

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 17, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend James Earl Jackson.

Your unfailing love, O LORD, is as vast as the heavens; Your faithfulness reaches beyond the clouds. Your righteousness is like the mighty mountains, Your justice like the ocean depths. You care for all of Your creation. How precious is Your unfailing love. All find shelter in Your presence. (*Psalms 36:5-7*)

You are a God so watchful that You note when even the smallest sparrow falls to the ground. In the same way, You watch over us, whether we recognize or acknowledge Your presence. You see our predicament with perfect clarity, helping us through the rough spots and establishing Your plans for our future.

Help us to receive wise counsel and have a healthy appreciation for truth and the views of others. Direct our steps and help us to continue down the path of productive communication and beneficial associations. May we legislate from a position of in-depth wisdom, knowledge and a strong sense of duty.

Now, blessed be the LORD, who has given rest to His people, according to all that He promised. May the LORD God continue to guide, direct and instruct each member of this House and their staff.

In the name of Your Son, I pray. Amen.

The Pledge of Allegiance to the flag was recited.

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

COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE

Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 27th Legislative District in the State of Missouri, on the 2nd day of February, 2010, as provided by law, the following named person was elected to the office of State Representative, 27th Legislative District as shown by the election results certified to this office by the election authority of the 27th Legislative District.

Name	Office
Pat Conway 712 B Francis St. Joseph, MO 64501	State Representative 27 th Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand affixed the seal of my office this 10th day of February, 2010.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 57th Legislative District in the State of Missouri, on the 2nd day of February, 2010, as provided by law, the following named person was elected to the office of State Representative, 57th Legislative District as shown by the election results certified to this office by the election authority of the 57th Legislative District.

Name	Office
Hope Whitehead 5851 Enright Ave. St. Louis, MO 63112	State Representative 57 th Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand affixed the seal of my office this 10th day of February, 2010.

/s/ Robin Carnahan
Secretary of State

OATH OF OFFICE

Representative-elect Hope Whitehead advanced to the bar and subscribed to the oath of office which was administered by the Honorable Mary R. Russell, Judge of the Supreme Court of Missouri.

Representative-elect Pat Conway advanced to the bar and subscribed to the oath of office which was administered by the Honorable Daniel F. Kellogg, Judge of the 5th Circuit Court of Missouri.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 793 through House Resolution No. 811

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 62 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 2014 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2164 through **HB 2175** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1750, relating to telecommunications access rates, was taken up by Representative Jones (89).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nieves	Parkinson	Parson	Pollock
Pratt	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wright	Zerr
Mr Speaker				

NOES: 069

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Corcoran	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris

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Hodges	Hoskins 80	Hummel	Jones 63	Kander
Kelly	Kirkton	Komo	Kratky	Kuessner
Lampe	LeBlanc	LeVota	Liese	Low
McDonald	McNeil	Meadows	Meiners	Morris
Nasheed	Newman	Norr	Oxford	Quinn
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Schupp	Shively	Skaggs	Spreng
Still	Storch	Swinger	Talboy	Todd
Vogt	Walsh	Walton Gray	Webb	Webber
Whitehead	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Grisamore	Holsman	Hughes	McClanahan
Nolte	Pace			

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 1750** was adopted.

On motion of Representative Jones (89), **HCS HB 1750** was ordered perfected and printed by the following vote:

AYES: 123

Allen	Atkins	Ayres	Biermann	Bivins
Brandom	Brown 50	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cooper	Corcoran	Cox	Curls	Davis
Denison	Dieckhaus	Diehl	Dixon	Dougherty
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flanigan	Flook
Frame	Funderburk	Grill	Hobbs	Hodges
Holsman	Hoskins 80	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Leara	LeBlanc	LeVota
Liese	Lipke	Loehner	Low	McDonald
McNary	McNeil	Meadows	Meiners	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Oxford	Parkinson
Parson	Pratt	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Shively	Silvey	Skaggs
Smith 14	Spreng	Stevenson	Storch	Stream
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Vogt	Walsh	Walton Gray
Webb	Whitehead	Wilson 130	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 035

Aull	Bringer	Brown 30	Brown 149	Bruns
Cunningham	Day	Deeken	Dethrow	Dugger
Franz	Gatschenberger	Guernsey	Guest	Harris
Hoskins 121	Kelly	Kuessner	Largent	McClanahan
McGhee	Pollock	Quinn	Sater	Scavuzzo
Self	Smith 150	Still	Wallace	Wasson
Webber	Wells	Weter	Wilson 119	Witte

