

# JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I remind you to rekindle the gift of God that is within you, for God did not give us the spirit of fear, but of power, and of love and of a sound mind. (II Timothy 1:6-7)*

Our God, beyond Whose love and care we cannot drift, in the glory of a new day we come lifting our hearts unto You, praying that Your spirit may guide us, Your strength support us, and Your peace pervade our minds and hearts.

Within the noise and commotion of this day may we hear Your still small voice and responding find our weakness changed to strength, our fear to faith, and our ill will to good will.

We are disturbed by the dangers in our world, weighted down by many burdens, and tempted to be critical if not cynical, because of human error and human evil. Give us the spirit to carry on with courage and faith, believing that You are with us, and believing that together we can do what needs to be done.

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: Jacque-Adam Smith, Jacque-Arthur Smith, Anwar Smith, Sebastian Smith, Aidan Smith and Hannah R. Barron.

The Journal of the thirty-first day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 884 through House Resolution No. 934

## HOUSE CONCURRENT RESOLUTIONS

Representative Sommer, et al., offered House Concurrent Resolution No. 44.

Representatives Sommer and Nolte offered House Concurrent Resolution No. 45.

## SECOND READING OF HOUSE BILLS

**HB 1836** and **HB 1837** were read the second time.

## PERFECTION OF HOUSE BILLS

**HCS HB 1174**, relating to school accreditation, was taken up by Representative Lair.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1174, Page 4, Section 162.081, Line 115, by inserting after all of said line the following:

**"8. No action of the state board of education pursuant to this section shall be construed to supersede the right of a student residing in an unaccredited school district, under section 167.131, to transfer to an accredited district in the same or an adjoining county and have his or her tuition paid by his or her school district of residence.";** and

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

On motion of Representative Lair, **House Amendment No. 1** was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was ordered perfected and printed.

**HCS HB 1731**, relating to gaming and lottery moneys, was taken up by Representative Day.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1731, Page 1, Section 313.321, Lines 8 & 9, by striking the following on said lines "**development, education and care fund created in section 161.215**" and inserting in lieu thereof the following "**education and development programs**"; and

Further amend said substitute, Page 3, Section 313.835, Line 22, by inserting a "[ " immediately before the word "four"; and

Further amend said page, section, and line, by inserting the following after word "one-half" "[ **five**"; and

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

On motion of Representative Day, **House Amendment No. 1** was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was ordered perfected and printed.

### THIRD READING OF HOUSE BILL - CONSENT

**HB 1441**, relating to workers' compensation and unemployment benefits, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1441** was read the third time and passed by the following vote:

AYES: 147

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	Day	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	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: 016

Barnes	Davis	Denison	Entlicher	Franklin
Hinson	Holsman	Hubbard	Hughes	Largent
May	Nasheed	Pierson	Shumake	Spreng
Weter				

Speaker Tilley declared the bill passed.

Representative Diehl assumed the Chair.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

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

**HJR 45** - Fiscal Review

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1504** - General Laws  
**HB 1579** - Veterans  
**HB 1584** - Transportation  
**HB 1747** - Crime Prevention and Public Safety  
**HB 1761** - Crime Prevention and Public Safety  
**HB 1762** - Crime Prevention and Public Safety  
**HB 1763** - Crime Prevention and Public Safety  
**HB 1769** - Professional Registration and Licensing

### **COMMITTEE REPORTS**

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent 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 **HB 1060**, 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 Elections, to which was referred **HB 1692**, 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 Insurance Policy**, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1144**, 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 Transportation Funding and Public Institutions**, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1484**, 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 Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1574 and HB 1097**, 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 Veterans, to which was referred **HB 1680**, 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.

**Special Standing Committee on Disability Services**, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1436**, 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 Special Standing Committee on Disability Services, to which was referred **HB 1518 and HB 1522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1651**, 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 Special Standing Committee on Disability Services, to which was referred **HB 1652**, 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 Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1524**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1524**.

### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1838**, introduced by Representatives Jones (117) and Houghton, relating to compensatory leave for nonexempt state employees.

