

JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou wilt keep him in perfect peace, whose mind is stayed on Thee: because he trusteth in Thee. (Isaiah 26:3)

O God, our Father, Who is the creator of the world, the sustainer of life everywhere, and the companion of our way - touch our lives with spirit-hand as we come to You in this our morning prayer. Facing the tasks of this new day we pray for wisdom to make wise choices, for strength to stand firm for what is good and just for all, and for courage to walk confidently in the way of Your commandments.

We do not just pray for release from burdens, but for renewed strength to carry them; not for an escape from problems, but for an increased power to meet them and to solve them; not for less work, but for greater faith to do our work without worry.

We pray for all who are working in the cause of justice and peace in our state and in our nation. May the peace of Your presence abide in all our hearts.

We finally say "Go Cardinals!" And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the seventeenth, eighteenth, nineteenth, and twentieth days were approved as printed.

SECOND READING OF HOUSE BILL

HB 10 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 4672

WHEREAS, Missouri has an extensive history of supporting our military and strengthening our nation; and

WHEREAS, our military personnel and their families receive peace of mind that they have the F/A-18E/F Super Hornet, which is the most capable, next-generation, multi-role strike fighter in combat today, ensuring their safety, protecting our nation, and securing peace around the world; and

WHEREAS, the F/A-18E/F Super Hornet is the most capable, multi-role strike fighter in production today and will continue to provide air superiority to the United States and its allies for the next generation; and

WHEREAS, over 24,000 retirees and over 15,000 hardworking employees in Missouri contribute to the success of programs like F/A-18E/F; and

WHEREAS, in 2010, \$764 million of materials were purchased from 969 Missouri suppliers for programs such as the F/A-18E/F, further contributing to the sustainability of Missouri jobs and substantial economic impact in Missouri; and

WHEREAS, the United States invested into a multi-year procurement of F/A-18E/F Super Hornet aircraft in 2010, which will continue through 2014 and will save the taxpayers over \$818 million; and

WHEREAS, every F/A-18E/F aircraft has been delivered to our military on time and at cost, providing the only capable and affordable multi-strike fighter today; and

WHEREAS, limiting the production of the F/A-18E/F program would increase costs of the only affordable multi-strike fighter flying in combat today, effectuating adverse economic impact to Missouri:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F/A-18E/F Super Hornet program to the State of Missouri, our military, and our national security, and to support the continued production and full funding of the F/A-18E/F program; and

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

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**SUPPLEMENTAL CALENDAR
OCTOBER 20, 2011**

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 1 - Silvey

HOUSE RESOLUTION

HR 4672 - Funderburk

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended, relating to tax credits, was taken up by Representative Tilley.

Representative Tilley moved that the House refuse to recede from its position on **HCS SS SCS SB 8, as amended**, and request the Senate to grant the House a conference.

Which motion was adopted.

MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 120

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Talboy
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 009

Atkins	Carlson	Conway 27	Kratky	Pierson
Schupp	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Grisamore	Haefner	Hodges

Holsman	Hoskins	Hubbard	Hughes	Jones 63
Lair	Lampe	Lichtenegger	Marshall	Meadows
Nasheed	Neth	Newman	Riddle	Ruzicka
Sater	Swearingen	Thomson	Webb	Zerr

VACANCIES: 004

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 8: Representatives Tilley, Diehl, Zerr, Kelly (24) and Webber

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 1, relating to legislative review of tax credits, was taken up by Representative Silvey.

Representative Oxford offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HCS HJR 1** was adopted by the following vote:

AYES: 101

Allen	Anders	Aull	Barnes	Black
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lant
Largent	Lauer	Leara	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Talboy	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 025

Atkins	Bahr	Berry	Carlson	Kirkton
Koenig	Kratky	Lasater	Leach	May
McCann Beatty	McDonald	McNeil	Nance	Nichols
Oxford	Pace	Pierson	Schieber	Schupp
Smith 71	Spreng	Swinger	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Franz	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 63	Lair	Lampe	Lichtenegger
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schneider	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

On motion of Representative Silvey, **HCS HJR 1** was ordered perfected and printed.

HOUSE RESOLUTION

HR 4672, relating to the Super Hornet aircraft program, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HR 4672** was adopted by the following vote:

AYES: 125

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lant	Largent	Lasater
Lauer	Leach	Leara	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still

Stream	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Grisamore	Haefner
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 63	Lair	Lampe	Lichtenegger	Loehner
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schad	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

REFERRAL OF HOUSE JOINT RESOLUTION

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

HCS HJR 1 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 10 - Rules

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 1** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 11:00 a.m., Thursday, October 27, 2011.

COMMITTEE MEETINGS

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM,
Epworth Children and Family Services, Drop-In Center for Older Youth,
6900 Delmar, University City.

Public hearing and discussion of child care and any family related topics.
Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.
Public hearing and discussion of foster and adoption care and any family-related topics.
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM,
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.
Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.
Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Thursday, October 27, 2011, 1:00 PM,
Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110.
Meeting is in: Troost Room.
There will be public hearing.

HOUSE CALENDAR

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 1 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 8, as amended (House refuses to recede/request conference) - Tilley