

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 11, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Jeanie Riddle.

Most gracious Heavenly Father, maker of Heaven and Earth, thank You for this glorious day and Your humble servants who stand before You in this Chamber. Father, please bless the good men and women who seek to do Your will and serve the citizens of our great state. Lord, please bless us with wisdom and discernment as we go about the duties entrusted to us. Remind us to be thankful each day for Your intervention and many blessings.

Lord, there are those today with a heavy heart due to circumstances beyond their control. I ask that You lift them up and fill them with the Holy Spirit and let them know that You are always there. Your Word says that we can do all things through Christ who strengthens us. Give all those listening today strength to do Your will.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
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	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	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	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Learn
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ellinger	May	Reiboldt	Spreng
Stream	Mr Speaker			

SPECIAL RECOGNITION

The Fatima Lady Comets Volleyball, Cross Country, Girls Cross Country, Soccer and Softball Teams were introduced by Representative Loehner and recognized for their performance in the 2011 athletic season.

Larry Boyd, Chad Elliot and Sam McDonald with KZRG - Zimmer Radio Group were introduced by Representative Davis and recognized for their efforts to restore communication services to the City of Joplin following the May 22, 2011, tornado.

HOUSE RESOLUTION

Representative Loehner offered House Resolution No. 140.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 116 through House Resolution No. 139

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 8 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 48 through **HJR 53** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1219 through **HB 1255** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

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

HJR 45 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1180 - General Laws

HB 1186 - International Trade and Job Creation

HB 1192 - Financial Institutions

HB 1214 - Small Business

HB 1219 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 43**, 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 Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1135**, 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 Downsizing State Government, to which was referred **HB 1140**, 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.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 54, introduced by Representatives Hinson, Wallingford, Cauthorn, Wells, Wieland, Asbury, Lasater, Koenig, Schad, Korman, Meadows, Leach, Kelley (126), Johnson, McCaherty and Shumake, relating to the life sciences research board.

HJR 55, introduced by Representatives Dugger, Wells, Crawford, Rowland, Fisher, Entlicher, Neth, Fitzwater, Pollock, Conway (14), Schad, Burlison, Koenig, Kelley (126), Smith (150), Grisamore and Loehner, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

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

HB 1256, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys retirement system fund.

HB 1257, introduced by Representatives Kelly (24), Wyatt, Fitzwater, Tilley, Lasater, Barnes, Torpey, McGhee, Funderburk, Marshall, Schieber, Brown (85), Reiboldt and Schupp, relating to the University of Missouri board of curators.

HB 1258, introduced by Representative Kelly (24), relating to acknowledgment of paternity.

HB 1259, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1260, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1261, introduced by Representatives Swearingen, Berry, Talboy, Neth, Rizzo, Silvey, Schieber, Holsman, McManus and Nasheed, relating to the designation of a memorial bicycle and pedestrian bridge.

HB 1262, introduced by Representatives Brown (50), Jones (63), Cookson, Zerr, Long, Jones (89), Hughes, Holsman, Taylor, Kelly (24), Aull, Casey, Fallert, Black, McCann Beatty, May, Carter, Lampe, Webb, Gatschenberger, Cierpiot, Hough, McGhee, Rizzo, Pace, Colona, Smith (71), Sater, Cox, Day, Scharnhorst, Sifton, Torpey, Walton Gray, Oxford, McNeil, Kirkton, Nichols, Pierson, Morgan, Harris, Schupp, McManus, Newman, McCreery, Ellington, Hubbard, Conway (14) and Hummel, relating to the coordination of school health programs.

HB 1263, introduced by Representatives Fallert, Conway (27) and Newman, relating to elections.

HB 1264, introduced by Representatives Fallert, Denison, Meadows and Conway (27), relating to motor vehicle registration periods.

HB 1265, introduced by Representatives Kander, Webber, Still, Cox, Hummel, Swearingen, Barnes, Higdon and Fuhr, relating to the veteran workforce act.

HB 1266, introduced by Representatives Denison, Solon, Meadows, Pollock, Loehner and Weter, relating to the designation of an official state butterfly.

HB 1267, introduced by Representatives Denison, Solon and Meadows, relating to foster children.

HB 1268, introduced by Representatives Nance, Berry, Neth, Wells and Davis, relating to fines and court costs for traffic violations.

HB 1269, introduced by Representatives Brattin, Molendorp, Largent, McGhee and Brown (116), relating to The Burnt District special license plate.

HB 1270, introduced by Representatives Houghton, Johnson, Redmon, Hough, Kelley (126), Schatz, Hinson, Smith (150), Riddle and Brattin, relating to the designation of Missouri school bus safety week.

HB 1271, introduced by Representatives Houghton, Cauthorn, Asbury, Riddle, Smith (150), Redmon, Kelley (126), Guernsey and Hough, relating to crimes committed on agricultural property.

