

# JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

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THIRTY-THIRD DAY, THURSDAY, MARCH 5, 2009

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Msgr. Robert A. Kurwicki.

God, Creator and Redeemer of all the world, grant to us today as we begin another day in service to the people of our great state, renewed purpose, greater energy and bright illumination. Through our debates, decisions and votes, may our ambitions be focused on the unity and betterment of our state and people.

God, listen to our prayers during this time of economic stress, and in Your mercy, bring our nation and state into a place of peace and prosperity soon.

We ask this in Your Holy Name. 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: Dylan Graber and Sierra Graber.

The Journal of the thirty-second day was approved as printed.

## SPECIAL RECOGNITION

Christopher Haynes, Lieutenant in the United States Army, was introduced by Representative Meiners and recognized as an Outstanding Missourian.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 892 through House Resolution No. 992

## HOUSE CONCURRENT RESOLUTIONS

Representative Meadows, et al., offered House Concurrent Resolution No. 36.  
Representative Loehner, et al., offered House Concurrent Resolution No. 37.

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 5** and **HB 13** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 935** through **HB 945** were read the second time.

**COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 82** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 580** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**PERFECTION OF HOUSE BILL**

**HCS HBs 46 & 434, as amended, with House Amendment No. 4, pending**, relating to abortions, was taken up by Representative Pratt.

Representative Lampe moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Atkins	Aull	Brown 73	Burnett	Calloway
Carter	Chappelle-Nadal	Colona	Corcoran	Curls
Englund	Frame	Grill	Holsman	Hoskins 80
Hughes	Hummel	Jones 63	Kander	Kelly
Kirkton	Komo	Kratky	Kuessner	Lampe
LeBlanc	LeVota	Low	McClanahan	McDonald
McNeil	Morris	Nasheed	Norr	Oxford
Pace	Roorda	Rucker	Schupp	Skaggs
Still	Storch	Talboy	Vogt	Wallace
Walton Gray	Webber	Wildberger	Yaeger	Zimmerman

NOES: 104

Allen	Biermann	Bivins	Brandom	Bringer
Brown 30	Brown 149	Bruns	Burlison	Casey
Cooper	Cox	Cunningham	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Emery	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Liese	Lipke	Loehner	McNary
Meadows	Molendorp	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Ruestman	Ruzicka	Salva

Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wells	Wilson 119	Wilson 130	Witte	Wood
Wright	Yates	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Dusenberg	El-Amin	McGhee	Meiners
Walsh	Wasson	Webb	Weter	

Representative Kelly offered **House Amendment No. 5**.

Representative Diehl raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Calloway offered **House Amendment No. 6**.

Representative Pratt raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Schupp offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 46 & 434, Section 188.027, Page 6, Line 188, by inserting after the word “**worker**,” the words “**or other health care professional**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

Representative Schupp moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Zimmerman offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill Nos. 46 & 434, Section 188.027, Page 3, Lines 54 - 69, by deleting all of said lines; and

Further amend said section, Page 7, Line 224, by inserting after all of said section the following:

**“13. The physician who is to perform or induce the abortion or a qualified professional shall provide the woman with the opportunity to view an active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The woman shall be provided with a geographically indexed list maintained by the department of health and senior services of health care providers, facilities, and clinics that perform ultrasounds, including those that offer ultrasound services free of charge. Such materials shall provide contact information for each provider, facility, or clinic including telephone numbers and, if available, web site addresses. Should the woman decide to obtain an ultrasound from a provider, facility, or clinic other than the abortion facility, the woman shall be offered a reasonable time to obtain the ultrasound examination before the date and time set for performing or inducing an abortion. The person conducting the ultrasound shall ensure that the active ultrasound image is of a quality consistent with standard medical practice in the community, contains the dimensions of the unborn child, and accurately portrays the presence of external members and internal organs, if present or viewable, of the unborn child. The auscultation of fetal heart tone must also be of a quality consistent with standard medical practice in the community.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 8.**

Representative Pratt raised points of order that **House Amendment No. 1 to House Amendment No. 8** is improperly drafted and goes beyond the scope of the underlying amendment.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the second point of order well taken.

Representative Zimmerman moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following:

AYES: 044

Atkins	Aull	Brown 73	Burnett	Calloway
Carter	Chappelle-Nadal	Colona	Corcoran	Curls
Englund	Frame	Holsman	Hoskins 80	Hughes
Jones 63	Kander	Kelly	Kirkton	Komo
Lampe	LeBlanc	LeVota	Low	McClanahan
McDonald	McNeil	Morris	Nasheed	Norr
Oxford	Pace	Rucker	Schupp	Skaggs
Still	Storch	Talboy	Vogt	Walton Gray
Webber	Witte	Yaeger	Zimmerman	

NOES: 111

Allen	Biermann	Bivins	Brandom	Bringer
Brown 30	Brown 149	Bruns	Burlison	Casey
Cooper	Cox	Cunningham	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl

Dixon	Dougherty	Dugger	Emery	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flanigan
Flook	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Hoskins 121	Hummel	Ice	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kratky
Kraus	Kuessner	Lair	Largent	Leara
Liese	Lipke	Loehner	McNary	Meadows
Meiners	Molendorp	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright	Yates	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Dusenberg	El-Amin	McGhee	Roorda
Spreng	Webb	Wildberger		

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Biermann	Bivins	Brandom	Bringer
Brown 30	Brown 149	Bruns	Burlison	Cooper
Cox	Cunningham	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Emery	Ervin	Faith
Fisher 125	Flanigan	Flook	Franz	Funderburk
Gatschenberger	Grisamore	Guernsey	Guest	Harris
Hobbs	Hoskins 121	Ice	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kratky	Kraus
Lair	Largent	Leara	Lipke	Loehner
McNary	Meadows	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Schoemehl
Self	Shively	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		

476 *Journal of the House*

NOES: 060

Atkins	Aull	Brown 73	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Corcoran
Curls	Englund	Fallert	Fischer 107	Frame
Grill	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Jones 63	Kander	Kelly	Kirkton
Komo	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Norr	Oxford	Pace
Roorda	Rucker	Salva	Schieffer	Schupp
Skaggs	Spreng	Still	Storch	Swinger
Talboy	Todd	Vogt	Walsh	Walton Gray
Webber	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Dusenberg	El-Amin	McGhee	Webb
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On motion of Representative Pratt, **HCS HBs 46 & 434, as amended**, was adopted by the following vote:

AYES: 115

Allen	Aull	Biermann	Bivins	Brandom
Bringer	Brown 30	Brown 149	Bruns	Burlison
Casey	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Emery
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grill	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	McNary
Meadows	Meiners	Molendorp	Munzlinger	Nance
Nieves	Nolte	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Rucker	Ruestman
Ruzicka	Salva	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	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Zerr	Mr Speaker

NOES: 041

Atkins	Brown 73	Burnett	Calloway	Carter
Chappelle-Nadal	Colona	Corcoran	Curls	Englund
Frame	Holsman	Hoskins 80	Hughes	Jones 63
Kander	Kelly	Kirkton	Komo	Lampe
LeBlanc	LeVota	Low	McClanahan	McDonald

McNeil	Morris	Nasheed	Norr	Oxford
Pace	Schupp	Skaggs	Still	Storch
Talboy	Vogt	Walton Gray	Webber	Wildberger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Dusenberg	El-Amin	McGhee	Roorda
Walsh	Webb			

Speaker Richard resumed the Chair.

Representative Jones (89) resumed the Chair.

On motion of Representative Pratt, **HCS HBs 46 & 434, as amended**, was ordered perfected and printed by the following vote:

AYES: 115

Allen	Aull	Biermann	Bivins	Brandom
Bringer	Brown 30	Brown 149	Bruns	Burlison
Casey	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Emery
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grill	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	McNary
Meadows	Meiners	Molendorp	Munzlinger	Nance
Nieves	Nolte	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Rucker	Ruestman
Ruzicka	Salva	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	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Zerr	Mr Speaker

NOES: 041

Atkins	Brown 73	Burnett	Calloway	Carter
Chappelle-Nadal	Colona	Corcoran	Curls	Englund
Frame	Holsman	Hoskins 80	Hughes	Jones 63
Kander	Kelly	Kirkton	Komo	Lampe
LeBlanc	LeVota	Low	McClanahan	McDonald
McNeil	Morris	Nasheed	Norr	Oxford

Pace	Schupp	Skaggs	Still	Storch
Talboy	Vogt	Walton Gray	Webber	Wildberger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Dusenberg	El-Amin	McGhee	Roorda
Walsh	Webb			

Representative LeVota requested a verification of the roll call on the motion to perfect **HCS HBs 46 & 434, as amended.**

### THIRD READING OF HOUSE BILL - APPROPRIATIONS

**HCS HB 14**, relating to appropriations, was taken up by Representative Icet.

Representative Hobbs assumed the Chair.

Representative Jones (89) resumed the Chair.

On motion of Representative Icet, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 087

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Emery
Ervin	Faith	Fisher 125	Flanigan	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Icet	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	Loehner
McNary	Molendorp	Munzlinger	Nance	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	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: 070

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Corcoran	Curls	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo

Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Nasheed	Norr	Oxford
Pace	Quinn	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Schupp	Shively
Skaggs	Spreng	Still	Storch	Swinger
Talboy	Todd	Vogt	Walsh	Walton Gray
Webber	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty	Dusenberg	El-Amin	McGhee	Meadows
Webb				

Representative Jones (89) declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 580**, relating to the Line of Duty Compensation Act, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS HB 580** was read the third time and passed by the following vote:

AYES: 154

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 73
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	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	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
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	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
Talboy	Thomson	Tilley	Todd	Tracy

