

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 5, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

O God, Who is ever near and ever ready to help those who put their trust in You, clear our vision and strengthen our hearts as we wait upon You. Deliver us from doubt, free us from fear, and save us from the spirit that promotes confusion and disunity.

Help us to turn away from all movements which would stifle the liberties of free people and lead us into the fresh air of freedom, justice, and good will. By Your grace may we and our state live in this high moral climate all our days - so shall we be true children of Yours and so shall we serve well the citizens of our beloved Show Me State.

And the House says, "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: Sarah Grisamore, Gracie Grisamore, Angela Grisamore, Isaac Conroy, Nathan Conroy and Ashley Conroy.

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

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	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	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Barnes	Funderburk	Keeney	Kelly 24
Nolte	Smith 150	Weter		

VACANCIES: 004

HOUSE RESOLUTION

Representative Smith (71), et al., offered House Resolution No. 31.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 14 through House Resolution No. 30
House Resolution No. 32 through House Resolution No. 50

HOUSE CONCURRENT RESOLUTIONS

Representative Rowland, et al., offered House Concurrent Resolution No. 5 and House Concurrent Resolution No. 6.

Representative Rowland offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3 and **HCR 4** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 39 through **HJR 43** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1029 through **HB 1033**, **HB 1035** through **HB 1121**, and **HB 1123** through **HB 1152** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 3 - Budget

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 43 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1029 - Budget
HB 1043 - Elementary and Secondary Education
HB 1093 - Transportation
HB 1104 - Elections
HB 1135 - Downsizing State Government
HB 1140 - Downsizing State Government

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 44, introduced by Representatives Cox, Tilley, Fuhr, Klippenstein, Asbury, Lant, Davis, Rowland, Frederick, Schad, Cross, Houghton, Allen, Cauthorn, Brown (116), Koenig, Bahr, Schoeller, Fitzwater, Redmon, White, Smith (150), Hoskins, Gatschenberger, Day and Lair, relating to nonpartisan judicial commissions.

HJR 45, introduced by Representatives Solon, Tilley, Torpey, Cauthorn, Korman, Kelly (24), Lasater, Higdon, Wallingford, Hubbard, Fisher, Haefner, Nichols, Lichtenegger, Lant, Davis, White, Dieckhaus, Berry, Long, Denison, Houghton, Wyatt, Ruzicka, Nolte and Rowland, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

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

HB 1153, introduced by Representatives Cox and Crawford, relating to the perfection of security interests.

HB 1154, introduced by Representatives Brandom, Lauer, Smith (150) and Frederick, relating to donated food tax credits.

HB 1155, introduced by Representatives Denison, Pollock, Solon, Wells, Hughes, Fallert, Hinson, Lasater, Cross, Long, Cookson, Houghton, Phillips and Stream, relating to commercial driver's licenses.

HB 1156, introduced by Representatives Rowland, Phillips, Denison, Shumake and Redmon, relating to the designation of a memorial highway.

HB 1157, introduced by Representatives Rowland, Phillips, Sater, Wells, Redmon, Shumake and Cookson, relating to teacher contracts.

HB 1158, introduced by Representatives Solon, Fisher, Houghton, Denison, Lasater, Schad and Hubbard, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 1159, introduced by Representatives Solon, Schupp, Denison and Hubbard, relating to the senior's retirement protection act.

HB 1160, introduced by Representatives Solon, Cauthorn, Korman, Wallingford, Lasater, Higdon, Fisher, Haefner, Nichols, Lant, Lichtenegger, Davis, White, Berry, Long, Schupp, Houghton, Wyatt, Ruzicka, Nolte, Denison, Rowland and Hubbard, relating to an additional admission fee for excursion gambling boat licensees to fund veterans commission capital improvements.

HB 1161, introduced by Representatives Solon, Kelly (24), Fisher, Haefner, Higdon, Nichols, Davis, Lant, White, Berry, Long, Houghton, Wyatt, Ruzicka, Cauthorn, Nolte and Rowland, relating to veterans' commission capital improvements funding.

HB 1162, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste services.

HB 1163, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste collection.

HB 1164, introduced by Representatives Solon, Fisher, Houghton and Denison, relating to job retention.

HB 1165, introduced by Representative Diehl, relating to qualified spousal trusts.

HB 1166, introduced by Representative Diehl, relating to trust protectors.

