

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, MONDAY, APRIL 19, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, we praise You, as the Almighty – no one and no thing is mightier than You are. You measure the waters in the hollow of Your hand. You weigh the mountains on scales. You stretch out the heavens like a curtain. Your immensity is impossible for us to comprehend. You make the impossible possible.

Thank You for the opportunities You provide to work with wise people, today, and for the privilege of gleaning from their wisdom. It's wonderful to know that You bring every kind of understanding into our lives as we pursue the wisdom that only You provide through yielded vessels.

Grant us wisdom in this current process of finding solutions to the legislative log jams we often experience. Help us to identify the problems that inhibit the flow of good thought, judgment and action. Grant us unity of purpose and reveal to us solutions in order that we may serve our constituents well. Give us the strength and stamina necessary for the long hours of work ahead.

Now unto Him who is able to keep us from stumbling and to present us faultless before the presence of His glory with exceeding joy, to God our Savior, Who alone is wise, be glory and majesty, dominion and power, both now and forever.

In the name of Your Son, I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-third day was approved as printed.

SPECIAL RECOGNITION

Dr. Robert Dever was introduced by Representative Stevenson and recognized as an Outstanding Missourian.

HOUSE RESOLUTIONS

House Resolution No. 2193 through House Resolution No. 2252

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 2001, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2001** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2002, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SS SCS HCS HB 2002** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SS SCS HCS HB 2003** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2004, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2004** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2005, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2006, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2006** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2007, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2008, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2008** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2009, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2010, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2010** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2011, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 94, relating to initiative petitions, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL

HB 1625, relating to children's insurance eligibility, was placed on the Informal Calendar.

THIRD READING OF HOUSE BILL - CONSENT

HB 1538, relating to driver's license qualifications, was placed on the Informal Calendar.

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 2116, relating to payday loans, was placed on the Informal Calendar.

On motion of Representative Tilley, the House recessed until 8:15 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 2012, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2013, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILLS

HB 2272, relating to the second injury fund, was taken up by Representative Fisher (125).

Representative Fisher (125) moved that **HB 2272** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 077

Allen	Ayres	Bivins	Brandom	Brown 149
Bruns	Burlison	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Dixon	Dugger	Emery	Ervin	Faith
Fisher 125	Flanigan	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Hobbs	Hoskins 121
Icet	Jones 89	Jones 117	Keeney	Kingery

Koenig	Lair	Largent	Leara	McNary
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright	Mr Speaker			

NOES: 077

Atkins	Aull	Biermann	Bringer	Brown 30
Brown 50	Burnett	Calloway	Casey	Colona
Conway	Corcoran	Curls	Dougherty	Dusenberg
Englund	Fallert	Fischer 107	Frame	Grill
Harris	Hodges	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kraus	Kuessner	Lampe	LeBlanc
LeVota	Liese	Lipke	Low	McClanahan
McDonald	McGhee	McNeil	Meadows	Meiners
Molendorp	Morris	Newman	Norr	Oxford
Pace	Quinn	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Silvey
Skaggs	Spreng	Still	Storch	Swinger
Talboy	Todd	Vogt	Walsh	Walton Gray
Webb	Webber	Whitehead	Witte	Yaeger
Zerr	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Carter	Chappelle-Nadal	Cooper	Diehl	Flook
Holsman	Loehner	Roorda		

VACANCIES: 001

HCS HB 1788, relating to initiative petitions and referendums, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 1788** was read the third time and passed by the following vote:

AYES: 130

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Casey	Colona
Conway	Corcoran	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Dixon	Dougherty	Dugger	Dusenberg	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flanigan	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Hobbs	Hodges
Hoskins 121	Hummel	Icet	Jones 89	Jones 117

Kander	Keeney	Kelly	Kingery	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	Liese	Lipke
McClanahan	McDonald	McGhee	McNary	McNeil
Meadows	Meiners	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	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	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Wasson	Webb
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Zerr	Mr Speaker

NOES: 024

Ayres	Burnett	Curls	Emery	Frame
Harris	Hoskins 80	Hughes	Jones 63	Kirkton
LeBlanc	LeVota	Low	Morris	Newman
Oxford	Pace	Schupp	Skaggs	Spreng
Vogt	Walton Gray	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 008

Carter	Chappelle-Nadal	Cooper	Diehl	Flook
Holsman	Loehner	Roorda		

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 78, relating to the adoption of a constitutional amendment, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HJR 78** was read the third time and passed by the following vote:

AYES: 098

Allen	Ayres	Biermann	Bivins	Brandom
Bringer	Brown 30	Brown 149	Bruns	Casey
Cox	Cunningham	Davis	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Franz	Funderburk
Gatschenberger	Grisamore	Guernsey	Harris	Hobbs
Hoskins 121	Hummel	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Komo	Kratky

Kraus	Kuessner	Lair	Largent	Leara
Liese	McGhee	McNary	Meadows	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Schamhorst	Schieffer	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Swinger	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Webber
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Zerr	Mr Speaker		

NOES: 052

Atkins	Aull	Brown 50	Burnett	Calloway
Colona	Conway	Corcoran	Curls	Day
Englund	Frame	Grill	Guest	Hodges
Hoskins 80	Hughes	Jones 63	Kander	Kelly
Kirkton	Lampe	LeBlanc	LeVota	Lipke
Low	McClanahan	McDonald	McNeil	Morris
Newman	Norr	Oxford	Pace	Quinn
Rucker	Schaaf	Schoemehl	Schupp	Skaggs
Spreng	Still	Storch	Talboy	Todd
Vogt	Walsh	Walton Gray	Webb	Whitehead
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 012

Burlison	Carter	Chappelle-Nadal	Cooper	Ervin
Flook	Holsman	Loehner	Meiners	Roorda
Salva	Schlottach			

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

HOUSE RESOLUTION

HR 628, relating to House employees, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HR 628** was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1316, relating to property tax assessment notices, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCS HB 1316** was adopted.

On motion of Representative Deeken, **HCS HB 1316** was ordered perfected and printed.

HB 1444, relating to required notice of public meetings, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1444** was ordered perfected and printed.

COMMITTEE REPORT

Committee on International Trade and Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Immigration, to which was referred **HB 1231**, 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.

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 **SCS SB 815**, entitled:

An act to repeal sections 160.400, 160.405, 160.410, 168.106, 168.745, 168.747, and 178.693, RSMo, and to enact in lieu thereof twelve new sections relating to elementary and secondary education, with an emergency clause for a certain section.

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 **SB 940**, entitled:

An act to repeal sections 313.010, 313.015, 313.040, 313.045, 313.050, and 313.057, RSMo, and to enact in lieu thereof six new sections relating to bingo, 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 **SS SCS SB 1014**, entitled:

An act to repeal sections 221.105, 558.011, 559.100, 566.067, 595.036, 595.037, and 595.060, RSMo, and to enact in lieu thereof eleven new sections relating to crime, with penalty provisions and an expiration date for certain sections.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Cooper, Holsman, Loehner and Roorda.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 20, 2010.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 20, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SB 848

BUDGET

Tuesday, April 20, 2010, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SS SB 757, SCR 54

BUDGET

Wednesday, April 21, 2010, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SS SB 757, SCR 54

ELECTIONS

Tuesday, April 20, 2010, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SB 741

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 21, 2010, 9:30 a.m. Hearing Room 6.

Executive session will be held.

ENERGY AND ENVIRONMENT

Tuesday, April 20, 2010, 8:00 a.m. Hearing Room 1.

Executive session. AMENDED

FINANCIAL INSTITUTIONS

Tuesday, April 20, 2010, House Chamber south gallery upon afternoon adjournment.

Executive session.

FISCAL REVIEW

Tuesday, April 20, 2010, 9:00 a.m. House Chamber south gallery.

All bills referred to committee.

Executive session may follow.

FISCAL REVIEW

Wednesday, April 21, 2010, 9:00 a.m. House Chamber south gallery.
All bills referred to committee.
Executive session may follow.

FISCAL REVIEW

Thursday, April 22, 2010, 9:00 a.m. House Chamber south gallery.
All bills referred to committee.
Executive session may follow.

HIGHER EDUCATION

Tuesday, April 20, 2010, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HB 1956

INSURANCE POLICY

Wednesday, April 21, 2010, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearing to be held on: SCS SB 583

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, April 20, 2010, 5:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearing to be held on: HB 2288

JUDICIARY

Wednesday, April 21, 2010, Hearing Room 1 upon morning recess.
Executive session may follow.
Public hearing to be held on: HB 1907, SB 833, SB 893

LOCAL GOVERNMENT

Wednesday, April 21, 2010, 8:00 a.m. Hearing Room 7.
Executive session only.

