

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is everyone that feareth the Lord; that walketh in His ways. (Psalm 128:1)

O God, Who is the Creator and the Sustainer of all peoples, without Whose benediction all our labor is in vain and with Whose blessing we walk the way to life and light - we pause before You this quiet moment seeking strength, peace and guidance from You.

Strengthen us when we are weak. May the peace of Your presence still the turmoil in our hearts, and when we would stumble on the way make straight our paths before us and give us courage to walk with You forever.

For our loved ones, for our districts and for our whole state we pray. Together may we be led from stress to peace, from fear to faith, from ill will to good will, from the depths of shallow living to the heights of a noble and sincere devotion.

We recall our Missouri history today when two hundred years ago, the New Madrid area was devastated by an earthquake. We pray that God will protect us from all earthquakes and other natural disasters in the future.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

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

AYES: 136

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall

McCann Beatty	McGeoghegan	McGhee	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Barnes	Berry	Carlson	Carter
Denison	Flanigan	Franz	Frederick	Funderburk
Hodges	Holsman	Hoskins	Hughes	Kelly 24
Lair	May	McCaherty	McCreery	McDonald
McManus	Meadows	Parkinson	Quinn	Silvey
Stream	Webb			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 557 through House Resolution No. 576

HOUSE CONCURRENT RESOLUTIONS

Representative Hampton, et al., offered House Concurrent Resolution No. 30.
Representative Schieffer, et al., offered House Concurrent Resolution No. 31.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 2001 through **HB 2013** were read the second time.
HB 2019 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1646 through **HB 1661** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Representative Leara assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb
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On motion of Representative Schoeller, **HB 1104** was ordered perfected and printed by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb
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HCS HB 1277, relating to highway infrastructure improvements, was taken up by Representative Long.

Representative Long moved that **HCS HB 1277** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Berry	Brandom	Burlison	Cookson	Crawford
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Gatschenberger	Gosen	Hampton	Hoskins
Hough	Jones 89	Jones 117	Keeney	Kelley 126
Lant	Leara	Long	McDonald	McNary
Pollock	Redmon	Richardson	Rowland	Ruzicka
Sater	Scharnhorst	Thomson	Torpey	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 110

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cox	Cross	Curtman	Davis	Ellinger
Ellington	Entlicher	Franklin	Franz	Fuhr
Funderburk	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	May	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Reiboldt
Riddle	Rizzo	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Wallingford
Walton Gray	Webber	Wells	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Frederick	Grisamore	Holsman	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Long, **HB 1277** was ordered perfected and printed.

HB 1219, relating to discriminatory employment, was taken up by Representative Elmer.

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

House Amendment No. 1

AMEND House Bill No. 1219, Section 213.010, Page 1, Line 10, by inserting after the phrase: “**motivating factor**” on said line the following:

“**except with regard to claims of adverse impact discrimination as defined in this section**”; and

Further amend said section, Page 2, Line 31, by inserting after the word: “housing” on said line the following:

“**or decisions or actions that have an adverse impact on the aforementioned protected criterion. In the case of decisions or actions that have an adverse impact, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 1219, Page 1, Section 213.010, Line 10, by inserting at the end of said line, after the word “**factor**”, the following:

“**unless the decision or action has an adverse impact on the protected criterion. In which case, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**”; and

Further amend said bill, Pages 4-5, Section 213.101, Lines 1-23, by deleting all of said lines; and

Further amend said bill, Page 5, Section 213.111, Line 27, by inserting an opening bracket (“[”) immediately after the words “other order”; and

Further amend said section and page, Line 31, by inserting a closing bracket (“]”) immediately after the word “foundation”; and

Further amend said section and page, Line 32, by deleting all of said line and inserting in lieu thereof the following:

“**4. The court may award to the plaintiff actual and punitive damages and may award court costs and reasonable attorney fees to the prevailing party, other than a state agency or commission or a local commission; except that, a prevailing respondent may be awarded court costs and reasonable attorney fees upon a showing that a case is without foundation. An award of damages may include all future pecuniary losses, emotional pain,**”; and

Further amend said bill, Page 6, Section 213.111, Line 41, by inserting the word “**one**” after the word “**hundred**”; and

Further amend said section and page, Line 44, by inserting the word “**one**” after the word “**hundred**”; and

Further amend said section and page, Line 47, by inserting the word “one” after the word “hundred”; and

Further amend said section and page, Line 57, by inserting the following after all of said line:

“8. Subsections 4, 5, and 6 of this section shall not apply when there is an alleged violation of sections 213.040, 213.045, or 213.050. Subsections 4, 5, and 6 of this section shall apply when there is an alleged violation of section 213.070 against an employer, but not otherwise.”; and

Further amend said bill, Page 7, Line 16, by deleting “who reports to an employer”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Curtman	Day	Dugger	Frederick
Kander	McCaherty	Meadows	Neth	Webb

On motion of Representative Cox, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Conway 14	Day	Frederick	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Elmer, **HB 1219, as amended**, was ordered perfected and printed by the following vote:

