

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 25, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God who made the world and all things therein seeing that He is Lord of heaven and earth, dwelleth not in temples made with hands; neither is worshipped with men's hands, as though He needed anything, seeing He giveth to all life, and breath, and all things. (Acts 17:24,25)

Eternal God, from Whom comes all things good, true, and patient, in the quiet of this morning we open our hearts to You. You are everywhere, You are everywhere present, and now in the silence of this moment we would find You and would be found by You. Breathe on us, breath of God, fill us with life anew, that we may love what You love, and do what You would do.

Strengthen our Faith, renew our courage, make us great in goodness and good in greatness that we may triumph over wrong and conquer every evil intention. Put beneath us, the representatives of our beloved state, Your strong foundation and send us forth our vision clear, our faith confirmed, and our spirits strengthened to be Your loyal and loving children, so we would open our hearts to Your transforming presence.

We ask this in Your Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 007

Brown 50	Diehl	Grisamore	Hughes	Keeney
Schneider	Mr Speaker			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 241 through House Resolution No. 273
House Resolution No. 275 through House Resolution No. 277

SECOND READING OF HOUSE BILLS

HB 285 through **HB 298** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 18 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 236 - Budget

HB 285 - Rural Community Development

COMMITTEE REPORTS

Committee on Ethics, Chairman Jones (89) reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules, it has adopted the Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and has examined the same and recommends that **House Resolution No. 274 be adopted.**

HOUSE RESOLUTION NO. 274 ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

- (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
 - (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
 - (4) The facts alleged to have given rise to the violation; and
 - (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.
- B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each allegation;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

(1) Dismiss the complaint, or

(2) Proceed by

(a) undertaking an investigative hearing; or

(b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

(1) Letter of reproof;

(2) Reprimand; or

(3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

(1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes each.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

(a) Witnesses and other evidence offered by the complainant;

(b) Witnesses and other evidence offered by the respondent;

(c) Witnesses and other evidence offered by the Committee staff; and

(d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth,

the whole truth, and nothing but the truth (so help you God)?” The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to the Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The

report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Ethics of the 112th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

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

HCR 19, introduced by Representatives Gatschenberger, Franz, Long, Koenig, Diehl, Barnes, Scharnhorst, Molendorp, Kelley (126), Fitzwater, Jones (89), Nance, Nolte, Brown (50), Pace, Jones (117), Richardson, Parkinson, Denison, Hinson, Zerr, Schoeller, Schatz, Reiboldt, Schieffer, Largent, Allen, Guernsey, Riddle, Lant, Leach, Brown (85), Lichtenegger, Grisamore, Dugger, Schad, Cox, Loehner, Bahr, Cookson, Fraker, Burlison and Wieland, relating to the calling of a convention proposing amendments to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

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

HJR 13, introduced by Representatives Black and Kander, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

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

HB 299, introduced by Representatives Lichtenegger, Lasater, Entlicher, Kelly (24), Allen, Wright, Pollock, Zerr, Guernsey, Hampton, Wallingford, Hodges, Wyatt, Faith, Davis, White, Still, Cookson, Gatschenberger, Grisamore, Franz and Redmon, relating to the land reclamation act.

HB 300, introduced by Representative Gatschenberger, relating to student athlete head injuries.

HB 301, introduced by Representatives Talboy and Silvey, relating to midwifery.

HB 302, introduced by Representatives Black, Fitzwater, Quinn and McGhee, relating to a mental health assessment pilot program.

HB 303, introduced by Representatives Day, Lampe, Fisher, Fuhr, Davis, Wyatt, Nolte, Walton Gray, Atkins, Hoskins, Largent, Wright, Lant, Neth, Smith (150), Higdon, Jones (89) and Casey, relating to the issuance of temporary courtesy licenses to nonresident military spouses.

HB 304, introduced by Representatives Black and Fallert, relating to a tax credit for certain reserve public safety officers.

HB 305, introduced by Representatives Gatschenberger and Jones (117), relating to the Missouri state employees' retirement incentive.

HB 306, introduced by Representatives Gatschenberger and Kelley (126), relating to the use of wireless communications devices in construction and work zones.

HB 307, introduced by Representatives Gatschenberger, Molendorp, Long, Fisher, Bahr, Davis, Jones (117) and Richardson, relating to a special license plate.

HB 308, introduced by Representatives Black and Pace, relating to an offender making a false report against an employee of the department of corrections.

HB 309, introduced by Representatives Black and Fallert, relating to the law enforcement safety fund.

HB 310, introduced by Representatives Gatschenberger, Davis, Jones (117) and Richardson, relating to the State Authority and Federal Tax Fund Act.

HB 311, introduced by Representatives Gatschenberger, Long, Jones (117) and Richardson, relating to the powers and duties of the Missouri electrical industry licensing board.

HB 312, introduced by Representative Gatschenberger, relating to a debt setoff for unpaid healthcare expenses.

HB 313, introduced by Representative Gatschenberger, relating to the Missouri life and health insurance guaranty association act.