PUBLIC SAFETY

Tuesday, April 20, 2010, 12:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HB 1276, SB 739, SCS SB 887, SB 819

RETIREMENT

Tuesday, April 20, 2010, 12:00 p.m. Hearing Room 4.
Working meeting on SS SB 714.
Executive session may follow.
Public hearing to be held on: HB 1583

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

Tuesday, April 20, 2010, Hearing Room 5 upon afternoon adjournment.

Any bills referred to committee.

Possible Executive session.

SPECIAL STANDING COMMITTEE ON CHILDREN AND FAMILIES

Wednesday, April 21, 2010, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1234

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Tuesday, April 20, 2010, Hearing Room 3 upon afternoon adjournment.

Executive session may be held.

Public hearing to be held on: SB 877, SS SB 928

TRANSPORTATION

Tuesday, April 20, 2010, Hearing Room 7, 12:00 p.m. or upon morning recess, whichever is later.

Executive session may follow. AMENDED

Public hearing to be held on: HB 2263, HB 2411

UTILITIES

Tuesday, April 20, 2010,

Hearing Room 1, 12:00 p.m. or upon morning recess if later than 12:00 p.m.

Executive session will be held.

Public hearing to be held on: HB 2343

VETERANS

Tuesday, April 20, 2010, Hearing Room 5, 12:00 p.m. or upon morning recess, whichever is later.

Executive session may follow. CORRECTED

Public hearing to be held on: HB 2332

WAYS AND MEANS

Thursday, April 22, 2010, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: HB 2176, SCS SB 808, SB 981

HOUSE CALENDAR

FIFTY-FIFTH DAY, TUESDAY, APRIL 20, 2010

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 45, 69 & 70 - Kingery
- 2 HCS HJR 63 - Parson
- 3 HJR 62 - McGhee

HOUSE JOINT RESOLUTIONS FOR PERFECTION - INFORMAL

HCS HJR 94 - Dethrow

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1684, as amended, HA 2, pending - Zerr
- 2 HCS HB 2026 - Hobbs
- 3 HB 1254 - Wilson (119)
- 4 HCS HB 2053 - Wallace
- 5 HB 1960 - Ruestman
- 6 HCS HB 1473 - Thomson
- 7 HCS HB 1584 - Jones (117)
- 8 HB 1636 - Wasson
- 9 HCS#2 HB 1812 - Kingery
- 10 HCS HB 1905 - Wilson (130)
- 11 HB 1945 - Brown (149)
- 12 HB 2245 - Bivins
- 13 HCS HB 1400 - Cox
- 14 HCS HB 1786 - Jones (89)
- 15 HCS HB 2058 - Diehl
- 16 HCS HB 2201 - Cox
- 17 HB 2250 - Curls
- 18 HB 2252 - Faith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1625 - Nance

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 64 - Cox

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1994 - Zerr
- 2 HCS HB 1966, (Fiscal Review 4-15-10) - Diehl

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

HB 1538 - Dusenberg

SENATE BILLS FOR SECOND READING

- 1 SCS SB 815
- 2 SB 940
- 3 SS SCS SB 1014

SENATE BILLS FOR THIRD READING - CONSENT

(4/19/2010)

- 1 SB 649 - Brandom
- 2 SB 758 - Leara
- 3 SCS SB 772 - Cunningham
- 4 SB 773 - Smith (14)
- 5 HCS SB 851 - Parson
- 6 HCS SCS SB 942 - Dieckhaus

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 2001, (request Senate recede/grant conference) - Icet
- 2 SS SCS HCS HB 2002, (request Senate recede/grant conference) - Icet
- 3 SS SCS HCS HB 2003, (request Senate recede/grant conference) - Icet
- 4 SCS HCS HB 2004, (request Senate recede/grant conference) - Icet
- 5 SCS HCS HB 2005, (request Senate recede/grant conference) - Icet
- 6 SCS HCS HB 2006, (request Senate recede/grant conference) - Icet
- 7 SCS HCS HB 2007, (request Senate recede/grant conference) - Icet
- 8 SCS HCS HB 2008, (request Senate recede/grant conference) - Icet
- 9 SCS HCS HB 2009, (request Senate recede/grant conference) - Icet
- 10 SCS HCS HB 2010, (request Senate recede/grant conference) - Icet
- 11 SCS HCS HB 2011, (request Senate recede/grant conference) - Icet
- 12 SCS HCS HB 2012, (request Senate recede/grant conference) - Icet
- 13 SCS HCS HB 2013, (request Senate recede/grant conference) - Icet

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION - INFORMAL

HB 2116 - Still