AYES: 084

Allen	Bernskoetter	Brandom	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	McGhee
McNary	Molendorp	Nance	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Sommer
Stream	Thomson	Wallingford	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brattin	Brown 50
Carlson	Casey	Colona	Conway 27	Cookson
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webber	Weter	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Day	Frederick	Grisamore	McCaherty
Meadows	Nolte	Sater	Webb	

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1035** - Ways and Means
- HB 1096** - Local Government
- HB 1110** - Veterans
- HB 1111** - General Laws
- HB 1124** - Insurance Policy
- HB 1136** - Corrections
- HB 1142** - Crime Prevention and Public Safety
- HB 1149** - Transportation
- HB 1152** - Children and Families
- HB 1175** - Corrections
- HB 1181** - General Laws
- HB 1196** - Crime Prevention and Public Safety
- HB 1197** - Tax Reform
- HB 1203** - Corrections
- HB 1217** - Elementary and Secondary Education
- HB 1261** - Transportation
- HB 1263** - Elections
- HB 1289** - Utilities
- HB 1296** - Veterans
- HB 1297** - Professional Registration and Licensing
- HB 1313** - Local Government
- HB 1328** - Judiciary
- HB 1354** - Crime Prevention and Public Safety
- HB 1363** - Agriculture Policy
- HB 1364** - Agriculture Policy
- HB 1377** - Judiciary
- HB 1386** - Elementary and Secondary Education
- HB 1391** - Judiciary
- HB 1417** - Insurance Policy
- HB 1420** - Crime Prevention and Public Safety
- HB 1427** - Ways and Means
- HB 1449** - International Trade and Job Creation
- HB 1463** - General Laws
- HB 1468** - Crime Prevention and Public Safety
- HB 1474** - Corrections
- HB 1502** - Higher Education
- HB 1531** - Health Care Policy
- HB 1593** - Economic Development
- HB 1613** - Transportation Funding and Public Institutions
- HB 1659** - International Trade and Job Creation

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1442**, 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 Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1103**, 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 Financial Institutions, to which was referred **HB 1308**, 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 Financial Institutions, to which was referred **HB 1349**, 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 Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1041**, 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 Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, 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 **SS SCS SB 443**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 12**, 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.

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1198**, 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.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1036, HB 1039, HB 1099, HB 1100 and HB 1105.**

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 74, introduced by Representatives Koenig, Brattin, Davis, White, Lasater, Lichtenegger, Bahr, Fisher, Burlison and Higdon, relating to taxation.

HJR 75, introduced by Representatives Neth, Fitzwater, Lant, Kelley (126), Lair and Torpey, relating to suffrage and elections.

INTRODUCTION OF HOUSE BILLS

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

HB 1662, introduced by Representative Weter, relating to county drinking water supply lake authorities.

HB 1663, introduced by Representatives Kirkton, Sater, Weter, Pace, McNeil, Grisamore and McGhee, relating to physical and chemical restraints for patients in mental health facilities.

HB 1664, introduced by Representative Pollock, relating to adverse possession.

HB 1665, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Cross, Fitzwater, Barnes, Fraker, McGeoghegan, McCann Beatty, Taylor, Carter, Schatz, Cauthorn, Brown (85), Frederick, Kelley (126), Houghton, Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Ellington, Schieffer, Hughes, Cookson, Nasheed, Hubbard, Franklin, Berry, Entlicher, White, Shumake, Fisher, Cox, Webb, Wells, Wieland, Wright, Elmer, Hinson, Casey and Kratky, relating to the designation of lupus awareness month.

HB 1666, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Barnes, McGeoghegan, McCann Beatty, Taylor, Cauthorn, McCaherty, Brown (85), Kelley (126), Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Schieffer, Hughes, Weter, Nasheed, Hubbard, Entlicher, Shumake, Fisher, Carter, Webb, Wells, Wieland, Wright, Elmer, Casey and Kratky, relating to designation of tax refunds to the lupus revolving research trust fund.

HB 1667, introduced by Representatives Hough, Elmer, Leach, Schoeller, Fraker, Lampe, Long and Denison, relating to a surcharge on civil court cases.

HB 1668, introduced by Representatives Denison, Hough, Hinson, Long, Weter, Phillips, Schoeller, Lant, Lampe, Fallert and Leach, relating to United States Olympic Committee special license plates.

HB 1669, introduced by Representatives Day, Lasater, Davis and Higdon, relating to temporary motorcycle instruction permits.

HB 1670, introduced by Representatives Day, Burlison, Lasater, Davis, Bahr, Higdon and Franz, relating to protective headgear for operation of motorcycles and motortricycles.

HB 1671, introduced by Representative Stream, relating to political subdivision contracts for water storage tanks.

HB 1672, introduced by Representatives Fuhr, Conway (14), Schad, Hinson, Phillips, Higdon, Brown (85), Haefner, Jones (89), Bahr, Kelly (24), Colona, Riddle, Barnes, McGeoghegan, Ellinger and Meadows, relating to audit of federal seizure proceeds.

