

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is the man that walketh not in the counsel of the ungodly; nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. (Psalm 1:1,2)

Write Your Law upon our hearts, O God, and Your words upon our minds, as we lift our souls to You this refreshing morning. We believe in You, and we pray that Your spirit may so dwell in us that Your peace and Your power may be ours this day. Guide us in the decisions we make, give us support in our efforts to be true to You, and grant us courage to do what we firmly believe to be right. Just as we are now, strong and free, to be the best that we can be for truth and righteousness and You, Lord of our lives, we come and bring with us all our Missouri citizens and together we say, "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: Josie Kaderly, Luke and Jacob Detering, Ellie Kremer and Hope Keeley.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	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	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	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	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brandom	Brown 116	Grisamore	Pace
Shively	Webber			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 585 through House Resolution No. 596

HOUSE CONCURRENT RESOLUTION

Representative Davis, et al., offered House Concurrent Resolution No. 33.

SECOND READING OF HOUSE BILLS

HB 506 through **HB 529** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 19 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 429 - Tax Reform
HB 470 - Tax Reform
HB 506 - Ways and Means

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 214**, 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 Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 14**, 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.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 329**, 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 General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 276**, **HB 233** and **HB 274**, 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 General Laws, to which was referred **HB 361**, 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 Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 213**, 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 Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 148**, 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 Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 167**, 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 Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 339**, 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.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 22, introduced by Representative Cauthorn, relating to the sales and use tax for conservation.

HJR 23, introduced by Representatives Leara and Lant, relating to initiative and referendum petitions.

INTRODUCTION OF HOUSE BILLS

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

HB 530, introduced by Representatives Kander, Barnes, Schupp, Webber, Richardson, Kelly (24) and Jones (117), relating to the public fraud prevention act.

HB 531, introduced by Representatives Conway (14), Nance, Kelley (126), Brattin, Bahr, Hubbard, Spreng, Haefner, Wyatt and Brown (85), relating to unfair insurance practices and fraud.

HB 532, introduced by Representatives Cauthorn, Jones (63) and Nasheed, relating to school days missed due to inclement weather.

HB 533, introduced by Representative Newman, relating to taxation.

HB 534, introduced by Representative Leara, relating to distribution of local sales taxes.

HB 535, introduced by Representatives Leara and Lant, relating to petition circulators.

HB 536, introduced by Representative Leara, relating to tax credits for corporation franchise taxes paid.

HB 537, introduced by Representatives Leara and Richardson, relating to firearms.

HB 538, introduced by Representatives Hubbard, Hughes, Jones (63), Colona, May, Spreng, Rizzo, Meadows, McGhee, Hummel, Smith (71), Carter, Curls, Carlson, Webber, Schupp and Nasheed, relating to elimination of the inmate intervention fee.

HB 539, introduced by Representatives Hubbard, Nasheed, Jones (63), Conway (14), Lasater, May, Spreng, McCaherty, Rizzo, Meadows, Brown (50), McGhee, Hughes, Hummel, Smith (71), Carter, Colona, Curls, Schupp, Carlson and Webber, relating to a pilot project for increasing children's access to incarcerated mothers.

HB 540, introduced by Representatives Schneider and Diehl, relating to the crime of practicing medicine while intoxicated.

HB 541, introduced by Representatives McManus, Conway (27), Swearingen, Harris, Anders, Colona, Hodges, Nolte, Bernskoetter, Wieland, Meadows and Quinn, relating to tax credits for donated food.

HB 542, introduced by Representative Bernskoetter, relating to ambulance districts.

HB 543, introduced by Representatives Fitzwater, Nance, Redmon, Black, Nasheed, Lasater and Taylor, relating to professional improvement plans for teachers and principals.

HB 544, introduced by Representative Sater, relating to long-term care background screenings.

HB 545, introduced by Representative Schieber, relating to tourism community enhancement districts.

HB 546, introduced by Representatives Diehl, Jones (89) and Tilley relating to the housing development commission.

HB 547, introduced by Representatives McNeil, Lampe, Hughes, Oxford, Kirkton, Carter, Ellinger, Schupp, Still, Anders, Pace and Newman, relating to health insurance premium rate reviews.

HB 548, introduced by Representatives Jones (117), Long, Barnes, Nance, Hough, Bernskoetter, Schieber, Houghton, Asbury, Guernsey, Cierpiot, Schad, Fitzwater, Richardson and Cookson, relating to compensatory leave for nonexempt state employees.

COMMITTEE APPOINTMENT

February 16, 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 members to serve on the Joint Committee on Gaming and Wagering:

Representative Jason Holsman
Representative Caleb Jones
Representative Michele Kratky
Representative Noel Torpey
Representative Anne Zerr

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

Sincerely,

/s/ Steven Tilley
Speaker

COMMUNICATION

February 16, 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 possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

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

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith
Representative
District 71

The following members' presence was noted: Atkins, Brandom, Grisamore, Shively and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 17, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

May reconvene upon morning adjournment.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 21, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

CANCELLED

DOWNSIZING STATE GOVERNMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12, HB 464

Executive session may be held on any matter referred to the committee.

AMENDED

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 17, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

CANCELLED

FISCAL REVIEW

Monday, February 21, 2011, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

GENERAL LAWS

Thursday, February 17, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 364
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 21, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.
Public hearing to be held on: HB 407, HB 414
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.
Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 409
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.
Public hearing to be held on: HB 421, HB 411
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HCR 6, HCR 11
Executive session will be held: HB 250
Executive session may be held on any matter referred to the committee.
There will also be a presentation by the Missouri Parks Association.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 147, HB 330, HB 126, HB 137, HCR 23
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 408, HB 312, HB 248

Executive session will be held: HB 116

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2011

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 22 and HJR 23

HOUSE BILLS FOR SECOND READING

HB 530 through HB 548

HOUSE BILLS FOR PERFECTION

HB 71 - Nasheed

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 9, (2-1-11, Page 277) - Barnes