HB 1167, introduced by Representatives Wright, Franklin, Fisher, Wells, Shumake, Sater, White, Rowland, Schieffer, Tilley, Phillips, Schneider, Hampton, Jones (89), Gatschenberger, Black, Kratky, Casey, Meadows, Fallert, Shively, Hughes, Swinger, Grisamore, McGhee, Brown (50), Zerr, Stream, Lair and Brandom, relating to the reporting of missing and dead children.

HB 1168, introduced by Representative Franz, relating to the purchasing of information technology products and services.

HB 1169, introduced by Representative Franz, relating to spanking in schools.

HB 1170, introduced by Representative Franz, relating to property tax assessment.

HB 1171, introduced by Representative Franz, relating to juvenile court jurisdiction.

HB 1172, introduced by Representative Franz, relating to tax credits for certain contributions.

HB 1173, introduced by Representative Franz, relating to workers' compensation.

HB 1174, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright and Phillips, relating to school accreditation.

HB 1175, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright, Phillips and Schatz, relating to early parole of geriatric inmates.

HB 1176, introduced by Representative Schoeller, relating to prevailing wages.

HB 1177, introduced by Representatives Phillips, Rowland and Sater, relating to county officer compensation.

HB 1178, introduced by Representatives Phillips, Rowland and Sater, relating to the conservation commission.

HB 1179, introduced by Representatives Hampton, Richardson, Cookson, Long, Swinger, Hodges and Wright, relating to major water users.

HB 1180, introduced by Representative Parkinson, relating to tort actions for damages.

HB 1181, introduced by Representative Parkinson, relating to the transparency in private attorney contracts act.

HB 1182, introduced by Representative Parkinson, relating to an income tax exemption for certain elections employees.

HB 1183, introduced by Representative Parkinson, relating to statewide presidential primaries.

HB 1184, introduced by Representative Parkinson, relating to motor vehicle financial responsibility.

HB 1185, introduced by Representatives Parkinson and Kelley (126), relating to possible deportation of aliens who are listed in the state sexual offender registry.

HB 1186, introduced by Representatives Parkinson and Kelley (126), relating to drivers' examinations.

HB 1187, introduced by Representatives Parkinson and Kelley (126), relating to temporary assistance for needy families.

HB 1188, introduced by Representatives Allen, Richardson, Koenig, Houghton and Flanigan, relating to the administration of asthma related rescue medication by school nurses.

HB 1189, introduced by Representatives Allen, Zerr, Lichtenegger and Flanigan, relating to pawnbrokers.

HB 1190, introduced by Representatives Allen, Koenig, Lichtenegger, Richardson, Houghton and Flanigan, relating to police records.

HB 1191, introduced by Representative Ruzicka, relating to the state park earnings fund.

HB 1192, introduced by Representatives Koenig, Schoeller, White, Brown (116), Davis, Higdon, Allen, Rowland, Houghton, Wieland, Brattin, Tilley, Stream, Fisher, Lair and Cross, relating to the Missouri higher education savings program.

HB 1193, introduced by Representatives Frederick, Tilley, Brandom, Smith (150), Jones (89), Nance, Schatz, Houghton, Fitzwater, Swearingen, Meadows and Sater, relating to a prescription drug monitoring program.

HB 1194, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1195, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1196, introduced by Representatives Cauthorn, Reiboldt, Cox, Wallingford, Loehner, Schoeller, Asbury and Guernsey, relating to an owner's liability for death or injury to a trespasser.

COMMITTEE APPOINTMENT

January 5, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Dwight Scharnhorst as a member of the Committee on Economic Development and appoint Representative Noel Torpey and Representative Marsha Haefner as members.

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

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

January 5, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO 65101

Mr. Crumbliss:

I hereby withdraw **House Bill No. 1061**. Please contact me if you have questions.

Regards,

/s/ Tom Flanigan
District 127

The following members' presence was noted: Barnes and Nolte.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 9, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

HIGHER EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 9, 2012, 12:00 PM House Hearing Room 5.
CORRECTED

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION

Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.

Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.

Presentations from: Dr. Dickson Despommier, Columbia University

Jim Godsil, Co-Founder Sweet Water Organics

Emmanuel Pratt, Executive Director Sweet Water Foundation

Myles Harston, AquaRanch

JUDICIARY

Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.

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

ORGANIZATIONAL MEETING

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 9, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 44 and HJR 45

HOUSE BILLS FOR SECOND READING

HB 1153 through HB 1196