

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Therefore I tell you, whatever you ask in prayer, believe that you receive it, and you will. (Mark 11:24)

Eternal God, we pause in Your presence this moment praying that Your spirit may come anew into our hearts and into the hearts of all our people. May we not only hear the cry of humanity for justice and freedom, but may we heed it. May violence cease, may understanding between the peoples increase, may intelligent good will prevail and may the needs of the poor be met, that there be no cause for bitterness and hatred.

We pray that everyone may have a chance to grow, to work and to live, that our state may be in deed and in truth the home of the brave, the land of the free, with liberty and justice for all.

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: Hayden Altena, Page Bedsworth, Perry Brummett, Matthew Caszett, Nathan Drywater, Ashlee Geisler, Mikayla Glass, Daniel Kang, Madisyn Logan, Claire Reisner, Christina Sherman, Anna Tharakan, Kylie Swearingen and Laura Crossno.

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 761 through House Resolution No. 771

HOUSE CONCURRENT RESOLUTION

Representative Dunn, et al., offered House Concurrent Resolution No. 30.

SECOND READING OF HOUSE BILLS

HB 824 through **HB 833** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 36, SB 90, SB 148, SCS SB 157, SB 218, SB 234 and SB 236 were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 9, relating to a Federal Reserve Bank audit, was taken up by Representative Curtman.

On motion of Representative Curtman, **HCR 9** was adopted by the following vote:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 036

Burns	Butler	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Gardner	Hubbard
Hummel	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 003

Newman Smith 120 Wood

VACANCIES: 002

HCR 7, relating to the State Historical Society of Missouri, was taken up by Representative Pfautsch.

Representative Neth assumed the Chair.

On motion of Representative Pfautsch, **HCR 7** was adopted.

THIRD READING OF HOUSE BILL

HCS HB 457, relating to the conscience rights of medical workers, was taken up by Representative Jones (110).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	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	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty

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McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Dunn	Grisamore	Newman	Smith 120	Wood
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VACANCIES: 002

On motion of Representative Jones (110), **HCS HB 457** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 041

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore Newman Smith 120 Wood

VACANCIES: 002

Representative Neth declared the bill passed.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

AFTERNOON SESSION

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

Representative Diehl suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 101

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Burlison	Butler	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	McCaherty	McKenna	Messenger	Miller
Mims	Morris	Muntzel	Neth	Norr
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Rowden	Rowland
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Stream	Swan
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 001

Smith 85

PRESENT: 047

Anders	Bahr	Black	Brown	Burns
Carpenter	Colona	Conway 10	Ellington	English
Englund	Frederick	Gardner	Gatschenberger	Hansen
Harris	Higdon	Hubbard	Hummel	Kelly 45
Kirkton	LaFaver	Leara	Marshall	May

Mayfield	McCann Beatty	McDonald	McGaugh	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Nichols	Otto	Pace	Pierson	Roorda
Runions	Spencer	Swearingen	Walton Gray	Webb
Webber	Wright			

ABSENT WITH LEAVE: 012

Crawford	Hodges	Koenig	Molendorp	Neely
Newman	Ross	Scharnhorst	Smith 120	Thomson
Torpey	Wood			

VACANCIES: 002

PERFECTION OF HOUSE BILLS

HB 64, relating to a deduction for political donations, was taken up by Representative Burlison.

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

House Amendment No. 1

AMEND House Bill No. 64, Section 130.028, Page 3, Line 30, by deleting said line and inserting in lieu thereof the following:

"4. A labor organization, directly or through another person or through an employer, may"; and

Further amend said section and page, Lines 38-40, by deleting all of said lines and inserting in lieu thereof the following:

"to the contribution in writing annually. Nothing in this subsection shall be"; and

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

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 64, Page 1, Lines 7-10, by deleting all of said lines and inserting in lieu thereof the following:

Further amend said section and page, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"covered under subdivision (3) of section 192.800, unless an employee is required to be a member or pay dues, fees, assessments, or any other similar charges however denominated, to that association. Nothing in this subsection shall be"; and'; and

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

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rowden
Rowland	Scharnhorst	Schatz	Shull	Shumake
Solon	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Zerr
Mr Speaker				