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Hughes	Pace	Sutherland
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VACANCIES: 001

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 11 - Real ID and Personal Privacy
HCR 14 - Real ID and Personal Privacy
HCR 25 - Real ID and Personal Privacy
HCR 29 - Real ID and Personal Privacy
HCR 39 - Real ID and Personal Privacy
HCR 62 - Tourism

REFERRAL OF HOUSE JOINT RESOLUTIONS

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

HJR 62 - Special Standing Committee on General Laws
HJR 74 - Real ID and Personal Privacy
HJR 88 - Real ID and Personal Privacy
HJR 94 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 1311 & 1341 - Fiscal Review (Fiscal Note)
HB 1282 - Local Government
HB 1288 - Agriculture Policy
HB 1319 - Judiciary
HB 1323 - Transportation
HB 1372 - Energy and Environment
HB 1468 - Insurance Policy
HB 1491 - Small Business

- HB 1524** - Veterans
- HB 1534** - Special Standing Committee on Children and Families
- HB 1643** - Local Government
- HB 1693** - Public Safety
- HB 1705** - Rural Community Development
- HB 1714** - Special Standing Committee on Professional Registration and Licensing
- HB 1736** - Public Safety
- HB 1756** - Agri-Business
- HB 1786** - Special Standing Committee on General Laws
- HB 1787** - Agri-Business
- HB 1812** - Higher Education
- HB 1827** - Public Safety
- HB 1871** - Energy and Environment
- HB 1894** - Judiciary
- HB 1953** - Tax Reform
- HB 1967** - Elementary and Secondary Education
- HB 1977** - Public Safety
- HB 1979** - Public Safety
- HB 2014** - Budget
- HB 2026** - Local Government
- HB 2029** - Judiciary
- HB 2034** - Ways and Means
- HB 2040** - Ways and Means
- HB 2047** - Energy and Environment
- HB 2056** - Judiciary
- HB 2058** - Insurance Policy
- HB 2073** - Transportation
- HB 2098** - Local Government
- HB 2107** - Job Creation and Economic Development
- HB 2114** - Veterans
- HB 2131** - Tax Reform
- HB 2165** - State Parks and Waterways
- HB 2170** - Special Standing Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Insurance Policy, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1382**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1657**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1713**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Brown (30) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Dixon reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1310**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1330**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1775**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1776**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

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

HB 2176, introduced by Representatives Guest, Gatschenberger, Emery, Stevenson, Smith (150) and Ruestman, relating to the State Authority and Federal Tax Fund Act.

HB 2177, introduced by Representatives Kirkton, Jones (63) and Faith, relating to motor vehicle safety inspections.

HB 2178, introduced by Representatives Holsman, Schupp, LeBlanc, Roorda, Atkins, Oxford, Lampe, Kander, Walton Gray, Pace, Chappelle-Nadal, Englund and Calloway, relating to financing by municipalities for energy improvements.

HB 2179, introduced by Representatives LeBlanc, Curls, McDonald, Scavuzzo, Brown (50), Skaggs, Burnett, Webb, Jones (63), Morris, Calloway, Walton Gray, Pace, Carter, Talboy, Biermann, Aull, Kirkton, Rucker, Schieffer, Colona, Holsman, Nasheed, McNary and Kuessner, relating to the state health insurance pool.

HB 2180, introduced by Representatives Nieves, Schoeller, Smith (150), Harris, Jones (89), Emery, Cooper, Schaaf, Fisher (125), Allen, Guest, Ruestman, Jones (117), Davis, Deeken, McGhee and Munzlinger, relating to initiative and referendum petitions.

HB 2181, introduced by Representatives Munzlinger, Gatschenberger and Parson, relating to concealed carry endorsements.

HB 2182, introduced by Representatives Munzlinger and Smith (150), relating to agritourism.

HB 2183, introduced by Representatives Lampe, Schoemehl, Chappelle-Nadal, Still, McNeil, Atkins, Newman and Holsman, relating to the Missouri uniform building energy code.

HB 2184, introduced by Representatives Lampe, Still, Atkins and Oxford, relating to insurance coverage for habilitative services for children.

HB 2185, introduced by Representatives Schupp, Talboy, McNeil, Fischer (107), Jones (63), Nasheed, Oxford, Newman, Pace, Shively, Quinn, Todd, Diehl, Parkinson, Walton Gray and Aull, relating to sales tax exemptions.

HB 2186, introduced by Representative Still, relating to Karra' s and Jocelyn's law.

HB 2187, introduced by Representative Grill, relating to special road district taxes.

HB 2188, introduced by Representative Diehl, relating to unemployment compensation.

HB 2189, introduced by Representative Smith (14), relating to the hero at home program.

HB 2190, introduced by Representative Wasson, relating to per diem for persons serving on certain professional registration committees or commissions.

HB 2191, introduced by Representatives Walsh, LeVota, Harris, Nance, Pace, Jones (89), Carter, Scavuzzo, Englund, Kratky, Skaggs, Atkins, Frame, Walton Gray, Meadows, Lampe, Corcoran, Schieffer, Fallert, Oxford and Funderburk, relating to the anticramming protection act.

HB 2192, introduced by Representative Viebrock, relating to board of education contract modifications.

HB 2193, introduced by Representative Cooper, relating to the provision of nutritional information by chain restaurants.

WITHDRAWAL OF HOUSE BILLS

February 17, 2010

Adam Crumbliss, Chief Clerk
House Administrator
201 W. Capitol Ave.
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I wish to formally withdraw **House Bill No. 2068** and will file a revised bill at a later date. Please contact my office at (573) 751-2383 or email at james.morris@house.mo.gov.

Sincerely,

/s/ James T. Morris
Representative
District 58

February 17, 2010

Mr Adam Crumbliss
Chief Clerk
Missouri House of Representatives

Dear Mr. Crumbliss,

I hereby request that **House Bill No. 2175** be withdrawn.

Respectfully,

/s/ Rick Stream
District 94
Missouri House of Representatives

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 18, 2010.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 6.
Executive session will be at the beginning of the meeting.
Public hearing to be held on: HB 1747

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 5. CANCELLED
Executive session will be held on: HB 2010, HB 2011

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 18, 2010, Hearing Room 7 upon morning adjournment. CANCELLED
Executive session will be held on: HB 2007

FISCAL REVIEW

Thursday, February 18, 2010, 9:00 a.m. House Chamber south gallery.
Any bills referred to committee.
Executive session may follow.

FISCAL REVIEW

Wednesday, February 24, 2010, 9:00 a.m. House Chamber south gallery.
All bills referred to committee.
Executive session may follow.

FISCAL REVIEW

Thursday, February 25, 2010, 9:00 a.m. House Chamber south gallery.
All bills referred to committee.
Executive session may follow.

JOINT COMMITTEE ON TAX POLICY

Tuesday, February 23, 2010, 1:30 p.m. Senate Committee Room 1.
Discussions on Low-Income Housing Tax Credits.
Testimony by MO Housing Development Commission Director Pete Ramsel.
Under 21.810, RSMo, this meeting will conduct the annual election of Chairman and Vice Chairman.

JUDICIARY

Thursday, February 18, 2010, Hearing Room 6 upon morning adjournment.
Executive session. CANCELLED

RURAL COMMUNITY DEVELOPMENT

Thursday, February 18, 2010, South Gallery upon morning adjournment.

Executive session.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 1.

Working session.

SPECIAL STANDING COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 22, 2010, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1892

TOURISM

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1691, HB 1268, HB 1677

VETERANS

Thursday, February 18, 2010, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: HB 1893

WAYS AND MEANS

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: HB 1392, HB 1420, HB 1424, HB 2048

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 18, 2010

HOUSE BILLS FOR SECOND READING

HB 2176 through HB 2193

HOUSE BILLS FOR PERFECTION

- 1 HB 1542 - Deeken
- 2 HCS HB 1684 - Zerr

HOUSE BILLS FOR PERFECTION - CONSENT

(2/15/2010)

- 1 HB 1208 - Day
- 2 HB 1559 - Brown (30)
- 3 HB 1745 - Day

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1675, (Fiscal Review 2-16-10) - Nolte
- 2 HCS HBs 1311 & 1341, (Fiscal Review 2-17-10) - Scharnhorst
- 3 HCS HB 1750 - Jones (89)

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCS SCR 35 & 32, (2-1-10, Pages 185-186) - Munzlinger