Viebrock	Vogt	Wallace	Walsh	Walton Gray
Wasson	Webber	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Zerr	Zimmerman	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Dougherty	Dusenberg	El-Amin	Ice	McGhee
Meadows	Rucker	Webb	Mr Speaker	

Representative Jones (89) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 73	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Dixon
Dugger	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	Ice	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
McDonald	McNary	McNeil	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	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Tracy	Viebrock	Vogt
Wallace	Walsh	Walton Gray	Wasson	Webber
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright	Yaeger	Yates
Zerr	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Diehl	Dougherty	Dusenberg	El-Amin
McClanahan	McGhee	Meadows	Stevenson	Webb

**HCS HB 82**, relating to credit for military benefits, was taken up by Representative Kraus.

On motion of Representative Kraus, **HCS HB 82** was read the third time and passed by the following vote:

AYES: 140

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 73
Brown 149	Bruns	Burlison	Carter	Casey
Chappelle-Nadal	Colona	Cooper	Corcoran	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Flanigan	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hughes	Hummel	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	McNary	McNeil	Meiners	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	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
Stevenson	Storch	Stream	Sutherland	Swinger
Todd	Tracy	Viebrock	Vogt	Wallace
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Zimmerman

NOES: 007

Burnett	Kuessner	Low	McDonald	Morris
Oxford	Talboy			

PRESENT: 001

Fisher 125

ABSENT WITH LEAVE: 015

Calloway	Cox	Dougherty	Dusenberg	El-Amin
Ice	McGhee	Meadows	Spreng	Still
Thomson	Tilley	Webb	Zerr	Mr Speaker

Representative Jones (89) declared the bill passed.

Representative Lipke assumed the Chair.

**HCS HB 310**, relating to liquor control, was taken up by Representative Jones (89).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Bivins	Brandom	Brown 30	Brown 149
Bruns	Burlison	Cooper	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Emery	Ervin
Faith	Fisher 125	Flanigan	Flook	Franz
Funderburk	Gatschenberger	Grisamore	Guernsey	Guest
Hoskins 121	Ice	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McNary	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	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: 067

Atkins	Aull	Biermann	Bringer	Brown 50
Brown 73	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schupp	Shively	Skaggs	Still
Storch	Swinger	Talboy	Todd	Vogt
Walsh	Walton Gray	Webber	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Corcoran	Cox	Dusenberg	El-Amin	Hobbs
McGhee	Meadows	Schoemehl	Spreng	Webb

On motion of Representative Jones (89), **HCS HB 310** was read the third time and passed by the following vote:

AYES: 119

Allen	Aull	Bivins	Brandom	Brown 30
Brown 50	Brown 73	Brown 149	Bruns	Burlison
Calloway	Carter	Chappelle-Nadal	Colona	Cooper
Corcoran	Cunningham	Curls	Day	Deeken
Denison	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Emery	Ervin	Faith	Fallert
Fisher 125	Flanigan	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Holsman	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Largent	Leara	LeBlanc
LeVota	Liese	Lipke	Loehner	Low
McNary	Meiners	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Parkinson	Parson
Pollock	Pratt	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Storch	Stream	Sutherland	Talboy	Thomson
Tilley	Tracy	Viebrock	Vogt	Wallace
Walsh	Wasson	Webber	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright
Yates	Zerr	Zimmerman	Mr Speaker	

NOES: 032

Atkins	Biermann	Bringer	Burnett	Casey
Davis	Dethrow	Englund	Fischer 107	Harris
Hodges	Hughes	Kirkton	Kuessner	McClanahan
McDonald	Morris	Oxford	Pace	Quinn
Schieffer	Schoemehl	Schupp	Shively	Skaggs
Stevenson	Still	Swinger	Todd	Walton Gray
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Dusenberg	El-Amin	Flook	Hobbs
Hoskins 80	McGhee	McNeil	Meadows	Molendorp
Spreng	Webb			

Representative Lipke declared the bill passed.

**HCS HB 459**, relating to the reimbursement for ambulance services, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 459** was read the third time and passed by the following vote:

AYES: 146

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 73
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Cooper
Corcoran	Cunningham	Curls	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Englund	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hodges	Holsman
Hoskins 80	Hoskins 121	Hughes	Hummel	Icet
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Komo	Kratky
Kuessner	Lair	Lampe	Largent	Leara
LeBlanc	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McNary	McNeil
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Tracy	Viebrock	Vogt
Wallace	Walsh	Walton Gray	Wasson	Webber
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright	Yaeger	Zerr
Mr Speaker				

NOES: 008

Davis	Emery	Ervin	Koenig	Kraus
Schoeller	Yates	Zimmerman		

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 008

Cox	Dusenberg	El-Amin	Hobbs	McGhee
Meadows	Still	Webb		

Representative Lipke declared the bill passed.