NOES: 055

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Higdon	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Sommer	Swearingen
Walton Gray	Webb	Webber	Wieland	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 10	Cornejo	Engler	Gatschenberger	Hodges
Newman	Ross	Schieber	Smith 120	Wood

VACANCIES: 002

Representative Barnes assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Sommer		

VACANCIES: 002

On motion of Representative Brattin, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 086

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Lair	Lant	Leara	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Spencer	Stream	Swan
Thomson	Walker	White	Wilson	Wood
Mr Speaker				

NOES: 067

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Engler	Funderburk	Gatschenberger	Hodges
Newman	Rowden	Smith 120		

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	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	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Cornejo	Cox	Frame	Funderburk	Gannon
Gatschenberger	Hodges	Kolkmeier	Newman	Smith 120
Stream				

VACANCIES: 002

On motion of Representative Burlison, **HB 64, as amended**, was ordered perfected and printed by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Shull	Shumake	Spencer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 062

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

PRESENT: 000

ABSENT WITH LEAVE: 006

Cornejo	Gatschenberger	Hodges	Korman	Newman
Smith 120				

VACANCIES: 002

HB 409, relating to prevailing wages, was taken up by Representative Love.

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

House Amendment No. 1

AMEND House Bill No. 409, In the Title, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof "relating to prevailing wages."; and

Further amend said bill, Section 290.210, Page 1, Lines 1-14, by deleting all of said lines and inserting in lieu thereof the following:

"290.210. As used in sections 290.210 to 290.340, unless the context indicates otherwise:

(1) "Construction" includes construction, reconstruction, [improvement,] enlargement, [alteration,] **and** painting and decorating **done as part of any of the foregoing**, or major repair]. **Construction does not include maintenance work.**

(2) "Department" means the department of labor and industrial relations.

(3) "Locality" means the county where the physical work upon public works is performed, except that if there is not available in the county a sufficient number of competent skilled workmen to construct the public works efficiently and properly, "locality" may include two or more counties adjacent to the one in which the work or construction is to be performed and from which such workers may be obtained in sufficient numbers to perform the work, and that, with respect to contracts with the state highways and transportation commission, "locality" may be construed to include two or more adjacent counties from which workmen may be accessible for work on such construction.

(4) "Maintenance work" means the repair, but not the replacement, of existing facilities **and shall include repairs that restore existing facilities to a previous state or condition or improve the utility or enhance the appearance of existing facilities provided** that [when] the size, type or extent of the existing facilities is not thereby changed or increased. **Maintenance work shall not include major repairs which shall be defined as any work that exceeds the replacement cost of existing facilities.**"; and

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

Representative Engler assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	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	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt

Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 048

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Cornejo	Gatschenberger	Hodges	Kelly 45	LaFaver
Newman	Riddle	Smith 120	Spencer	Wood

VACANCIES: 002

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

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

House Amendment No. 2

AMEND House Bill No. 409, Section 290.210, Pages 1-2, Lines 15-46, by deleting all of said lines and inserting in lieu thereof the following:

"(5) "Prevailing hourly rate of wages" means the wages paid generally, in the locality in which the public works is being performed[, to workmen engaged in work of a similar character including the basic hourly rate of pay and the amount of the rate of contributions irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan or program, and the amount of the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal or state law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the department, insofar as sections 290.210 to 290.340 are concerned, may be discharged by the making of payments in cash, by the making of irrevocable contributions to trustees or third persons as provided herein, by the assumption of an enforceable commitment to bear the costs of a plan or program as provided herein, or any combination thereof, where the aggregate of such payments, contributions and costs is not less than the rate of pay plus the other amounts as provided herein]. **The prevailing hourly rate of wages for all counties except for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants,**

any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county shall be deemed:

(a) The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

(b) If no such rate can be determined under paragraph (a) of this subdivision, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;"; and

Further amend said bill, Section 290.262, Page 3, Lines 1-10, by deleting all of said lines and inserting in lieu thereof the following:

"290.262. 1. (1)(a) Except as otherwise provided in section 290.260, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall annually investigate and determine the prevailing hourly rate of wages in each locality for each separate occupational title.

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section.

(c) In determining prevailing rates, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, the applicable wage rates paid by members of a trade organization designated with a 501(c)(6) tax exempt status by the United States Internal Revenue Service, and the rates that are paid generally within [the locality] any county

of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality[.] ;

(d) For the purposes of this chapter, the wage rates paid by members of a trade organization may be submitted by such trade organization and shall be considered in the aggregate. Any subsequent challenge to the wage rate as determined by the department based upon such data shall not require any member of such trade organization to appear or participate in any administrative action related thereto;

(2) (a) Except as otherwise provided in section 290.260, the prevailing hourly rate of wages for all other counties shall be deemed:

a. The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

b. If no such rate can be determined under subparagraph a of paragraph (a) of subdivision (2) of this subsection, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section;

(c) In determining prevailing rates, the department shall consider the applicable wage rates that are paid generally within the locality, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality;"; and

Further amend said section, Page 4, Lines 44-45, by deleting said lines and inserting in lieu thereof the following:

"Any annual wage order made for a particular occupational title in a locality"; and

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

Representative Schatz offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 409, Page 2, Lines 4-12, by deleting all of said lines and inserting in lieu thereof the following:

"seven hundred thousand inhabitants, and any city not within a county, shall be the state average weekly wage as determined by the department of labor and industrial relations."; and

Further amend said amendment, Pages 3-4, Lines 35-41, and 1-2, by deleting all of said lines and inserting in lieu thereof the following:

"for all other counties shall be the state average weekly wage as determined by the department of labor and industrial relations."; and

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

On motion of Representative Schatz, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 089

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	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	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Sommer	Stream	Swan	Thomson	Walker
White	Wilson	Wood	Mr Speaker	

NOES: 059

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

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Berry	Conway 10	Cornejo	Funderburk
Gatschenberger	Hodges	Jones 50	Newman	Rowden
Smith 120	Spencer	Swearingen		

VACANCIES: 002

Speaker Jones resumed the Chair.

On motion of Representative Fraker, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 088

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	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	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Parkinson	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Sommer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 064

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Spencer	Swearingen	

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Learn
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Solon	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 044

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

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Carpenter	Cornejo	Ellington	Elmer
Funderburk	Gatschenberger	Higdon	Hodges	Hubbard
Marshall	May	McCann Beatty	Newman	Pace
Shumake	Smith 120	Sommer	Spencer	

VACANCIES: 002

On motion of Representative Love, **HB 409, as amended**, was ordered perfected and printed by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	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	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Mr Speaker

NOES: 062

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Sommer	Spencer	

VACANCIES: 002

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 28 - Veterans

RE-REFERRAL OF HOUSE BILL

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

HB 651 - Downsizing State Government

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 433**, 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 Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 343**, 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 Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 336**, 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 Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HB 81**, 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 Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SBs 10 & 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 20, 15 & 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Higher Education, Chairman Thomson:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 673**, 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 Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 387**, 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 Professional Registration and Licensing, to which was referred **HB 440**, 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.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 448**, 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 Professional Registration and Licensing, to which was referred **HB 625**, 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.

Special Standing Committee on Small Business, Chairman Torpey reporting:

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **HB 391**, 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 Special Standing Committee on Small Business, to which was referred **HB 510**, 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 Small Business, to which was referred **SCS SB 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.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 756**, 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 Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 10**, 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 Tourism and Natural Resources, to which was referred **HCR 11**, 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 Tourism and Natural Resources, 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(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 306**, 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.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 471**, 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 Tourism and Natural Resources, to which was referred **HB 585**, 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 Tourism and Natural Resources, to which was referred **HB 634**, 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 Tourism and Natural Resources, to which was referred **HB 650**, 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 Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 581**, 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 715**, 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.

ADVANCEMENT OF HOUSE BILLS - CONSENT

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 184, HB 196, HB 301, HB 307, HCS HB 312, HCS HB 401, HB 412, HB 432, HB 542, HCS HB 586 and HB 591.**

INTRODUCTION OF HOUSE BILLS

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

HB 834, introduced by Representative Sommer, relating to service dogs.

HB 835, introduced by Representative Sommer, relating to the designation of animal rescue and adoption week.

HB 836, introduced by Representative Guernsey, relating to produce grown at a correctional facility.

HB 837, introduced by Representatives Fraker, Dugger, Redmon, Rowland, Lichtenegger, Burlison, Webb and Messenger, relating to food prepared for fundraising events.

HB 838, introduced by Representatives Wieland, Berry, Barnes, Hummel, Kelly (45) and Roorda, relating to eligibility for supplemental nutrition assistance program benefits.

HB 839, introduced by Representatives McManus, Barnes, Kelly (45), Rizzo and Webber, relating to the Missouri false claims and fraud prevention act.

HB 840, introduced by Representatives Brown, Jones (110), Cox, Gatschenberger, Barnes, Kelley (127), Walker, Smith (120), Kolkmeier, Rehder, Conway (104), Hicks, Redmon, Anderson, Guernsey, Fraker, Koenig, Rhoads, Rowland, Cornejo, Ross, Funderburk, Rowden, Lant, Houghton, Hinson, Cookson, Spencer, Muntzel, Remole, Riddle, Elmer, Keeney, Fitzpatrick, Fitzwater, Hampton, Flanigan, Schieber, Wood, Phillips, McCaherty, Scharnhorst, Frederick, Grisamore, Berry, Curtman, Lauer, Reiboldt, Crawford, Wilson, Schatz, Dugger, Diehl, Burlison, Bahr, Dohrman, Justus, Davis, Lichtenegger, Haefner, Hoskins, Neely and Pike, relating to local department of revenue fee offices.

HB 841, introduced by Representatives Ross, Dugger, Fraker and Reiboldt, relating to tax credits for milk producers.

HB 842, introduced by Representatives Kelley (127), Spencer and Pace, relating to providing cystic fibrosis information to marriage license applicants.

HB 843, introduced by Representatives Kirkton, McDonald, Pace, Ellinger, Hummel, McCann Beatty, Pierson, Walton Gray, Mims, Morgan, LaFaver, Ellington, Dunn and Curtis, relating to individual income tax.

HB 844, introduced by Representatives McNeil, Berry, English, Otto and Carpenter, relating to combined heat and power systems.

HB 845, introduced by Representatives Cornejo, English and Hicks, relating to property exempt from attachment.

HB 846, introduced by Representatives Pfautsch and Gatschenberger, relating to political subdivisions.

HB 847, introduced by Representatives Gardner, Webb, Smith (85), Hough, Dunn, Ellington, Morgan, Mims, Walton Gray, Curtis and Otto, relating to civil contempt for failure to appear for debt collection.

HB 848, introduced by Representative Neth, relating to elections.

HB 849, introduced by Representatives Lant, Cox, Diehl, Phillips and Barnes, relating to model jury instructions.

HB 850, introduced by Representatives McCaherty, May, Otto, Mayfield, Nichols, Hinson, Cross, Fraker, Remole, Montecillo, Redmon, Cierpiot, Berry and Torpey, relating to the bring jobs home act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 5**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, under federal Medicaid law, states are required to make disproportionate share hospital (DSH) payments to hospitals for providing health care to a vast number of low-income patients in an attempt to make up for financial losses by hospitals that do not receive payment for services rendered to uninsured patients and because Medicaid provider payment rates are far lower than those payments received by private insurance; and

WHEREAS, also under federal Medicaid law, the federal government reimburses states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage and each state receives an annual DSH allotment; and

WHEREAS, Missouri hospitals reported providing \$1.1 billion in uncompensated care to Missourians in 2011; and

WHEREAS, under the Affordable Care Act (ACA) of 2010, states are mandated to expand Medicaid eligibility for persons with incomes up to 133% of the federal poverty level; however, in June 2012, the United States Supreme Court found such mandate impermissible and now allows each state to decide whether to implement such a Medicaid expansion; and

WHEREAS, under the ACA, under the assumption at the time the law passed that all states were to implement the Medicaid expansion, the federal government is required to reduce more than \$22 billion in DSH payments from 2014 to 2022; and

WHEREAS, it is estimated that Missouri will suffer cuts to both Medicaid and Medicare hospital payments in the amount of \$3.3 billion from 2013 to 2020 with DSH cuts in the amount generally of \$704 million from 2013 to 2019; and

WHEREAS, the federal cuts to DSH hospital payments are set to occur regardless of whether a state has elected to implement the Medicaid expansion under the ACA - a decision the United States Supreme Court found each state has a right to pursue; and

WHEREAS, Missouri hospitals have reported that it will be an "unsustainable situation for hospitals" to absorb more than \$1 billion annually in uncompensated care while facing \$3.3 billion in cuts:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage for those states that have chosen not to implement the Medicaid expansion; and

BE IT FURTHER RESOLVED that Governor Nixon work with the federal government to ensure that the reduction to such DSH payments do not occur; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the federal Department of Health and Human Services, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 26, 11 & 31**, entitled:

An act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 144.010, 144.014, 144.020, 144.021, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.440, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and effective dates for certain sections.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

March 12, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

I would like to notify you of the approval for the request by Rep. Mark Parkinson to be named the Chair of the Leadership for Missouri Issue Development Standing Committee.

Please take note of the updated committee member roster.

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts, Chair

COMMUNICATION

March 12, 2013

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

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is the Missouri Director of Agriculture; and some of the legislation and amendments that I will be voting on could have a direct impact on our family.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Linda Black
State Representative
District 117

The following member's presence was noted: Newman.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Wednesday, March 13, 2013.

COMMITTEE HEARINGS

BUDGET

Wednesday, March 13, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

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

Bills to be considered: House Committee Substitutes for House Bills 1 through 13

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 589

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

DOWNSIZING STATE GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 775, HB 774, HB 617, HB 527, HB 508, HB 507

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 50, HJR 22

Executive session will be held: HB 458, HB 470

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

Executive session will conclude at 8:30 AM.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 342

Executive session will be held: HB 487

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

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 498

Executive session will be held: HB 478

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

FISCAL REVIEW

Wednesday, March 13, 2013, 8:30 AM South Gallery.

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

FISCAL REVIEW

Thursday, March 14, 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: HJR 19, HB 400, HB 351, HB 324
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, March 14, 2013, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HB 701
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, March 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.
Public hearing will be held: HB 733
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.
1st quarter meeting
Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.
1st quarter meeting
Please note date change.
CANCELLED

JUDICIARY

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)
House Hearing Room 1.
Public hearing will be held: HB 210
Executive session will be held: HB 371, HB 505
Executive session may be held on any matter referred to the committee.
Public testimony to be heard on HB 210

LOCAL GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 643, HB 486, HB 602, HB 254, HB 760
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 14, 2013, 9:00 AM House Hearing Room 1.
Public hearing will be held: HB 129, HB 418, HB 313, HB 353, HB 722
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 13, 2013, 8:45 AM North Gallery.

Executive session will be held: HB 354, HB 525

CORRECTED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 71, HB 813, HB 393

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

AMENDED

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 632, HB 264

Executive session will be held: HB 285, HB 656

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

TOURISM AND NATURAL RESOURCES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 3.

Annual Joint Meeting of House Tourism and Natural Resources Committee and Senate Jobs, Economic Development and Local Government Committee.

Presentation by the Division of Tourism

UTILITIES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 7.

Executive session will be held: HB 331, HB 398, HB 601

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

VETERANS

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 1.

Public hearing will be held: HB 702

Executive session will be held: HB 702

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

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 13, 2013, 7:30 AM House Hearing Room 5.

Public hearing will be held: HB 164, HB 404

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

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2013

HOUSE BILLS FOR SECOND READING

HB 834 through HB 850

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HCS HBs 521 & 579 - Koenig
- 6 HB 578 - Funderburk
- 7 HB 316 - Phillips

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- 1 HB 68 - Kelley (127)
- 2 HB 142 - Dugger
- 3 HCS HB 159 - Guernsey
- 4 HB 346 - Molendorp

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin
- 4 HB 64 - Burlison
- 5 HB 409 - Love

HOUSE BILLS FOR THIRD READING - CONSENT

- 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
- 9 HB 184 - Cox
- 10 HB 196 - Lauer

- 11 HB 301 - Engler
- 12 HB 307 - Riddle
- 13 HCS HB 312 - Thomson
- 14 HCS HB 401 - Shumake
- 15 HB 412 - Reiboldt
- 16 HB 432 - Webb
- 17 HB 542 - Love
- 18 HCS HB 586 - Schieffer
- 19 HB 591 - Hubbard

SENATE BILLS FOR SECOND READING

SS#2 SCS SBs 26, 11 & 31

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 16 - Walton Gray
- 2 HCR 19 - Rowden

SENATE BILLS FOR THIRD READING

- 1 SCS SBs 10 & 25 - Burlison
- 2 HCS SS SCS SBs 20, 15 & 19, E.C. - Burlison