

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 28, 2010

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, now that we have heard both the State of the State Address and the State of the Union Address, help us to discern clearly the strengths of our Nation and of our State, and to see honestly our weaknesses.

Give us the ability to recognize the most pressing needs of our people, and the vision to plan for their resolution both in the short term and the long.

May the coming weekend be for us a time to reflect and to plan how we might work together, to help our people and to strengthen the well-being of our State.

Almighty God, may our lives and our work give You honor and glory now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 146

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 149	Bruns
Burlison	Calloway	Carter	Casey	Colona
Cooper	Corcoran	Cox	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flanigan	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hodges
Hoskins 80	Hoskins 121	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	McClanahan	McDonald	McGhee
McNary	McNeil	Meadows	Meiners	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Oxford	Pace
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Roorda	Rucker	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schupp

Shively	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Vogt	Wallace	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Wilson 119
Wilson 130	Witte	Yaeger	Zerr	Zimmerman
Mr Speaker				

NOES: 002

Burnett Talboy

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Chappelle-Nadal	Hobbs	Holsman	Hughes
Ruestman	Schoemehl	Self	Silvey	Viebrock
Wright				

VACANCIES: 004

HOUSE RESOLUTION

Representatives Bringer and Stevenson offered House Resolution No. 335.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 319 through House Resolution No. 334.

HOUSE CONCURRENT RESOLUTIONS

Representative Smith (14) offered House Concurrent Resolution No. 44.
Representative Oxford, et al., offered House Concurrent Resolution No. 45.
Representative Funderburk, et al., offered House Concurrent Resolution No. 46.

SECOND READING OF HOUSE BILLS

HB 1832 through **HB 1848** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 335 - Rules

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 63 - Special Standing Committee on General Laws

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1788 - Special Standing Committee on General Laws

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 89, introduced by Representative Pratt, relating to the citizens' commission on compensation.

HJR 90, introduced by Representatives Schoeller, Parkinson, Nolte, Ervin, Scharnhorst, Schaaf, Bivins, Jones (89), Gatschenberger, Leara, Molendorp, Smith (150), Kraus, Smith (14), Munzlinger, Sater, Fisher (125), Guernsey, Dieckhaus, Grisamore and Denison, relating to energy freedom.

INTRODUCTION OF HOUSE BILLS

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

HB 1849, introduced by Representative Roorda, relating to the Missouri Sheriff Methamphetamine Relief Task Force (MoSMART).

HB 1850, introduced by Representatives Webber, Low, Carter, Hummel, Webb, Nasheed, Colona, Pace, Kirkton, Lampe, Oxford, Still, Holsman, Corcoran, Vogt, Burnett, Kratky, Schupp, Storch, McDonald, Newman, Calloway, Talboy, LeBlanc, Zimmerman, Englund, Schoemehl, Jones (63), Chappelle-Nadal, Hughes, Walsh, Norr, Kander, Walton Gray, Yaeger, Casey, Dougherty, LeVota, McNeil, Atkins, Komo, Aull, Spreng, Brown (50), Hoskins (80), Morris, Fallert, Liese, Biermann, Grill, Meiners, Curls and Rucker, relating to discrimination based on sexual orientation.

HB 1851, introduced by Representatives Nolte, Guernsey, Funderburk, Parkinson, Riddle, Emery, Burlison, Ruzicka, Nieves, Schad, Koenig, Bivins, Nance, Fisher (125), Sander and Wells, relating to renewable energy resources.

HB 1852, introduced by Representative Hoskins (80), relating to taxicabs.

HB 1853, introduced by Representatives Aull, Meadows, Nance, Atkins, Munzlinger, Pace, Roorda, Shively, Wells, Wilson (119), Wallace, Dusenberg, Schieffer, McNeil, Kuessner, Salva, Vogt, Colona, Hodges, Storch, McDonald, Kirkton, Grisamore, Swinger, Casey, Komo, Corcoran, Walton Gray, Meiners, Frame, Carter, Schupp, Talboy, Lampe, Day, Holsman and Fischer (107), relating to the observation of Veterans Day in schools.

HB 1854, introduced by Representatives Aull, Colona, Yaeger, Nance, Atkins, Wallace, Walton Gray, Pace, Roorda, Corcoran, Scavuzzo, Meadows, Schupp, Still, Schieffer, Norr, Morris, Englund, Sater and Kelly, relating to school violence prevention.

HB 1855, introduced by Representatives Schaaf, Meiners, Atkins and Sander, relating to hospitals.

HB 1856, introduced by Representative Grill, relating to prohibiting the sale of tobacco to minors.

HB 1857, introduced by Representative Grill, relating to the prevention of identity theft.