Speaker Pro Tem Pratt assumed the Chair.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

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

**HCR 34** - Public Safety

### **REFERRAL OF HOUSE JOINT RESOLUTION**

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

**HJR 26** - Ways and Means

### **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 1** - Budget  
**HB 2** - Budget  
**HB 3** - Budget  
**HB 4** - Budget  
**HB 5** - Budget  
**HB 6** - Budget  
**HB 7** - Budget  
**HB 8** - Budget  
**HB 9** - Budget  
**HB 12** - Budget  
**HB 13** - Budget

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 151** - Insurance Policy  
**HB 355** - Health Care Policy  
**HB 484** - Public Safety  
**HB 519** - Special Standing Committee on Health Insurance  
**HB 520** - Health Care Policy  
**HB 597** - Retirement  
**HB 611** - Special Standing Committee on Health Insurance  
**HB 622** - Judiciary  
**HB 626** - Elementary and Secondary Education  
**HB 634** - Healthcare Transformation  
**HB 657** - State Parks and Waterways  
**HB 683** - Transportation  
**HB 697** - Homeland Security

- HB 735** - Insurance Policy
- HB 752** - Transportation
- HB 777** - Insurance Policy
- HB 798** - Tax Reform
- HB 819** - Health Care Policy
- HB 825** - Special Standing Committee on General Laws
- HB 826** - Corrections and Public Institutions
- HB 829** - Elementary and Secondary Education
- HB 832** - Special Standing Committee on Children and Families
- HB 860** - Special Standing Committee on Health Insurance
- HB 866** - Special Standing Committee on Professional Registration and Licensing
- HB 873** - Elementary and Secondary Education
- HB 875** - Agri-Business
- HB 876** - Corrections and Public Institutions
- HB 878** - Energy and Environment
- HB 882** - Utilities
- HB 885** - Ways and Means
- HB 886** - Special Standing Committee on Health Insurance
- HB 888** - Ways and Means
- HB 891** - Healthcare Transformation
- HB 895** - Corrections and Public Institutions
- HB 896** - Energy and Environment
- HB 897** - Public Safety
- HB 898** - Utilities
- HB 900** - Health Care Policy
- HB 901** - Health Care Policy
- HB 902** - Local Government
- HB 906** - Transportation
- HB 909** - Corrections and Public Institutions
- HB 912** - Crime Prevention
- HB 915** - Agri-Business
- HB 916** - Special Standing Committee on Workforce Development and Workplace Safety
- HB 919** - Healthcare Transformation
- HB 922** - Elementary and Secondary Education
- HB 923** - Agri-Business
- HB 924** - Special Standing Committee on Professional Registration and Licensing
- HB 925** - Crime Prevention
- HB 926** - Public Safety
- HB 927** - Local Government
- HB 928** - Transportation
- HB 935** - Senior Citizen Advocacy
- HB 937** - Budget

## COMMITTEE REPORTS

### **Committee on Crime Prevention**, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention, to which was referred **HB 62**, 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.

### **Committee on Health Care Policy**, Chairman Cooper reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 357** and **HB 298**, 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 Health Care Policy, to which was referred **HB 716**, 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 Insurance Policy**, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 231**, 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.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 577**, 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.

### **Committee on Retirement**, Chairman Viebrock reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 210**, 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 Transportation**, Chairman Dixon reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 253**, 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.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 278**, 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.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 358**, 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.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 644**, 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.

**Special Standing Committee on Emerging Issues in Animal Agriculture**, Chairman Wright reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Animal Agriculture, to which was referred **HB 534** and **HB 568**, 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.

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

Mr. Speaker: Your Special Standing Committee on General Laws, to which was referred **HB 381**, 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 JOINT RESOLUTIONS**

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

**HJR 35**, introduced by Representative Cox, relating to elections.

**HJR 36**, introduced by Representative Emery, relating to fair taxation.

#### **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

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

**HB 10**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2009 and ending June 30, 2010.

**HB 11**, introduced by Representative Icet, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2009 and ending June 30, 2010.

#### **INTRODUCTION OF HOUSE BILLS**

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

**HB 946**, introduced by Representative Jones (89), relating to motor vehicle insurance adjustments.

**HB 947**, introduced by Representatives Leara and Schoemehl, relating to police retirement.

**HB 948**, introduced by Representatives Denison, Pollock, Kingery, Lair, Wilson (130), Dugger, Grisamore, Yates, Schoeller, Faith, Wells, Viebrock, Weter, Franz, Wilson (119), Wallace, Loehner, Gatschenberger, Leara, Allen, Parkinson, Chappelle-Nadal, Grill, Cunningham, Flanigan, Brown (149), Dixon, Bruns, Zerr, Fallert, Kelly, Funderburk, Nolte, Dieckhaus, Bivins, Nance, Self, Schieffer, Biermann, Skaggs, Frame, Curls, Kuessner, Norr, Casey, Holsman, Schoemehl, Storch, Carter, Colona, Kratky, Schupp, Hodges, Salva, Oxford, Brown (73), Walton Gray, Brown (50), Calloway, Pace, Shively, Silvey, Hobbs, Icet, Fischer (107), Schaaf, Wasson, Tracy, Stream, Largent, Burlison and Munzlinger, relating to motor vehicle windshield stickers.