HB 314, introduced by Representatives Wells, Frederick, Smith (150), Sater, Funderburk, McGhee, Brown (50), Faith, Pollock, Denison, Gatschenberger, Oxford, Entlicher, Stream, Allen and Lichtenegger, relating to tobacco use on public school property.

HB 315, introduced by Representatives McNary, Kander, Redmon, Houghton, Kelley (126), Jones (117), Haefner, Brown (85), Nance, Hough, Long, Gosen, Jones (89), Koenig, Fuhr, Bahr, Gatschenberger, Dieckhaus, Cookson, Franklin, Schad, Curtman, Neth, Phillips, Burlison, Schoeller, Silvey, Zerr, Sater, Schieffer, Brown (50), Torpey, Fitzwater, Jones (63), Fallert, Lampe, Kelly (24), Webber, Talboy, Meadows, Cross, Elmer, Denison, Pollock, Loehner, Spreng, Wieland, Hampton, Leach and Guernsey, for the sole purpose of repealing statutes with multiple versions.

HB 316, introduced by Representative Kelly (24), relating to collection of state money.

MESSAGE 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 1**, entitled:

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

SENATE CONCURRENT RESOLUTION NO. 1

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010 and filed an amended order of rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the General Assembly finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-sixth General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth

General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

January 25, 2011

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

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Tax Policy:

Representative John Diehl

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

January 25, 2011

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

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Disability Services:

Representative Jeff Grisamore, Chairman
Representative Jay Houghton, Vice-Chairman
Representative Keith Frederick
Representative Tom Flanigan
Representative Rick Stream
Representative Paul Curtman
Representative Jeannie Lauer
Representative Genise Montecillo
Representative Jeanette Mott Oxford
Representative Eileen McGeoghegan

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

January 25, 2011

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

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Renewable Energy:

Representative Jason Holsman, Chairman
Representative Rodney Schad, Vice-Chairman
Representative Jerry Nolte
Representative Eric Burlison
Representative Casey Guernsey
Representative Zachary Wyatt
Representative Tom Loehner
Representative Kent Hampton
Representative Denny Hoskins
Representative Rochelle Walton Gray
Representative Mike Colona
Representative Margo McNeil

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMUNICATIONS

January 13, 2011

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:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

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

Thank you for your attention to this matter.

Sincerely,

/s/ Margo McNeil
Representative
District 78

January 25, 2011

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

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Thank you for your attention to this matter.

Sincerely,

/s/ Lyle Rowland
District 143

The following members' presence was noted: Grisamore, Keeney, Schneider and Tilley.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 26, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

APPROPRIATIONS - EDUCATION

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held on any matter referred to the Committee.

Budget presentation by the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 3.

Budget Presentations for: Public Debt and Office of Administration Debt

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 5.

Public testimony will be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.

Department of Corrections Budget.

BUDGET

Thursday, January 27, 2011, 8:00 AM House Hearing Room 3.

Supplementals.

CHILDREN AND FAMILIES

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HJR 2, HB 28

Executive Session may be held on any matter referred to the Committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 105

Executive Session may be held on any matter referred to the Committee.

DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.
Public hearing to be held on: HB 44, HB 139, HB 235
Executive Session may be held on any matter referred to the Committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 138, HB 219

HEALTH CARE POLICY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 29, HB 196
Executive Session may be held on any matter referred to the Committee.
AMENDED

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.
Public hearing to be held on: HB 148
Executive Session may be held on any matter referred to the Committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 26, 2011, 5:00 PM House Hearing Room 7.
Public hearing to be held on: HB 61
Executive Session may be held on any matter referred to the Committee.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.
Executive Session may be held on any matter referred to the Committee.
Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.
CORRECTED

JUDICIARY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 35, HB 88, HB 129, HB 111, HB 218
Executive Session may be held on any matter referred to the Committee.

LOCAL GOVERNMENT

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 7.
Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.
Public hearing to be held on: HB 220, HB 224
If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES

Wednesday, January 26, 2011, 3:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 18

Executive Session may be held on any matter referred to the Committee.

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

Wednesday, January 26, 2011, 3:15 PM House Hearing Room 3.

Executive Session will be held: HCR 5, HB 163

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 7.

Executive Session may be held on any matter referred to the Committee.

Brad Jones (NFIB) will be bringing individuals from Missouri's small business community, and the hearing will be held for informational purposes.

TAX REFORM

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 76

Executive Session may be held on any matter referred to the Committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 27, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 192, HB 189, HB 190, HB 191

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 137, HB 126

WAYS AND MEANS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 151, HB 116, HB 55

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 27, 2011, 8:00 AM South Gallery.

EXECUTIVE SESSION ONLY.

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2011

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 19

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 13

HOUSE BILLS FOR SECOND READING

HB 299 through HB 316

HOUSE BILLS FOR PERFECTION

HCS HBs 73 & 47 - Brandom

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

SCR 1

HOUSE RESOLUTIONS

HR 274, (1-25-11) - Jones (89)