HB 1858, introduced by Representatives Zimmerman, Sutherland, Lampe, Hummel, Jones (63), Molendorp, Roorda, Biermann, Kirkton, Englund, Oxford, Meiners, Rucker, Calloway, Schoemehl, Still and Carter, relating to the minority and underrepresented environmental literacy program.

HB 1859, introduced by Representatives Zimmerman, Nance, Pace, Atkins and Yaeger, relating to patient information provided in advance of certain surgical procedures.

HB 1860, introduced by Representatives Spreng, Vogt, Flook, Kratky, Hummel, Schieffer, Fallert, Nieves, Richard, Colona, Corcoran, Roorda, Storch, Liese, Funderburk, Hughes, McNeil, Komo, McGhee, Frame and Meadows, relating to a tax credit for certain motor vehicle purchases.

HB 1861, introduced by Representative Grill, relating to early childhood education.

HB 1862, introduced by Representative Grill, relating to school board requirements.

HB 1863, introduced by Representatives Cox, Gatschenberger, Dugger, Schieffer, Pollock, Brown (149), Cunningham, Wells, McGhee, Munzlinger, Faith, Weter, Schaaf, Grisamore and Oxford, relating to property tax credits.

HB 1864, introduced by Representatives Ruestman, Nance, Lair, Stevenson, Nieves, Faith, Flanigan, Harris, Wallace, Sater, Dusenberg, McGhee, Wright and Wells, relating to a sales tax exemption for farm products sold at farmers' markets.

HB 1865, introduced by Representatives Meiners, Walsh, Jones (117), Nasheed, Fallert, Hoskins (80), Schupp, Low, Corcoran, Lampe, Schoemehl, Chappelle-Nadal, Hughes, Burnett, Vogt, Curls, Deeken, Molendorp, Holsman, Roorda, Rucker, Storch, McClanahan and Salva, relating to youth athletic injuries.

HB 1866, introduced by Representatives Roorda and Meadows, relating to transient guest taxes for tourism.

HB 1867, introduced by Representative LeVota, relating to the household child protect act.

HB 1868, introduced by Representative Scharnhorst, relating to the state records commission.

HB 1869, introduced by Representative Scharnhorst, relating to DNA profiling analysis.

HB 1870, introduced by Representatives Roorda, Nasheed, Dougherty, Carter, Walton Gray, Oxford, Meadows, Fischer (107), Lampe, Newman, Webber, Atkins and Morris, relating to the creation of a death penalty commission and moratorium.

HB 1871, introduced by Representative Schoeller, relating to composting facilities.

HB 1872, introduced by Representatives Schoeller, Funderburk, Smith (150), Guernsey, Burlison, Fisher (125), Jones (89), Emery, Schad, Denison, Dugger, Schaaf, Largent, Ruestman, Gatschenberger, Grisamore, Molendorp, Keeney, Wells, Cox and Bivins, relating to lobbyists.

HB 1873, introduced by Representatives Oxford, Roorda, Walton Gray, Harris, Morris, Pace, Atkins and Nasheed, relating to the regional taxicab commission.

HB 1874, introduced by Representatives Oxford, Walton Gray, Pace, Low, Zimmerman, Morris, Atkins, Harris, Walsh, Newman, Nasheed and Norr, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 1875, introduced by Representatives Oxford, Walton Gray, Pace, Low, Nasheed, Morris, Corcoran, Kirkton, Lampe, Yaeger, Atkins, Newman, Norr and Schupp, relating to the quality early childhood act.

HB 1876, introduced by Representatives Oxford, Atkins, Walton Gray, Pace, Low, Nasheed, Morris, Schieffer, Lampe, Newman, Norr, Curls, Schupp and Fallert, relating to prepayment loan penalties.

HB 1877, introduced by Representatives Webber, Storch, Yaeger, McClanahan, Pace, Oxford, Englund, Atkins, Bivins, Kelly, Newman and Roorda, relating to safety belts.

HB 1878, introduced by Representatives Funderburk, Hobbs, Nance, Bruns, Wasson and Parson, relating to health care quality and cost-efficiency.

HB 1879, introduced by Representatives Grisamore, Stream, Lampe, Walton Gray, Corcoran and Pace, relating to disability history and awareness month in public schools.

HB 1880, introduced by Representatives Grisamore, Jones (89), Stream, Allen, Pace and Storch, relating to electronic texts.

HB 1881, introduced by Representatives Grisamore, Pratt, Jones (89), Wilson (119), Kraus, Schad, Meadows and Corcoran, relating to tax incentives for job growth.

HB 1882, introduced by Representatives Grisamore, Stream, Dusenberg, Calloway, Walton Gray and Pace, relating to the dispensing of motor vehicle fuels for persons with a disability.