**HB 949**, introduced by Representatives Gatschenberger, Zerr, Cox, Kingery, Riddle, Allen, Dieckhaus, Brown (149), Wilson (130), Pratt, Day, Bivins, Deeken, Tilley, Smith (14), Nieves, Schad, Smith (150), Faith, Weter, Loehner, Flook, Jones (89), Hoskins (121), Icet, Scharnhorst, Wood, Largent, Burlison, Guernsey, Brown (30), Stream, Sander, Flanigan, Cunningham, Parkinson, Ervin, Hobbs, Franz, Nolte, McNary, Dugger, Koenig, Yates and Denison, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**HB 950**, introduced by Representatives Oxford, Walsh, Nasheed, Harris, Scavuzzo, Frame, Komo, Corcoran, Atkins, Walton Gray, Pace, Yaeger, Morris, Curls, Lampe, Holsman, Schieffer, McGhee, Low, Aull, LeVota, Colona, Chappelle-Nadal, Kirkton, Jones (63), Rucker, Zimmerman, Storch, Norr, Carter, Schupp and Calloway, relating to caseload standards for certain state agencies.

**HB 951**, introduced by Representatives Oxford, Fallert, Nasheed, Walsh, Pace, Walton Gray, Yaeger, Morris, Curls, Atkins, Holsman, Schieffer, Low, Harris, Hughes, Hodges, Roorda, Aull, Carter and Calloway, relating solely to the creation of an earned income tax credit.

**HB 952**, introduced by Representative Sutherland, relating to a sales tax holiday.

**HB 953**, introduced by Representatives Ruestman, Allen, Stevenson, Flanigan, Emery, Fisher (125), Lair and Brown (149), relating to providers of mental health services.

**HB 954**, introduced by Representatives Roorda, Meadows, Fallert, Casey, Komo, Harris and Frame, relating to county court municipal judges.

**HB 955**, introduced by Representatives McNeil, Dusenberg, Sutherland, Atkins, Pace, Walsh, Jones (63), Bringer, Witte, Harris, Hummel, Calloway, Englund, Kirkton, Fischer (107), Schoeller, Walton Gray, Brown (149), Chappelle-Nadal, Schoemehl, Kratky, Hughes, Webb, Morris, Norr, Carter, Still, Talboy, Corcoran, McGhee and Storch, relating to senior citizens property tax relief.

**HB 956**, introduced by Representatives Englund, Roorda, Yaeger, Calloway, Schoemehl, Vogt, Walsh, Dougherty, McDonald, LeVota, Frame, Komo, LeBlanc, Carter, Meadows, Wildberger, Schieffer, Webb and Liese, relating to the informed growth act.

**HB 957**, introduced by Representatives Grisamore, Pratt and Dougherty, relating to licensure of out-of-state pharmacies and wholesale drug distributors.

**HB 958**, introduced by Representatives Smith (14), Sutherland, Funderburk, Tilley, Nolte, Faith, Wilson (119), Dieckhaus, Wallace, Stevenson, Hobbs, Deeken, Gatschenberger, Parkinson, Loehner, Emery, Ruestman, Koenig, Nieves, Ervin, Allen, Ruzicka, Largent, Munzlinger, Icet, Franz, Zerr, Leara, Weter, Grisamore, Scharnhorst, Silvey, McNary, Pratt, Riddle, Davis, Bivins, Richard, Stream, Wood, Day and Jones (117), relating to payment of sales tax.

**HB 959**, introduced by Representatives Schoeller, Parkinson, Scharnhorst, Koenig, Dieckhaus, Bivins, Davis, Zerr, Leara, Funderburk, Emery and Gatschenberger, relating to open enrollment by contract.

**HB 960**, introduced by Representatives Schoeller, Ruestman, Emery, Dougherty, Tilley, Bivins, Scharnhorst, Koenig, Dieckhaus, Parkinson, Jones (89), Stevenson, Davis, Burlison, Zerr, Leara, Funderburk, Emery and Gatschenberger, relating to school enrollment.

**HB 961**, introduced by Representatives Schoeller, Dieckhaus, Smith (150), Koenig, Jones (89), Parkinson, Funderburk, Davis, Fisher (125), Flanigan, Richard, Ervin, Burlison, Bivins, Tilley, Faith, Zerr, Leara, Guernsey, Keeney, Emery, Gatschenberger, Denison, Wilson (130), Franz and Silvey, relating to unemployment compensation.

**HB 962**, introduced by Representative Molendorp, relating to insurance producers and brokers.

**HB 963**, introduced by Representatives Ruestman, Nieves, Allen, Bivins, Koenig, Emery, Parkinson, Lair, Fisher (125), Brown (149), Jones (89), Gatschenberger, Icet, Jones (117), Diehl, Sater, Riddle, Yates, Kraus, Ervin, Dixon, Stevenson, Silvey, McNary, Brown (50), Faith, Salva and Dougherty, relating to residential property assessments.