**HB 1839**, introduced by Representatives Jones (117), Schupp and Kirkton, relating to temporary license plates.

**HB 1840**, introduced by Representative Jones (117), relating to midwifery.

**HB 1841**, introduced by Representatives Jones (117), Webber and Richardson, relating to pyramid sales schemes.

**HB 1842**, introduced by Representatives Lant, Schad, Leara, Riddle, Tilley, Talboy, Jones (89), Reiboldt, Lair, Grisamore, Stream, Davis, Fisher, Scharnhorst, Korman, Kelly (24), Richardson, Barnes, Gatschenberger, Fuhr, Funderburk, Zerr, Dugger, Thomson, Ruzicka, Smith (150), Brown (85), Franklin, Burlison, Brown (50), Berry and Jones (63), relating to the joint committee on child abuse and neglect.

**HB 1843**, introduced by Representatives Morgan, Walton Gray, McGeoghegan, Smith (71), McCann Beatty, Still, Ellington, Newman, McNeil, Harris, Talboy, Oxford, Schupp, Taylor, Ellinger and Rizzo, relating to school attendance.

**HB 1844**, introduced by Representatives Reiboldt, Cauthorn, White, Schatz, Lant and Davis, relating to certain disclosures on credit card processing service contracts.

**HB 1845**, introduced by Representatives Reiboldt, Lant, White, Wieland, Cauthorn, Schatz, Brattin and Davis, relating to fees for garnishments.

**HB 1846**, introduced by Representatives Long and Ellinger, relating to referrals for MO HealthNet home- and community-based care.

**HB 1847**, introduced by Representatives Jones (117) and Richardson, relating to long-term care facilities.

**HB 1848**, introduced by Representative Webb, relating to court of appeals.

**HB 1849**, introduced by Representative McGhee, relating to health control for multifamily rental dwelling units.

The following members' presence was noted: Barnes, Davis, Denison, Franklin, Holsman, Hubbard, Largent, May, Nasheed, Pierson, Shumake, Spreng and Weter.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 29, 2012.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 29, 2012, 6:30 PM

Shooters Alley Indoor Range.

#### **BUDGET**

Monday, March 5, 2012, 10:00 AM House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

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

Review of House Committee Substitutes for House Bills 2001 through 2013.

#### **CHILDREN AND FAMILIES**

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1568, HB 1238, HB 1435

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

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 1515, HB 1424, HB 1422

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

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, March 1, 2012, 9:00 AM House Hearing Room 4.

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

#### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048

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

#### FISCAL REVIEW

Thursday, March 1, 2012, 8:30 AM South Gallery.

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

Any and all bills referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1490, HB 1545

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

#### INTERNATIONAL TRADE AND JOB CREATION

Thursday, March 1, 2012, Upon Morning Adjournment North Gallery.

Executive session will be held: HB 1449

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

#### CORRECTED

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 1, 2012, 8:30 AM Senate Lounge.

Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

#### JUDICIARY

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377

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

#### LOCAL GOVERNMENT

Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1249, HB 1701, HB 1398

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

#### AMENDED

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1619, HB 1350

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

#### SMALL BUSINESS

Wednesday, February 29, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1065, HB 1146

Executive session will be held: HB 1661, HB 1214, HB 1134

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

**TAX REFORM**

Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.  
Executive session will be held: HB 1569  
Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Thursday, March 1, 2012, Upon Morning Adjournment South Gallery.  
Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 1, 2012, 8:00 AM House Hearing Room 5.  
Public hearing will be held: HB 1535, HB 1310, HB 1101,  
Executive session will be held: HB 1275  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-THIRD DAY, WEDNESDAY, FEBRUARY 29, 2012

**HOUSE BILLS FOR SECOND READING**

HB 1838 through HB 1849

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HBs 1298 & 1180, as amended - Parkinson
- 2 HCS HB 1193 - Frederick
- 3 HCS HB 1220 - Hubbard
- 4 HB 1513 - Franz
- 5 HB 1029 - Flanigan
- 6 HCS HB 1030 - Flanigan
- 7 HCS HB 1042 - Thomson
- 8 HCS HB 1072 - Sater
- 9 HCS HB 1123 - Frederick
- 10 HCS HB 1139 - Gatschenberger
- 11 HB 1191 - Ruzicka
- 12 HCS HB 1300 - Franz
- 13 HB 1318 - Riddle
- 14 HCS HB 1324 - Loehner
- 15 HB 1431 - Hoskins
- 16 HCS HB 1495 - Nance

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/28/2012)

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 61 - Loehner
- 2 HJR 45, (Fiscal Review 2/28/12) - Solon

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1277 - Long
- 2 HB 1349 - Jones (117)
- 3 HCS HB 1106 - Dugger

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1037 - Dugger
- 2 HB 1114 - Weter