HB 1673, introduced by Representatives Ellinger, Schupp, Pace, McDonald, Pierson, Carlson, Smith (71), Ellington, Kirkton, Hummel, Colona, McNeil, Newman, Morgan, Meadows, Oxford and Swearingen, relating to cigarette taxes.

HB 1674, introduced by Representatives Scharnhorst, Tilley, Cox, Jones (89) and Diehl, relating to confidentiality of department of revenue records.

HB 1675, introduced by Representatives Ruzicka, Lasater, Phillips and Higdon, relating to charges in criminal cases for law enforcement services.

HB 1676, introduced by Representatives Nichols, McNary, Harris, Ellinger and Torpey, relating to homeowner and community improvement associations.

HB 1677, introduced by Representatives Ellinger, Morgan, McCreery and Swearingen, relating to petitions to expunge certain criminal records.

HB 1678, introduced by Representatives Long, Bahr, McDonald, Kelley (126), Koenig, Burlison, Shumake, Curtman, Pollock, Hough, Oxford, Hodges, Zerr, Funderburk, McGhee, Franz, Dugger, Schad, Leach, Korman, Hughes, Swearingen, Redmon, Brown (50), Cauthorn, McNary, Wieland, Lasater, Smith (150), Schoeller, McCaherty, Fitzwater, Lant, Cookson, Fisher, Reiboldt, Jones (89), Fraker, Kirkton, Davis, Jones (63) and Richardson, relating to midwifery.

HB 1679, introduced by Representative Franz, relating to sales and use tax collection.

COMMUNICATION

February 7, 2012

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 interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am part owner of a business entity involved in the establishment and implementation of point of sales collection of sales and use taxes.

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.

Respectfully yours,

/s/ Vicki A. Schneider
District 17

The following member's presence was noted: McCaherty.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 8, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 9, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
Discussion of hiring legislative assistants with incoming years of state service.
CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.
Discussion of horse processing in Missouri.
Department of Conservation Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.
Budget presentation.

Testifying officials and/or agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.

NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 5.

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

DSS budget overview, continued.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 9, 2012, 10:00 AM

Tour of the Fulton State Hospital. Transportation will be provided to committee members from the Capitol to location. Please meet at the guard shack upon adjournment for departure.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

Discuss budget, possible amendments to be offered when bills are received and markup for upcoming budget bills for Departments of Public Safety and Department of Corrections

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.

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

Markup for Public Safety and Corrections.

CANCELLED

BUDGET

Wednesday, February 8, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1029, HB 1030, HB 2014

Executive session will be held: HB 2014

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

CHILDREN AND FAMILIES

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1327, HB 1385, HB 1323, HB 1576, HB 1049

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

CORRECTIONS

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1272

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

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1127, HB 1525

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

ELEMENTARY AND SECONDARY EDUCATION

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

Public hearing will be held: HB 1157, HB 1387

Executive session will be held: HB 1228

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

FINANCIAL INSTITUTIONS

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 1153, HB 1400, HCR 9

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

FISCAL REVIEW

Thursday, February 9, 2012, 8:30 AM South Gallery.

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

GENERAL LAWS

Wednesday, February 8, 2012, 3 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 7.

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

HEALTH CARE POLICY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1541

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

INSURANCE POLICY

Monday, February 13, 2012, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 1495, HB 1074, HB 1144

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

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 8, 2012, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 1116, HB 1659

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

JUDICIARY

Wednesday, February 8, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1473, HB 1527, HB 1288, HB 1384, HB 1512

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

LOCAL GOVERNMENT

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1396, HB 1453, HB 1458
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 8, 2012, Upon Morning Adjournment or 12 PM, whichever comes first,
House Hearing Room 5.
Public hearing will be held: HB 1291
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM

Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1356, HB 1215
Executive session may be held on any matter referred to the committee.

TAX REFORM

Monday, February 13, 2012, 7:00 PM, 516 S Country Club, Jefferson City.
Presentation

TOURISM AND NATURAL RESOURCES

Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1063, HB 1266, HJR 52
Executive session will be held: HJR 52
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Thursday, February 9, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HCR 8, HB 1182, HB 1381
Executive session will be held: HCR 8
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 8, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1131
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 74 and HJR 75

HOUSE BILLS FOR SECOND READING

HB 1662 through HB 1679

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1186 & 1147 - Parkinson
- 2 HCS HB 1298 & 1180 - Parkinson
- 3 HCS HB 1311 - Silvey
- 4 HCS HB 1329 - Silvey

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

- 1 HB 1075 - Sater
- 2 HB 1093 - Elmer
- 3 HB 1141 - Gatschenberger
- 4 HB 1156 - Rowland
- 5 HB 1179 - Hampton
- 6 HB 1185 - Parkinson
- 7 HB 1250 - Ruzicka
- 8 HB 1251 - Ruzicka
- 9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1036 - Dugger
- 2 HB 1039 - Leara
- 3 HB 1099 - Fitzwater
- 4 HB 1100 - Fitzwater
- 5 HB 1105 - Day

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner