

JOURNAL OF THE HOUSE

First Regular Session, 95th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 22, 2009

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Msgr. Donald W. Lammers.

Today is the anniversary of the Supreme Court decision Roe vs. Wade, 1972

Let us pray, first, by listening:

"The Lord God formed man out of the clay of the ground
and blew into his nostrils the breath of life
and so man became a living being."
(Genesis 2:7)

Holy God and Creator of all, we learn from this verse that You are the Creator of life.

We thank You for our own life. It is our most precious possession. We who are parents thank You for the wonderful privilege of cooperating with You as Creator in bringing new life into the world. We thank You for the love and fulfillment we receive in caring for our children.

We pray for the day when all children who are conceived are cherished from the start and lovingly welcomed into this world. We pray especially for all women, and men, for whom conceiving a child is cause for fear, hardship, and crisis.

In our work, our communication and our attitudes, may we call ourselves and others everywhere to help and care for women for whom pregnancy is a crisis and a great burden. Let us help them and care for them so well that some day every mother-to-be will joyfully welcome her child into this world.

We pray to You; You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

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

AYES: 144

| | | | | |
|---------|-------------|------------|----------------|-----------------|
| Allen | Atkins | Aull | Biermann | Bivins |
| Brandom | Brown 30 | Brown 50 | Brown 73 | Brown 149 |
| Bruns | Burlison | Carter | Casey | Chappelle-Nadal |
| Colona | Corcoran | Cox | Cunningham | Davis |
| Day | Deeken | Denison | Dethrow | Dieckhaus |
| Diehl | Dixon | Dougherty | Dugger | Dusenberg |
| El-Amin | Emery | Englund | Ervin | Faith |
| Fallert | Fischer 107 | Fisher 125 | Flanigan | Flook |
| Frame | Franz | Funderburk | Gatschenberger | Grill |

| | | | | |
|------------|-------------|-------------|-------------|------------|
| Grisamore | Guernsey | Guest | Harris | Hobbs |
| Holsman | Hoskins 80 | Hoskins 121 | Hummel | Icet |
| Jones 63 | Jones 89 | Jones 117 | Kander | Keeney |
| Kelly | Kingery | Kirkton | Koenig | Komo |
| Kratky | Kraus | Kuessner | Lair | Lampe |
| Largent | Leara | LeBlanc | Liese | Lipke |
| Loehner | McDonald | McGhee | McNary | McNeil |
| Meadows | Meiners | Molendorp | Morris | Munzlinger |
| Nance | Nasheed | Nieves | Nolte | Norr |
| Oxford | Pace | Parkinson | Parson | Pollock |
| Quinn | Riddle | Roorda | Rucker | Ruestman |
| Ruzicka | Salva | Sater | Scavuzzo | Schaaf |
| Schad | Scharnhorst | Schieffer | Schlottach | Schoeller |
| Schoemehl | Schupp | Self | Shively | Silvey |
| Smith 14 | Smith 150 | Spreng | Stevenson | Still |
| Stream | Sutherland | Thomson | Tilley | Tracy |
| Viebrock | Wallace | Walsh | Walton Gray | Wasson |
| Webb | Wells | Weter | Wildberger | Wilson 119 |
| Wilson 130 | Witte | Wood | Wright | Yaeger |
| Yates | Zerr | Zimmerman | Mr Speaker | |

NOES: 009

| | | | | |
|---------|---------|----------|--------|--------|
| Bringer | Burnett | Calloway | Hughes | LeVota |
| Low | Talboy | Vogt | Webber | |

PRESENT: 000

ABSENT WITH LEAVE: 010

| | | | | |
|--------|--------|--------|------------|-------|
| Cooper | Curls | Hodges | McClanahan | Pratt |
| Sander | Skaggs | Storch | Swinger | Todd |

HOUSE RESOLUTIONS

Representative Allen offered House Resolution No. 211.
 Representative Davis, et al., offered House Resolution No. 212.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 188 through House Resolution No. 192
 House Resolution No. 194 through House Resolution No. 210
 House Resolution No. 213 through House Resolution No. 219

HOUSE CONCURRENT RESOLUTION

Representative Guest, et al., offered House Concurrent Resolution No. 13.

SECOND READING OF HOUSE BILLS

HB 331 through **HB 352** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

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

- HJR 7** - Budget
- HJR 13** - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 30** - Special Standing Committee on Children and Families
- HB 31** - Ways and Means
- HB 35** - Ways and Means
- HB 58** - Transportation
- HB 60** - Special Standing Committee on Health Insurance
- HB 62** - Crime Prevention
- HB 64** - Ways and Means
- HB 65** - Rural Community Development
- HB 66** - Transportation
- HB 69** - Ways and Means
- HB 83** - Small Business
- HB 85** - Local Government
- HB 86** - Ways and Means
- HB 87** - Tax Reform
- HB 91** - Transportation
- HB 96** - Elementary and Secondary Education
- HB 107** - Transportation
- HB 109** - Energy and Environment
- HB 111** - Veterans
- HB 113** - Ways and Means
- HB 149** - Public Safety
- HB 169** - Special Standing Committee on General Laws
- HB 171** - Judiciary
- HB 172** - Energy and Environment
- HB 174** - Corrections and Public Institutions
- HB 178** - Ways and Means
- HB 179** - Small Business
- HB 181** - Judiciary
- HB 182** - Judiciary
- HB 183** - Judiciary
- HB 187** - Judiciary
- HB 189** - Job Creation and Economic Development
- HB 190** - Job Creation and Economic Development
- HB 191** - Job Creation and Economic Development
- HB 203** - Special Standing Committee on Health Insurance
- HB 215** - Special Standing Committee on Infrastructure and Transportation Funding

- HB 216** - Transportation
- HB 222** - Elementary and Secondary Education
- HB 226** - Health Care Policy
- HB 227** - Special Standing Committee on Workforce Development and Workplace Safety
- HB 231** - Insurance Policy
- HB 235** - Judiciary
- HB 236** - Elementary and Secondary Education
- HB 237** - Judiciary
- HB 238** - Judiciary
- HB 239** - Financial Institutions
- HB 241** - Public Safety
- HB 242** - Elementary and Secondary Education
- HB 246** - Conservation and Natural Resources
- HB 247** - Higher Education
- HB 250** - State Parks and Waterways
- HB 253** - Transportation
- HB 254** - Crime Prevention
- HB 258** - Special Standing Committee on Workforce Development and Workplace Safety
- HB 270** - Veterans
- HB 271** - Special Standing Committee on Infrastructure and Transportation Funding
- HB 272** - Health Care Policy
- HB 273** - Financial Institutions
- HB 274** - Judiciary
- HB 275** - Special Standing Committee on Professional Registration and Licensing
- HB 281** - Transportation
- HB 282** - Corrections and Public Institutions
- HB 286** - Healthcare Transformation
- HB 287** - Rural Community Development
- HB 289** - Elementary and Secondary Education
- HB 292** - Judiciary
- HB 299** - Ways and Means
- HB 310** - Local Government
- HB 312** - Job Creation and Economic Development
- HB 321** - Local Government
- HB 322** - Local Government
- HB 326** - Special Standing Committee on Professional Registration and Licensing

INTRODUCTION OF HOUSE BILLS

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

HB 353, introduced by Representatives Dusenberg, Brown (30), Cooper, Grisamore, Kraus, Yates, Wilson (119), Gatschenberger, Jones (89), Nance, Scharnhorst, Ervin, Nieves, Dieckhaus, Biermann, Walton Gray and Dixon, relating to a property tax exemption on homesteads.

HB 354, introduced by Representatives Schlottach, Faith, Loehner and Storch, relating to transportation projects.

HB 355, introduced by Representative Davis, relating to sperm and egg donation.

HB 356, introduced by Representatives Wallace, Viebrock, Sater, Fisher (125), Thomson, Nance, Dethrow, Wood, Kingery, Wilson (119), Loehner, Wilson (130), Franz, Weter, Hodges, Smith (150), Schad, Schieffer, Wells, Brandom, Aull, Shively, Sander, Wasson, McGhee, Hobbs, Nieves, Munzlinger, Yaeger, Ruzicka, Scavuzzo, Dugger, Self, Denison, Pollock, Cunningham, Richard, Scharnhorst, Parson, Wright, Lampe, Cox, Quinn, Todd, Bringer, Witte, Swinger, Kuessner, Tilley, Grisamore, Dusenber, Cooper, Lipke, Biermann, Schlottach, Deeken, Rucker, Dieckhaus, Jones (117), Ruestman, Day, Stream, Pratt and Keeney, relating to grants for small schools.

HB 357, introduced by Representatives Scharnhorst, Schoemehl, Nieves, Bivins, Viebrock, Dougherty, Pratt, Jones (89), Sander and Smith (14), relating to insurance coverage for the diagnosis and treatment of autism spectrum disorders.

HB 358, introduced by Representative Day, relating to the designation of a memorial bridge.