HB 1883, introduced by Representatives Grisamore, Stream, Dusenberg, Calloway, Deeken, Pace and Oxford, relating to disabled parking signs.

HB 1884, introduced by Representatives Grisamore, Ruestman, Allen, Oxford, Corcoran, Pace, Lampe, Schieffer and Storch, relating to MO HealthNet benefits.

HB 1885, introduced by Representatives Grisamore, McGhee, Stream, Pace, Lampe, Schieffer and Storch, relating to comprehensive day rehabilitation services under the MO HealthNet program.

HB 1886, introduced by Representatives Grisamore, Pratt, Jones (89), Sater, Corcoran, Pace, Lampe, Schieffer and Storch, relating to the MO HealthNet oversight committee.

HB 1887, introduced by Representative Zerr, relating to accreditation of vascular laboratories.

HB 1888, introduced by Representative Zerr, relating to unlawful distribution, possession, or use of a theft detection shielding device and unlawful possession, use, or removal of a theft detection device.

COMMUNICATION

January 26, 2010

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

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a record of possible personal interest in legislation or appropriations on which the House of Representatives may vote during the legislative session. My husband and I have an investment in a security technology company whose programs(s) may be considered for purchase by the State of Missouri or Missouri entities that might be eligible for State tax dollars or credits. We have less than ten percent interest in the company.

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

I thank you for your attention to this matter.

Sincerely,

/s/ Jill Schupp
State Representative
District 82

The following members' presence was noted: Chappelle-Nadal, Holsman, Self and Viebrock.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 1, 2010.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 2, 2010, 2:00 p.m. Hearing Room 6.
Department of Agriculture FY 2011 budget.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 4.
Department of Natural Resources FY 2011 budget presentation.

APPROPRIATIONS - EDUCATION

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 1.
Department of Higher Education budget overview presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 1, 2010, Hearing Room 3 upon afternoon adjournment.
Budget overview presentation: Attorney General, Office of Administration (continued),
Office of Administration-Debt.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 2, 2010, Hearing Room 3 upon morning adjournment.
Budget overview presentation: Office of Administration employee benefits.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 3, 2010, 2:30 p.m. Hearing Room 3.
Budget overview presentation: Governor, Lt. Governor, Secretary of State,
State Auditor, and State Treasurer.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 1, 2010, 12:00 p.m. Hearing Room 5.
Department of Health and Senior Services FY 2011 budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 2, 2010, 2:00 p.m. Hearing Room 5.
Departmental budget presentation for FY 2011 budget.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 5.
Lewin Group review of cost containment report for MO HealthNet.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 4, 2010, 8:00 a.m. Hearing Room 5.
Continuation of FY 2011 departmental budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 2, 2010, 2:00 p.m. Hearing Room 3.
Public Safety budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 6.

Department of Corrections budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 2, 2010, 8:00 a.m. Hearing Room 3.

Departments of Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 2, 2010, 2:00 p.m. Hearing Room 7.

Departments of Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration budget presentation continued, if necessary.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 3, 2010, 2:00 p.m. Hearing Room 7.

Department of Economic Development budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 9, 2010, 8:00 a.m. Hearing Room 3.

Department of Transportation budget presentation.

DROPOUT PREVENTION TASK FORCE

Wednesday, February 3, 2010, 3:00 p.m. Hearing Room 2.

The task force will publicly meet to discuss its report.

ELECTIONS

Tuesday, February 2, 2010, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1403

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, February 2, 2010, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1615, HB 1616, HB 1432, HB 1805

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

Monday, February 1, 2010, Hearing Room 1 upon afternoon adjournment.

Possible Executive session.

Public hearing to be held on: HCS HCRs 34 & 35, HCR 38

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Tuesday, February 2, 2010, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1400, HB 1741

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Tuesday, February 2, 2010, 8:00 a.m. Hearing Room 4.

Working session.

No public testimony.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Tuesday, February 2, 2010, 12:00 p.m. Hearing Room 5.

Working session.

No public testimony.

TAX REFORM

Wednesday, February 3, 2010, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1520

UTILITIES

Tuesday, February 2, 2010, 12:00 p.m. Hearing Room 1.

Public hearing to be held on: HB 1750

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, FEBRUARY 1, 2010

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 89 and HJR 90

HOUSE BILLS FOR SECOND READING

HB 1849 through HB 1888

HOUSE BILLS FOR PERFECTION

1 HCS HB 1544 - Fisher (125)

2 HB 1542 - Deeken

3 HCS HB 1377 - Brandom

HOUSE BILLS FOR THIRD READING

HB 1442 - Jones (89)