tax Credit and

TIF report from the Department of Economic Development.

PUBLIC SAFETY

Tuesday, February 17, 2009, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 26, HB 202, HB 447

RETIREMENT

Thursday, February 19, 2009, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 265, HB 477, HB 478

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

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

Executive session may follow.

Public hearings to be held on: HB 65, HB 242 w/HCS,
HB 286 w/HCS, HB 289, HB 310 w/HCS, HB 86

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 17, 2009, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 234, HB 283

SPECIAL STANDING COMMITTEE ON HEALTH INSURANCE

Tuesday, February 17, 2009, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 61, HB 218, HB 229

TRANSPORTATION

Tuesday, February 17, 2009, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 41, HB 539, HB 165

UTILITIES

Tuesday, February 17, 2009, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 554

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 16, 2009

HOUSE BILLS FOR SECOND READING

HB 690 through HB 716

HOUSE BILLS FOR PERFECTION

HB 96 w/HCS - Wallace

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HB 111 - Day