**HB 964**, introduced by Representatives Keeney, Bruns, Hoskins (121), Pollock, McGhee, Molendorp, Faith, Schad and Fischer (107), relating to making a false declaration.

**HB 965**, introduced by Representatives Parson, Self, Pace, Wells, Fischer (107), Allen, Kraus, Denison, Yaeger, Pollock, Lair, Dieckhaus, Weter, Ruestman, McGhee, Nolte and Dusenberger, relating to property tax relief for senior citizens.

**HB 966**, introduced by Representative Schoeller, relating to dispute resolution in long-term care facilities.

**HB 967**, introduced by Representative Hobbs, relating to registration of real estate appraisal management companies.

**HB 968**, introduced by Representatives Nasheed, Oxford, Carter and Walton Gray, relating to eligibility for food stamps.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 2**.

SENATE CONCURRENT RESOLUTION NO. 2

Relating to recognition of October 3rd as Science Day

WHEREAS, in 2006, more than 100 schools, science learning centers, and city and state leaders made the first ever Science Day in the heartland a big success; and

WHEREAS, governors from Illinois, Tennessee, and Missouri have previously proclaimed October 3rd as "Science Day"; and

WHEREAS, it is absolutely fitting and proper to designate a special day to raise public awareness of the importance of science education; and

WHEREAS, such an important designation could raise enthusiasm for science and technology learning; and

WHEREAS, a solid educational foundation based on the sciences have inspired individuals to develop breakthrough cures for all types of disease, provide awareness about the importance of taking care of our environment, and create modern conveniences which better the lives for each one of us:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize October 3rd of each year as Science Day in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this day by honoring teachers in their community and by recognizing the importance of science in the classroom; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 5**.

SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, the State of Missouri contains 553 miles of the Missouri River, which borders 23 Missouri counties and over 50 Missouri communities, making it one of the State's greatest natural resources; and

WHEREAS, the Missouri General Assembly supports this natural resource as a vital link in the State of Missouri's total transportation system and wishes to maximize this valuable asset in order to move freight and to support our state's economy; and

WHEREAS, barge transport allows for significant economic benefits and cost savings, since one barge can transport the same amount of freight as 15 railcars or 60 trucks; and

WHEREAS, river transportation is the most environmentally friendly form of transporting goods and commodities, creating almost no noise pollution and emitting 35 to 60 percent fewer pollutants than either trucks or trains; and

WHEREAS, barges are also the most fuel efficient method of freight transport, barges can move one ton of cargo 576 miles per gallon of fuel, compared to 413 miles per gallon of fuel for railcars and only 155 miles per gallon of fuel for trucks; and

WHEREAS, the Missouri General Assembly recognizes that the State of Missouri is investing more of its resources to develop and improve public ports in the state, including those on the Missouri River; and

WHEREAS, the Flood Control Act of 1944, as amended, expresses the United States Congress' intent to support inland waterway navigation and to provide flood control on our nation's rivers; and

WHEREAS, the June 4, 2003, August 16, 2005, and February 8, 2008, decisions of the United States Court of Appeals of the Eighth Circuit held that navigation was a dominant function of the Flood Control Act of 1944; and

WHEREAS, navigation on the Missouri River is operated in accordance with the updated Master Manual, which contains the management plan for the River and was adopted by the United States Army Corps of Engineers in 2004; and

WHEREAS, the Missouri General Assembly recognizes that the United States Army Corps of Engineers utilized extensive public processes to complete the 2004 Master Manual and worked to balance the needs and desires of many competing stakeholder groups in establishing the Manual's navigation guidelines; and

WHEREAS, the 2004 Master Manual was finalized after 15 years of debate and litigation and after the expenditure of over \$35 million in federal funds; and

WHEREAS, the 2004 Missouri River Master Water Control Manual reduced the length of the navigation season, shifting a large amount of water away from navigation and other downstream uses of the Missouri River to benefit upstream uses, such as reservoir recreation; and

WHEREAS, the upstream states have requested that the United States Army Corps of Engineers conduct a study to reexamine the authorized purposes of the Missouri River reservoir system as outlined in the 1944 Flood Control Act; and

WHEREAS, the study requested by the upstream states would be the first of its kind, because it would scrutinize the authorized purposes of the Missouri River reservoir system rather than studying the current Missouri River Master Water Control Manual, thereby undermining the Manual's management plan for the Missouri River; and

WHEREAS, in requesting this study, the upstream states are seeking an additional shift in water to upstream states, despite Congress' authorization of downstream uses of Missouri River water, including navigation; and

WHEREAS, increasing Missouri River water in upstream states will have a significant, negative impact upon Missouri and other downstream states by impacting navigation, power generation, flood control, and drinking water availability; and