HB 1272, introduced by Representatives Kelley (126), Davis, Brattin, Haefner, Brown (85), Curtman, Entlicher, Franklin, Berry, Wyatt, Frederick, Conway (14), Long, Black, McGhee, Molendorp, Lichtenegger, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Schoeller, Jones (89), Riddle, Wieland, Franz, Loehner, Wells, Reiboldt, Redmon, Grisamore, Diehl and Keeney, relating to certain actions for damages against correctional facilities.

HB 1273, introduced by Representatives Kelley (126), Nasheed, Bahr, Brattin, Davis, White, Curtman, Entlicher, Berry, Wyatt, Frederick, Long, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Franklin, Schoeller, Day, Jones (89), Smith (150), Wright, Wieland, Webber, Reiboldt, Johnson, Redmon, Grisamore, Jones (117), Jones (63), Taylor, Gosen, Brown (50), Black, Carter, McCreery, McCann Beatty, Swearingen, Hough, Diehl, Nance, Solon, Keeney and Richardson, relating to school bus advertisements.

HB 1274, introduced by Representatives Koenig, Wieland, Brattin, Korman, Cookson, Fitzwater, Cauthorn, Rowland, Davis, Richardson, Long, Allen, Brown (116), Curtman, Fuhr, Schoeller, Dugger, Smith (150), Houghton, Leach, Riddle, McCaherty, Diehl, White, Schneider, Keeney, Bahr, Lasater, Jones (89), Pollock, Lichtenegger, Scharnhorst, Shumake, Funderburk, Brown (85), Reiboldt, Kelley (126), Burlison, Lant, Guernsey, Conway (14), Phillips and Fisher, relating to the abortion-inducing drugs safety act.

HB 1275, introduced by Representatives Koenig, Allen, Wieland, Brattin, Davis, Curtman, Fuhr, Smith (150), McNary, Leach, White, Schneider, Jones (89), Lasater, Bahr, Lichtenegger, Scharnhorst, Funderburk, Brown (85), Reiboldt, Burlison and Lant, relating to local ballot proposals.

HB 1276, introduced by Representatives Koenig, Brattin, Davis, Richardson, Allen, Bahr, Lasater, Pollock, Funderburk, Reiboldt, Lant, Guernsey, Scharnhorst and Conway (14), relating to teacher academic freedom to teach scientific evidence regarding evolution.

HB 1277, introduced by Representatives Long, Rowland, Philips and Weter, relating to highway infrastructure improvement agreements.

HB 1278, introduced by Representatives Long, Schoeller, Davis, Berry, Hough, Barnes, Bernskoetter, Redmon, Higdon, Diehl, Day, Neth, Ruzicka, Hampton, Elmer, Riddle, Jones (117), Oxford, Atkins, Wieland, Richardson, McCaherty, Frederick, Swinger, Hodges, Black, Kelley (126), Molendorp, McGhee, Zerr, Gatschenberger, Denison, Pollock, Korman, Wallingford, Shumake, Rowland, Cierpiot, Kratky, Lichtenegger, Harris, Jones (89), Burlison, Brown (85), Brown (50), Casey, Shively, Fallert, Quinn, McManus, Meadows and Conway (27), relating to certain benevolent tax credits.

COMMITTEE CHANGES

January 11, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Michael Brown from the Committee on Appropriations Public Safety and Corrections.

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

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ellinger from the Committee on Children and Families and the Committee on Downsizing State Government.

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

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Sifton from the Committee on General Laws and appoint him to the Committee on Insurance Policy.

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

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

WITHDRAWAL OF HOUSE BILL

January 11, 2012

D. Adam Crumbliss
Chief Clerk of the House of Representatives
201 W. Capitol, Room 306C
Jefferson City, MO 65101

Mr. Crumbliss,

I respectfully request that **House Bill No. 1115**, the Paperless Documents & Forms Act, be withdrawn.

If you have any questions, please contact me at (573) 751-3751.

Warmest regards,

/s/ John C. McCaherty
State Representative
District 90

The following members' presence was noted: Barnes, May, Reiboldt, Spreng and Stream.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 12, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 9, 2012, Page 42, Line 19, by inserting immediately after the name “Grisamore” the following: “, Leara”.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 17, 2012, 2:00 PM House Hearing Room 4.

Will be discussing eminent domain issues in Central Missouri.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.

Public Testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

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.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.

Public testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1043

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

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.

INSURANCE POLICY

Monday, January 23, 2012, 5:00 PM House Hearing Room 1.

Presentation by MOCIA, Captive Insurance Agencies.

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 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.

Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.

CORRECTED

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

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

Thursday, January 12, 2012, 9:30 AM House Hearing Room 7.

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

Any or all bills referred to Committee.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 12, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 54 and HJR 55

HOUSE BILLS FOR SECOND READING

HB 1256 through HB 1278