

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let love be genuine; hate what is evil, hold fast to what is good. (Romans 12:9)

Eternal God, we pray that in this sacred minute of prayer we may receive guidance for the day, wisdom for each hour, and good will for every moment. Help us to think more and talk less; to pray more and procrastinate less; to live more by high principles and less by low prejudices.

We pray this morning that You will renew a right spirit within us and send us out into this day with gracious thoughts, good words, and a great spirit.

We also pray for former Representative Jerry King who passed away this week. He served here from 1998 through 2004.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 558 through House Resolution No. 599

HOUSE CONCURRENT RESOLUTION

Representative Schupp, et al., offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILLS

HB 699 through **HB 725** were read the second time.

SECOND READING OF SENATE BILLS

SB 16, SCS SB 45, SB 59, SB 75, SCS SB 88, SB 100, SB 138 and **SCS SBs 176 & 192** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJRs 11 & 7, relating to the right to farm, was taken up by Representative Reiboldt.

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

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution Nos. 11 & 7, Page 1, Section 35, Line 4, by inserting the word "**state**" immediately following the word "**No**"; and

Further amend said bill, page and section, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"technology and modern and traditional livestock production and ranching practices, unless enacted by the General Assembly."; and

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

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

Representative Wright offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Joint Resolution Nos. 11 & 7, Page 1, Section 35, Line 6, by inserting after the word "**practices.**" the following:

"In addition, as used in this section, the term "farmers and ranchers" shall not be construed to include breeders of pets, exotic animals, or horses for slaughter for human consumption. Nor shall the term "livestock" be construed as to include pets, exotic animals, or horses for slaughter for human consumption."; and

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

Representative Wright moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Berry	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schupp	Smith 85	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wright
Zerr				

NOES: 105

Anderson	Austin	Bahr	Barnes	Bernskoetter
Black	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Allen	Brattin	Jones 50	May	Mitten
-------	---------	----------	-----	--------

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Smith 120	Solon

Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brattin	Franklin	Hubbard	Jones 50
May	Mitten	Morris	Schatz	

VACANCIES: 002

On motion of Representative Reiboldt, **HCS HJR 11 & 7, as amended**, was adopted.

On motion of Representative Reiboldt, **HCS HJR 11 & 7, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Stream.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 14, Page 5, Section 14.125, Line 9, by inserting immediately thereafter the following:

"Section 14.130. To the Department of Public Safety
 For the State Highway Patrol
 For Vehicle and Driver Safety

Personal Service.	\$125,000
Expense and Equipment.	<u>629,703</u>
From Highway Patrol Inspection Fund.	\$754,703"

Further amend said bill by adjusting section and bill totals accordingly.

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

On motion of Representative Stream, **HCS HB 14, as amended**, was adopted.

On motion of Representative Stream, **HCS HB 14, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 158, relating to tax increment financing, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 158** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Brattin	Jones 50	May	McCaherty
Mitten	Scharnhorst	Schatz		

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Elmer	Jones 50	May	Mitten
Scharnhorst				

VACANCIES: 002

PERFECTION OF HOUSE BILL

HB 44, relating to a renewable energy standard, was taken up by Representative Korman.

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

House Amendment No. 1

AMEND House Bill No. 44, Page 1, Section A, Line 2, by inserting after all of said section the following:

"393.1000. As used in sections 393.1000 to 393.1006, the following terms mean:

(1) "Appropriate pretax revenues", the revenues necessary to produce net operating income equal to:

(a) The water corporation's **or sewer corporation's** weighted cost of capital multiplied by the net original cost of eligible infrastructure system replacements, including recognition of accumulated deferred income taxes and accumulated depreciation associated with eligible infrastructure system replacements which are included in a currently effective ISRS; and

(b) Recover state, federal, and local income or excise taxes applicable to such income; and

(c) Recover all other ISRS costs;

(2) "Commission", the Missouri public service commission;

(3) "Eligible infrastructure system replacements"[,] :

(a) Water **or sewer** utility plant projects that:

[(a)] **a.** Replace or extend the useful life of existing infrastructure;

[(b)] **b.** Are in service and used and useful;

[(c)] **c.** Do not increase revenues by directly connecting the infrastructure replacement to new customers; and

[(d)] **d.** Were not included in the water corporation's **or sewer corporation's** rate base in its most recent general rate case; **and**

(b) **Energy efficiency projects that:**

a. Are in service and used and useful;

b. Do not increase revenues by directly connecting the infrastructure replacements to new customers;

and

c. Were not included in the water corporation's or sewer corporation's rate base in its most recent general rate case;

(4) **"Energy efficiency", measures that reduce the amount of energy required to achieve a given end result;**

(5) "ISRS", infrastructure system replacement surcharge;

[(5)] (6) "ISRS costs", depreciation expenses and property taxes that will be due within twelve months of the ISRS filing; **depreciation expense on eligible infrastructure system capital investments shall not begin to be recorded on a utility's books until it is included in ISRS revenues or base revenues;**

[(6)] (7) "ISRS revenues", revenues produced through an ISRS, exclusive of revenues from all other rates and charges;

(8) **"Base revenues", revenues produced through a general rate case proceeding;**

[(7)] (9) "Water corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any plant or property, dam or water supply, canal, or power station, distributing or selling for distribution, or selling or supplying for gain any water [to more than ten thousand customers];

[(8)] (10) **"Sewer corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any sewer system, plant, or property, for the collection, carriage, treatment, or disposal of sewage anywhere within the state for gain;**

(11) "Water or sewer utility plant projects" may consist only of the following:

(a) Mains, [and associated] valves [and] , hydrants, **service lines, and meters, collecting sewers (including force lines, gravity sewers, interceptors, laterals, trunk sewers, manholes, lampholes, and necessary appurtenances, including service wyes), lift stations, and pressure pumps** installed as replacements for existing facilities that have worn out or are in deteriorated condition **or replaced as part of a commission order, or the replacement of any of the forms of plant utility named above with improved technology;**

(b) Main **and sewer** cleaning and relining projects; [and]

(c) Facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the water corporation **or sewer corporation; and**

(d) **Energy efficiency projects.**

393.1003. 1. Notwithstanding any provisions of chapter 386, RSMo, and this chapter to the contrary, as of August 28, [2003] **2014**, a water corporation **or sewer corporation** [providing water service in a county with a charter form of government and with more than one million inhabitants] may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation's **or sewer corporation's** rates and charges to provide for the recovery of costs for eligible infrastructure system replacements [made in such county with a charter form of government and with more than one million inhabitants]; , provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars **for a water corporation or sewer corporation, or ten thousand dollars for a small sewer corporation or small water corporation as defined in section 393.146**, but not in excess of ten percent of the water corporation's **or sewer corporation's** base revenue level approved by the commission in the water corporation's most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006.

2. The commission shall not approve an ISRS for a water corporation **or sewer corporation** [in a county with a charter form of government and with more than one million inhabitants] that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation **or sewer corporation** has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation **or sewer corporation** collect an ISRS for a period exceeding three years unless the water corporation **or sewer corporation** has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established."; and

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

Speaker Pro Tem Smith assumed the Chair.

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

Representative Berry offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 44, Page 1, Section 393.1025, Line 15, by inserting after all of said section and line, the following:

"**393.1032 1. Notwithstanding any other provision of law, all hydroelectric generation facilities located in Missouri, hydroelectric generation facilities that are owned by a Missouri utility, or under a purchased power agreement with a Missouri utility that is required to comply with energy standards under sections 393.1020 to 393.1045, will be classified as a certified renewable energy resource effective January 1, 2018. Beginning January 1, 2021, all hydroelectric generation, will be classified as a certified renewable energy resource. Such certification as a renewable energy resource will become effective immediately upon the occurrence of the delayed effective dates in this section, and will not require any additional certification from the division of energy of the Missouri department of natural resources or an equivalent agency.**

2. Prior to August 28, 2013, existing hydroelectric generation facilities that have met the definition of a renewable energy resource and have been certified as such by the division of energy of the Missouri department of natural resources or an equivalent agency, shall be considered to be renewable energy resources under sections 393.1020 to 393.1045."; and

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

On motion of Representative Berry, **House Amendment No. 2** was adopted.

HB 44, as amended, was laid over.