WHEREAS, eighteen power plants, which have the capacity to generate over 11,000 megawatts of electricity, draw cooling water from the lower Missouri River basin, and the viability of those power plants would be jeopardized if the authorized purposes of the Missouri River reservoir system were changed; and

WHEREAS, the State of Missouri has constructed infrastructure to support water supply and power generation in the lower Missouri River basin with the understanding that reliable navigation flows would be maintained in the future, and this study could threaten the reliability of those navigation flows; and

WHEREAS, the Missouri General Assembly believes that all of the congressionally authorized uses of the Missouri River should be promoted, not just those uses benefitting the upstream states:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to deny any request that would authorize a study of the Missouri River's congressionally authorized purposes; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge Missouri's Congressional delegation to actively oppose the authorization and funding of the Missouri River study proposed by the upstream states; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Army Corps of Engineers and to each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 8**.

SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, horse processing is the most tightly regulated of any animal harvest, and the horse is the only animal that has its transportation to processing regulated. If horse processing plants are forced to close and export options are eliminated, the Horse Welfare Coalition estimates that 90,000 to 100,000 unwanted horses annually would be exposed to potential abandonment and neglect; and

WHEREAS, the 90,000 to 100,000 additional unwanted horses each year would compete for adoption with the 32,000 wild horses that United States taxpayers are already paying \$40 million to shelter and feed; and

WHEREAS, the nation's inadequate, overburdened, and unregulated horse rescue and adoption facilities cannot handle the influx of the approximately 60,000 or more additional horses each year that would result from a harvesting ban, according to the Congressional Research Service; and

WHEREAS, many zoo animal diets rely on equine protein because it mimics what the animal would receive in the wild. Veterinarians and animal nutritionists say it is the healthiest diet for big cats and rare birds. If legislation shuts down horse processing facilities, the only source for this meat that is inspected by the U.S. Department of Agriculture (USDA) will be eliminated:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to strongly support the continuation of horse processing in the United States and to offer incentives that help create horse processing plants throughout the United States, such as state-inspected horse harvest for export; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage Congress to support new horse processing facilities and the continuation of existing facilities on both the state and national level; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly urge Congress to oppose any legislation introduced in the 111th Congress that would restrict the transportation and processing of horses in the United States and internationally; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly support the location of USDA-approved horse processing facilities on state, tribal, or private lands under mutually-acceptable and market-driven

land leases and, if necessary, a mutually-acceptable assignment of revenues that meet the needs of all parties involved with the facility; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 16**.

SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, the state of Missouri has a long history of supporting the military in their mission to protect the American people; and

WHEREAS, Whiteman Air Force Base has a long history of being at the forefront of national defense; and

WHEREAS, the United States Air Force is establishing a new major command responsible for all Air Force nuclear operations, and this Global Strike Command will bring the Air Force's B-52 and B-2 bombers and intercontinental ballistic missiles under one command; and

WHEREAS, the United States Air Force is in the process of selecting the location of the permanent headquarters for Global Strike Command; and

WHEREAS, Whiteman Air Force Base is one of six bases where Air Force officials are considering stationing the permanent headquarters of Global Strike Command; and

WHEREAS, state and local organizations, including the Missouri Military Preparedness and Enhancement Commission, the Warrensburg City Council, the Whiteman Area Leadership Council, the Whiteman Air Force Base Community Council, the Military Affairs Committee of the Warrensburg Chamber of Commerce, and the Daily Star-Journal, support the choice of Whiteman Air Force Base as the permanent headquarters for Global Strike Command:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly support the choice of Whiteman Air Force Base as the permanent headquarters of the Air Force's Global Strike Command and urge the United States Air Force to select Whiteman Air Force Base as the headquarters of the new Global Strike Command; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of Defense, the Secretary of the Air Force, and each member of Missouri's congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 37**, entitled:

An act to repeal sections 600.011, 600.015, 600.017, 600.019, 600.021, 600.040, 600.042, 600.048, 600.086, 600.089, 600.090, and 600.096, RSMo, and to enact in lieu thereof thirteen new sections relating to the public defender system, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 84**, entitled:

An act to amend chapter 227, RSMo, by adding thereto three new sections relating to designation of state highways and bridges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 88**, entitled:

An act to repeal section 304.155, RSMo, and to enact in lieu thereof one new section relating to state highway system incident management.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 96**, entitled:

An act to amend chapters 167 and 210, RSMo, by adding thereto three new sections relating to educational needs and rights for foster children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 104**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to immunizations against the human papillomavirus.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 126**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to prohibiting discrimination in life insurance based on lawful travel destinations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 153**, entitled:

An act to repeal section 416.440, RSMo, and to enact in lieu thereof one new section relating to the sale of milk.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 165, 164, 248 & 168**, entitled:

An act to repeal sections 67.1360 and 94.902, RSMo, and to enact in lieu thereof four new sections relating to certain taxes imposed by local governments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 242**, entitled:

An act to repeal section 204.569, RSMo, and to enact in lieu thereof one new section relating to sewer subdistricts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 293**, entitled:

An act to repeal sections 304.170 and 304.260, RSMo, and to enact in lieu thereof two new sections relating to tractor parades, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

## COMMUNICATIONS

March 5, 2009

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

Dear Mr. Crumbliss:

Pursuant to Section 105.461 of the Missouri Revised Statutes, this letter is to notify you that I am the Development Director for Bridgeway Behavioral Health and raise money for domestic violence and sexual assault programs.

Thank you for your consideration.

Sincerely,

/s/ Sally A. Faith

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March 3, 2009

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

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

I am hereby filing a written report, pursuant to section 105.461, RSMo. I am currently in the business of exporting wood products.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention in this matter.

Sincerely,

/s/ Clint Tracy  
Representative - District 158

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Friday, March 6, 2009.

### **COMMITTEE MEETINGS**

#### **AGRI-BUSINESS**

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

Possible Executive session.

Dr. John Payne from the USDA will be speaking.

Public hearings to be held on: HB 658, HB 706, HJR 20

#### **BUDGET**

Friday, March 6, 2009, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports and analyst comments.

Executive session may follow.

#### **ELECTIONS**

Tuesday, March 10, 2009, 8:15 a.m. Hearing Room 5.

Executive session.

#### **HEALTH CARE POLICY**

Tuesday, March 10, 2009, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 761

HEALTHCARE TRANSFORMATION

Tuesday, March 10, 2009, 5:00 p.m. Hearing Room 6.

Executive session may or may not follow.

May hear testimony on the low wage trap.

Public hearing to be held on: HB 303

JUDICIARY

Monday, March 9, 2009, Hearing Room 1 upon afternoon recess.

Executive session will follow. AMENDED

Public hearings to be held on: HB 546, HB 868, HB 194, HB 386, HB 482

JUDICIARY

Wednesday, March 11, 2009, Hearing Room 1 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 274

PUBLIC SAFETY

Tuesday, March 10, 2009, 12:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 385, HB 655, HB 667, HB 707

REAL ID AND PERSONAL PRIVACY

Tuesday, March 10, 2009, 9:00 a.m. Hearing Room 7.

Public hearings to be held on: HB 100, HB 550

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

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

Executive session may follow.

Public hearings to be held on: HB 461, HB 595, HB 889

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, March 9, 2009, Hearing Room 5 upon afternoon adjournment.

Public hearing to be held on: HB 698

Executive session will be held on: HB 217, HB 363, HB 89, HB 753, HB 836, HB 698

SPECIAL STANDING COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

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

Executive session.

UTILITIES

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

Executive session may follow.

Public hearings to be held on: HB 898, HB 882

**HOUSE CALENDAR**

THIRTY-FOURTH DAY, FRIDAY, MARCH 6, 2009

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 35 and HJR 36

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 10 and HB 11

**HOUSE BILLS FOR SECOND READING**

HB 946 through HB 968

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HCS HJR 23 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 740 - Icet
- 2 HCS HB 359 - Denison

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/04/09)

- 1 HB 239 - Jones (89)
- 2 HCS HB 247 - Loehner
- 3 HB 91 - Pollock
- 4 HCS HB 93 & 216 - Thomson
- 5 HB 269 - Parson
- 6 HB 488 - Schad
- 7 HCS HB 236 - Lipke
- 8 HB 678 - Wasson
- 9 HB 83 - Wood
- 10 HB 490 - Schad
- 11 HCS HB 148 - Franz
- 12 HCS HB 154 - Ruestman
- 13 HB 376 - Hobbs
- 14 HB 395 - Nance
- 15 HB 218 - Ervin
- 16 HB 400 - Nasheed
- 17 HB 506 - Funderburk
- 18 HCS HB 251 - Cunningham

500 *Journal of the House*

- 19 HB 229 - Ervin
- 20 HB 259 - Tilley
- 21 HCS HB 124 - Komo
- 22 HB 69 - Storch

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 111 - Day
- 2 HCS HB 286 - Schaaf
- 3 HB 289 - Wallace
- 4 HB 682, E.C. - Swinger

### **SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

SCR 2

### **SENATE BILLS FOR SECOND READING**

- 1 SCS SB 37
- 2 SB 84
- 3 SCS SB 88
- 4 SCS SB 96
- 5 SCS SB 104
- 6 SB 126
- 7 SCS SB 153
- 8 SCS SBs 165, 164, 248 & 168
- 9 SCS SB 242
- 10 SCS SB 293

### **HOUSE CONCURRENT RESOLUTIONS**

HCS HCR 4, (2-24-09 Pages 385-386) - Schaaf

### **SENATE BILLS FOR THIRD READING**

HCS SCS SB 313, E.C. - Icet

### **HOUSE RESOLUTIONS**

HR 552, (2-24-09, Pages 386-387) - Dethrow