HB 359, introduced by Representatives Denison, Hobbs, Munzlinger, Kuessner, Kelly, Meadows, Hughes, Pollock, Weter, Flanigan, Brown (149), Kingery, Quinn, Tilley, Largent, Parkinson, Diehl, Keeney, Scharnhorst, Molendorp, Schoeller, Viebrock, Dugger, Zerr, Smith (14), McGhee, Fisher (125), Guernsey, Stevenson, Ervin, Jones (117), Cox, Gatschenberger, Wilson (130), Schlottach, Dougherty, Wilson (119), Bruns, Atkins, Nolte, Faith, Nance, Schaaf, Burnett, Silvey, Stream, Ruzicka, Allen, Bivins, Burlison, Yates, Franz, Flook, Lair, Dieckhaus, Guest, Tracy, Day, Wright, Nieves, Smith (150), Wasson, Wells, Deeken, Parson and Dixon, relating to state highways and transportation commission design-build highway project contracts.

HB 360, introduced by Representative Ervin, relating to the regulation of highways.

HB 361, introduced by Representatives Guest, Nieves, Ruestman, Funderburk, Talboy, Harris, Davis, Schieffer, Komo, Faith, Flanigan, Tilley, Wells, Tracy, Pace, Wallace and Brown (149), relating to noncompliance with the federal REAL ID Act of 2005.

HB 362, introduced by Representatives Guest, Ruestman, Pace, Loehner and Kelly relating to the work for restitution program.

HB 363, introduced by Representatives Silvey, Pratt, Talboy, Curls, Brown (50), Nasheed, Dixon, Hoskins (80), Icet and Roorda, relating to the Missouri juneteenth heritage and jazz festival and memorial.

HB 364, introduced by Representatives Silvey, Nance, Nolte, Ervin and Flook, relating to drinking establishments.

HB 365, introduced by Representatives Dethrow, Wilson (119) and Kingery, relating to motor vehicle dealer insurance.

HB 366, introduced by Representatives Dethrow and Wilson (119), relating to license plates.

HB 367, introduced by Representatives Brandom, Munzlinger, Schaaf, Sater, Kratky, Hodges, Swinger, Wright and Todd, relating to the establishment of the Missouri catastrophe fund.

HB 368, introduced by Representative Aull, relating to insurance premium rates.

HB 369, introduced by Representative Aull, relating to relocation of a child.

HB 370, introduced by Representative Storch, relating to treatment of certain sexually transmitted diseases.

HB 371, introduced by Representative Schaaf, relating to tampering with a judicial officer.

HB 372, introduced by Representatives Schaaf and Cooper, relating to health insurance applications.

HB 373, introduced by Representative Wallace, relating to the general educational development revolving fund.

HB 374, introduced by Representatives Hobbs, Kelly, Still, Quinn and Webber, relating to nuisance abatement.

HB 375, introduced by Representatives Hobbs, Kelly, Still, Quinn and Webber, relating to certain county counselors.

HB 376, introduced by Representatives Hobbs, Kelly, Still, Quinn and Webber, relating to competitive bid requirements.

HB 377, introduced by Representatives Hobbs, Kelly, Still, Quinn and Webber, relating to neighborhood improvement districts.

HB 378, introduced by Representatives Hobbs, Kelly, Still, Quinn and Webber, relating to building codes.

HB 379, introduced by Representatives Sutherland, Schlottach, Deeken, Scharnhorst, Stream, Gatschenberger, Funderburk, McNary, Schad, Denison, Faith, Parson, Bivins, Jones (117), Smith (14), Dieckhaus, Yates, Storch, Meiners, Dusenber, El-Amin, Corcoran, Casey, Kratky, Spreng, Jones (89), Nolte, Roorda, Meadows, Holsman and Dougherty, relating to the Missouri county planning act.

HB 380, introduced by Representatives Denison, Viebrock, Weter, Pollock, Franz, Leara, Wells, Wilson (130), Wallace, Grill, Fischer (107) and Smith (150), relating to license plates.

HB 381, introduced by Representatives Silvey, Scavuzzo, Nolte, Tilley, Pratt, Richard, Parkinson, Grill, Frame, Wildberger, Salva, Talboy, Komo, Walsh, Casey, Jones (89), Fallert, Nasheed, Zimmerman, Brown (50), Corcoran, Scharnhorst, Dougherty, Meadows, Roorda, Holsman, Burnett, Denison, Low, Kander, Norr, LeBlanc, Calloway, Hughes, Fischer (107), Biermann, LeVota and Schoeller, relating to fee agent offices.

HB 382, introduced by Representatives Cox, Guersney, Wilson (119), Yates, Wood, Diehl, Gatschenberger, Fisher (125), Nolte, Nance and Munzlinger, relating to mortgage brokers.