On motion of Representative Diehl, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILLS

HCS HB 320, relating to discriminatory employment practices, was taken up by Representative Elmer.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 320, Page 2, Section 213.010, Lines 44 and 45, by deleting all of said lines and inserting in lieu thereof the following:

"political or civil subdivision thereof, or [any person employing six or more persons within the state, and] any person directly acting in the interest of an employer, but does not include"; and

Further amend said title, enacting clause and intersectional references accordingly.

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

Representative Cornejo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 320, Page 5, Section 213.111, Lines 26 to 31, by deleting all of said lines and inserting in lieu thereof the following:

"3. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, [and 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 only upon a showing that the case is without foundation."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 2** was adopted.

Representative Cox assumed the Chair.

On motion of Representative Elmer, **HCS HB 320, as amended**, was adopted.

On motion of Representative Elmer, **HCS HB 320, as amended**, was ordered perfected and printed.

HB 44, as amended, relating to a renewable energy standard, was again taken up by Representative Korman.

Representative Korman offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 44, Page 1, Section 393.1025, Line 8, by inserting after the phrase "dedicated crops" the following:

"or algae"; and

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

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 1 to House Bill No. 44, Page 1, Line 4, by inserting after said line the following:

‘Further amend said bill, Page 1, Line 3 of the title, by deleting the words "renewable energy definitions" and inserting in lieu thereof the words "regulation of water resources"; and’; and

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

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Korman, **House Amendment No. 3, as amended**, was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen

Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Smith 120	Solon
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Brattin	Hubbard	Jones 50	May
Mims	Mitten	Morris	Pike	Roorda
Schatz	Sommer			

VACANCIES: 002

On motion of Representative Korman, **HB 44, as amended**, was ordered perfected and printed.

HB 34, as amended, relating to the School Construction Act, was taken up by Representative Guernsey.

Representative Hinson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 34, Page 1, Section 290.344, Line 10, by inserting after all of said line the following:

"3. An independent contractor conducting work under this section shall, upon the request of the school district, show proof of workers' compensation coverage."; and

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

On motion of Representative Hinson, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McGaugh	Messenger	Miller	Molendorp
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Gatschenberger	Hubbard	Jones 50
May	McCaherty	Mitten	Morris	Pike
Roorda	Schatz	Sommer		

VACANCIES: 002

On motion of Representative Guernsey, **HB 34, as amended**, was ordered perfected and printed by the following vote:

AYES: 089

Allen	Anderson	Austin	Bahr	Bernskoetter
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Spencer	Stream	Swan	Thomson	Walker
White	Wilson	Wood	Mr Speaker	

NOES: 059

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Gannon	Gardner	Harris	Hodges
Hummel	Kelly 45	Kirkton	Korman	Kratky
LaFaver	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Solon	Swearingen	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Brown	Funderburk	Gatschenberger
Hubbard	Jones 50	May	Mitten	Morris
Pike	Roorda	Sommer		

VACANCIES: 002

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 4, relating to general assembly term limits, was taken up by Representative Neth.

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

House Amendment No. 1

AMEND House Joint Resolution No. 4, Page 1, Section 8, Line 3, by inserting after the phrase: "General Assembly." on said line the following:

"No person shall run for office for either house of the General Assembly if such person is prohibited from completing a full term in office as a representative or senator by the time limitations of this section."; and

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

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

HJR 4, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 10** - Tourism and Natural Resources
- HCR 11** - Tourism and Natural Resources
- HCR 12** - Tourism and Natural Resources
- HCR 25** - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HCS HJRs 11 & 7** - Fiscal Review
- HJR 24** - General Laws
- HJR 27** - Agriculture Policy
- HJR 29** - Agriculture Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 44** - Fiscal Review
- HCS HB 320** - Fiscal Review
- HB 164** - Workforce Development and Workplace Safety
- HB 180** - General Laws
- HB 183** - Budget
- HB 206** - Agriculture Policy

- HB 243** - Special Standing Committee on Small Business
- HB 251** - Children, Families, and Persons with Disabilities
- HB 258** - Tourism and Natural Resources
- HB 259** - Workforce Development and Workplace Safety
- HB 296** - Crime Prevention and Public Safety
- HB 306** - Tourism and Natural Resources
- HB 331** - Utilities
- HB 337** - Professional Registration and Licensing
- HB 341** - General Laws
- HB 353** - Retirement
- HB 377** - General Laws
- HB 378** - Health Care Policy
- HB 396** - Elementary and Secondary Education
- HB 414** - Budget
- HB 437** - Utilities
- HB 440** - Professional Registration and Licensing
- HB 441** - Special Standing Committee on Urban Issues
- HB 442** - Crime Prevention and Public Safety
- HB 448** - Professional Registration and Licensing
- HB 471** - Tourism and Natural Resources
- HB 484** - Economic Development
- HB 488** - Professional Registration and Licensing
- HB 493** - Children, Families, and Persons with Disabilities
- HB 499** - Health Insurance
- HB 535** - Children, Families, and Persons with Disabilities
- HB 543** - General Laws
- HB 549** - Health Care Policy
- HB 564** - Agri-Business
- HB 568** - Local Government
- HB 570** - Tourism and Natural Resources
- HB 581** - Transportation
- HB 585** - Tourism and Natural Resources
- HB 588** - Elections
- HB 594** - Judiciary
- HB 597** - General Laws
- HB 599** - Veterans
- HB 607** - Ways and Means
- HB 609** - General Laws
- HB 621** - International Trade
- HB 625** - Professional Registration and Licensing
- HB 632** - Special Standing Committee on Urban Issues
- HB 634** - Tourism and Natural Resources
- HB 638** - Crime Prevention and Public Safety
- HB 639** - General Laws
- HB 640** - General Laws
- HB 643** - Local Government
- HB 650** - Tourism and Natural Resources

- HB 653** - Crime Prevention and Public Safety
- HB 656** - Special Standing Committee on Urban Issues
- HB 658** - Local Government
- HB 667** - Agriculture Policy
- HB 668** - Children, Families, and Persons with Disabilities
- HB 669** - General Laws
- HB 673** - Higher Education

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

- HB 351** - Health Care Policy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

- SS#2 SCS SB 1** - Workforce Development and Workplace Safety
- SB 75** - General Laws
- SCS SB 182** - Special Standing Committee on Small Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 542**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 586**, 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(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 191** and **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 201**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 221**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 222**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Special Standing Committee on Emerging Issues in Health Care, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **HB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 443**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 432**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

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

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 64**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 409**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

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

HB 726, introduced by Representatives Pierson, Montecillo, Pace, Webb, Gardner, Walton Gray, Smith (85), Burns, Norr, Morgan, Runions, Mims, Butler, Dunn, English, Ellington, Nichols, Cookson, Jones (110), Lair, Phillips, Shull, Richardson, McCann Beatty, McCaherty and Hodges, relating to the Missouri juneteenth heritage and jazz festival and memorial.

HB 727, introduced by Representative Grisamore, relating to services provided to individuals with disabilities.

HB 728, introduced by Representatives Rizzo, Webb, LaFaver, Mims, Dunn, Mayfield and McManus, relating to impoundment of a motor vehicle used to patronize prostitution.

HB 729, introduced by Representatives Rizzo, Torpey, Webb and Cierpiot, relating to scrap metal.

HB 730, introduced by Representatives Rowden, Englund, McKenna, Webber, Fitzpatrick, Muntzel, Franklin, Haahr, Rhoads and Wright, relating to notice requirements for lost or unclaimed property.

HB 731, introduced by Representative Grisamore, relating to MO HealthNet benefit eligibility.

HB 732, introduced by Representatives Hicks, Rhoads, Spencer, Reiboldt, Ross, Hurst, Leara, Miller, Walker, Remole, Bahr, Morris, Fitzwater, Guernsey, Wilson, Franklin, Smith (120), Rehder, Fitzpatrick, Love, Cornejo, Pike, Dohrman, Kolkmeyer, McGaugh, Austin, Sommer, Higdon, Cookson, Parkinson, Wood and Fowler, relating to firearms ownership and medical records.

HB 733, introduced by Representatives Berry, Cross, Lauer, Solon, Cierpiot, Rizzo, McCann Beatty, LaFaver, Swearingen, Mayfield, Mims, Runions, Anders and McManus, relating to port improvement districts..

HB 734, introduced by Representative Torpey, relating to the assignment of property tax liens.

HB 735, introduced by Representative Gosen, relating to the regulation of insurance business.

HB 736, introduced by Representative Scharnhorst, relating to an income tax deduction for educational expenses.

HB 737, introduced by Representative Leara, relating to the public school retirement system of the city of St. Louis.

HB 738, introduced by Representatives Lauer, Rowland, Hinson, Anders, Gatschenberger, Thomson, Higdon and Phillips, relating to school safety.

HB 739, introduced by Representative Korman, relating to clean water fees.

HB 740, introduced by Representative Korman, relating to hazardous waste fees.

HB 741, introduced by Representative Korman, relating to surface mining fees.

HB 742, introduced by Representatives Ellington, Mims, Curtis, Smith (85), Montecillo, Gardner, Morgan, Ellinger, Otto, Pace, Walton Gray, Meredith, Mitten and Rizzo, relating to improving the ability of inmates to obtain employment upon release from incarceration.

HB 743, introduced by Representatives Ellington, Hough, Solon, Conway (104), Montecillo, Gardner, Molendorp, Burlison, Cierpiot, Neth, Rowland, Mims, Morgan, Englund, Otto, Carpenter, Pace, English, Walton Gray, Colona, Smith (85), Curtis, Meredith and McCann Beatty, relating to the A+ schools program.

HB 744, introduced by Representatives Ellington, Colona, Meredith, Rizzo and McCann Beatty, relating to eyewitness identification procedures.

HB 745, introduced by Representatives Thomson, Frederick, Lichtenegger and Dohrman, relating to higher education scholarship programs.

HB 746, introduced by Representatives Cross, Cierpiot, McCaherty, Johnson, Hoskins, Torpey, Solon, Lauer, Diehl, Mayfield, McDonald and Grisamore, relating to the innovation education campus fund.

HB 747, introduced by Representative Scharnhorst, relating to financial transactions of gaming establishments.

HB 748, introduced by Representatives Crawford and Dugger, relating to open-end credit fees and to depository institution open-end credit advance fees applicable to transaction account cash advances.

HB 749, introduced by Representatives Cross, Lauer, Lynch, Brown, McCaherty, Fitzwater, Gatschenberger, Davis, Reiboldt and Lant, relating to landlord-tenant actions.

HB 750, introduced by Representative Molendorp, relating to insurance coverage for optometric services.

HB 751, introduced by Representative Molendorp, relating to tobacco-derived products.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, February 28, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Thursday, February 28, 2013, Upon Morning Adjournment House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Possible executive session

DOWNSIZING STATE GOVERNMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 297, HB 455, HB 406, HB 503, HB 451, HB 590
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 385, HB 698

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

ELECTIONS

Tuesday, March 5, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 336, HB 348, HB 587, HJR 20, HB 54

Executive session will be held: HJR 20, HB 54

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

Committee may reconsider HB 199 using new substitute.

FISCAL REVIEW

Thursday, February 28, 2013, 8:30 AM South Gallery.

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

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

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

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 52, HB 481, HB 522

Executive session will be held: HB 53, HB 58

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

Consent requested on HB 53 and HB 58

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

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

Informational meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 625

Executive session will be held: HB 625, HB 384, HB 387

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

RULES

Thursday, February 28, 2013, 1:00 PM House Hearing Room 7.

Executive session will be held: HCS HB 335, HB 134, HB 307, HB 227, HB 184, HB 152, HCR 5, HCR 9, HB 542, HB 412, HB 443, HB 591

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

TOURISM AND NATURAL RESOURCES

Thursday, February 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 604

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

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2013

HOUSE BILLS FOR SECOND READING

HB 726 through HB 751

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 4, as amended - Neth
- 2 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION

HCS HB 169 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen

- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HJR 8 - Solon
- 2 HCS HJRs 11 & 7 , (Fiscal Review 2-27-13) - Reiboldt

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Stream

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 388 - Swan
- 2 HCS HB 320, (Fiscal Review 2-27-13) - Elmer
- 3 HB 44, (Fiscal Review 2-27-13) - Korman
- 4 HB 34 - Guernsey