HB 383, introduced by Representatives Storch, Chappelle-Nadal, Webb, Schupp, Yaeger, Pace, Oxford and Morris, relating to child-care facilities.

HB 384, introduced by Representative Lipke, relating to certain criminal offenses and criminal procedures.

HB 385, introduced by Representatives Parkinson, Cox, Bivins, McGhee, Dieckhaus, Frame, Ruestman and Atkins, relating to a next of kin database.

HB 386, introduced by Representative Witte, relating to partition suits.

HB 387, introduced by Representatives Cooper, Stream, Franz, Schaaf, Sander, Dusenberg, Schad, Hobbs, Thomson, Nance, Faith, Wallace, Storch, Talboy, Lampe, Webber, Morris, Burnett, Carter, Grisamore, Kelly, Yaeger, Pace, Kander, Still, Nasheed, Norr and Yates, relating to a quality rating system for child care facilities.

HB 388, introduced by Representatives Cooper, Schaaf, Burnett and Yaeger, relating to professional counselors.

HB 389, introduced by Representatives Cooper and Schaaf, relating to property taxation.

HB 390, introduced by Representatives Nolte, Dethrow, Dusenberg, Weter, Schad, Ruestman, Yates, Fisher (125), Wilson (130), Schaaf, Wilson (119), Silvey, Gatschenberger, Nieves, Sater, Smith (150), Allen and Jones (89), relating to prohibiting the admission of aliens.

HB 391, introduced by Representatives Nolte, Weter, Ruestman, Silvey and Allen, relating to taxpayer statements and receipts.

HB 392, introduced by Representatives Nolte, Ervin, Nance, Silvey, Ruestman and Nieves, relating to compensation of county commissioners.

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 **HCR 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11**.

WITHDRAWAL OF HOUSE BILL

January 22, 2009

Adam Crumbliss, Chief Clerk
Chief Clerk's Office
Room 206C, State Capitol
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss:

I respectfully request that **House Bill No. 285** be withdrawn at this time. We are filing a new bill with appropriate changes.

Thank you for your time and consideration to this request.

Sincerely,

/s/ Representative Rachel Storch

The following members' presence was noted: Cooper, Curls, Hodges, McClanahan, Swinger and Todd.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, January 26, 2009.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 28, 2009, 2:00 p.m. Hearing Room 1.

Public testimony.

Testimony to be heard in sign up order.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 5.

Discussion with Missouri Department of Mental Health regarding 2009 New Decision Items.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 28, 2009, 2:00 p.m. Hearing Room 5.

Discussion with Missouri Department of Health and Senior Services regarding 2009 New Decision Items.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2009, 8:00 a.m. Hearing Room 5.

Discussion with Missouri Department of Social Services regarding 2009 New Decision Items.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 27, 2009, 2:00 p.m. Hearing Room 3.

Public testimony.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 3.

Public testimony for the Departments of Economic Development, Insurance, Labor and Industrial Relations and the Missouri Department of Transportation.

BUDGET

Wednesday, January 28, 2009, 8:00 a.m. Hearing Room 3.

Organizational meeting.

ENERGY AND ENVIRONMENT

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 1.

Organizational meeting.

ETHICS

Monday, January 26, 2009, 1:30 p.m. Hearing Room 3.

HR 193 Rules of Procedure.

HEALTHCARE TRANSFORMATION

Monday, January 26, 2009, Hearing Room 5 upon afternoon adjournment.

Organizational meeting.

We will begin a study of the low wage trap and what can be done to solve it.

We may have speakers to discuss this issue with us.

HIGHER EDUCATION

Tuesday, January 27, 2009, 8:00 a.m. Hearing Room 6.

Organizational meeting.

INTERIM COMMITTEE ON EMERGING ISSUES IN AGRICULTURE

Monday, January 26, 2009, 1:00 p.m. Hearing Room 1.

Review and finalize committee's report.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, January 26, 2009, 2:30 p.m. Senate Committee Room 1.

Quarterly business meeting.

Presentation of Oversight Program Evaluation Reports.

Some portions of the meeting may be closed pursuant to Section 610.021.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN ANIMAL AGRICULTURE

Monday, January 26, 2009, North gallery upon evening adjournment.

Organizational meeting.

TRANSPORTATION

Tuesday, January 27, 2009, 12:00 p.m. Hearing Room 7.

Organizational meeting.

Presentation on transportation issues.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 26, 2009

HOUSE BILLS FOR SECOND READING

HB 353 through HB 392

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-21-09, Page 131) - McGhee