

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Greg White, Sheriff of Cole County.

Heavenly Father, Lord God, in Jesus' name we come to You. For this day, and in each of our days, I thank You. According to *Romans 8:28*, we thank You for working all things together for good to those who love You and are called according to Your purposes.

Lord, I thank You for the men and women gathered here to seek Your will in the governance of the people of the State of Missouri. I ask You to make Your will plain to each of them. I ask You to help them make godly decisions to fulfill Your will. May You lead them and guide them throughout this day and their term of office. Make them into the people You have called them to be.

Please bless the members of this session. Lead them in all they do. In Jesus' Christ name I pray. 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: Alaina Brantley, Carson Hardesty, Aimee Burns, Beth Prater, Logan Wood and Michael Lady.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Newman Peters-Baker

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Brown 116	Curls	Hughes
Klippenstein	Molendorp	Parkinson	Smith 71	Wallingford
Webber	Zimmerman			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 643 through House Resolution No. 663

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 24 through **HJR 26** were read the second time.

SECOND READING OF HOUSE BILLS

HB 549 through **HB 588** were read the second time.

SECOND READING OF SENATE BILL

SB 3 was read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

HCR 17 - Agriculture Policy

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 503 - Elections

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 154**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 171**, 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 Elections, to which was referred **HB 186**, 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 Elections, to which was referred **HB 217**, 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 Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 83**, 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 Financial Institutions, to which was referred **HB 109**, 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 Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 127**, 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 Retirement, to which was referred **HB 183**, 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 Retirement, to which was referred **HB 229**, 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 Retirement, to which was referred **HB 263**, 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 Retirement, to which was referred **HB 282**, 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 Retirement, to which was referred **HB 358**, 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 Retirement, to which was referred **HB 360**, 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 Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 189**, 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 Tourism and Natural Resources, to which was referred **HB 190**, 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 Tourism and Natural Resources, to which was referred **HB 250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 141**, 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 153**, 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 Funding and Public Institutions, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 137**, 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 Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 149**, 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 Veterans, to which was referred **HB 204**, 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 Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 116** and **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass With House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 151**, 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 Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 136**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 167**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 214**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 276, 233 & 274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

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

HB 589, introduced by Representative Ruzicka, relating to making a false report.

HB 590, introduced by Representatives Harris, Smith (71), Black, Walton Gray, Shively, Webber, Aull, Anders, Swearingen, Fallert and Quinn, relating to adverse possession.

HB 591, introduced by Representatives Lichtenegger, Wallingford, Lant, Davis, White, Richardson, Jones (117), Wright and Wyatt, relating to limited dental teaching license.

HB 592, introduced by Representatives Gatschenberger and Nolte, relating to funeral protests.

HB 593, introduced by Representative Gatschenberger, relating to mailing envelopes for absentee ballots.

HB 594, introduced by Representative Richardson, relating to the possession, manufacture, transport, repair and sale of weapons.

HB 595, introduced by Representatives Schieffer, Hinson and Denison, relating to temporary motorcycle permits.

HB 596, introduced by Representatives Schieffer, Korman and Gatschenberger, relating to sales taxes on firearms and ammunition.

HB 597, introduced by Representatives Pollock, Wells, Denison, Dugger, Guernsey, Diehl, Day, Funderburk and Black, relating to conservation easements.

HB 598, introduced by Representative Schad, relating to the Missouri propane education and research act.

HB 599, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Hinson, Fraker, Fitzwater, McGhee, Jones (89), Higdon and Cookson, relating to sexual contact with a student.

HB 600, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Fitzwater and McGhee, relating to the crime of assaulting a utility worker.

HB 601, introduced by Representatives Schad, Loehner, Rowland and Fitzwater, relating to sales tax exemptions for feed for captive wildlife.

HB 602, introduced by Representatives Schad, McNeil, Dieckhaus, Rowland, Brown (85), Keeney and Cookson, relating to school district corporate organization.

HB 603, introduced by Representatives Schupp, Still, Ellinger, McNeil, Swearingen, Rizzo, Oxford, Weter, Kirkton, Spreng, Lant, Schieffer, Talboy, Lampe, Nasheed, Webb and McGhee, relating to child-care facilities.

COMMITTEE APPOINTMENTS

February 21, 2011

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

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Public Employee Retirement:

Representative Ira Anders
Representative Cloria Brown
Representative Tommie Pierson
Representative Paul Wieland

Continuing to serve on this Joint Committee are:

Representative Bert Atkins
Representative Ward Franz

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

February 21, 2011

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

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Terrorism, Bioterrorism, and Homeland Security:

Representative Rick Brattin
Representative Paul Curtman
Representative Charlie Davis

Continuing to serve on this Joint Committee is:

Representative David Day

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

COMMUNICATION

February 21, 2011

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

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Genise Montecillo
District 66

The following members' presence was noted: Molendorp, Parkinson, Smith (71), Wallingford and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 22, 2011.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2011, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup of HB 2 and HB 3.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup of HB 10 and HB 11.
CANCELLED

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.
Committee dinner and work session.

ECONOMIC DEVELOPMENT

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 7.
Public hearing to be held on: HB 366, HB 336
Executive session may be held on any matter referred to the committee.
AMENDED

ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.
Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 362, HB 473

EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 1.
Public hearing to be held on: HB 458
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
All bills assigned to the committee.

GENERAL LAWS

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 4.
Public hearing to be held on: HB 401, HB 490, HB 252, SCS SB 68
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.
Public hearing to be held on: HB 272 , HB 412 , HB 423 , HB 201
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 5.
Public hearing to be held on: HB 475
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 6.
Public hearing to be held on: HB 223
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 6.
Quarterly Business Meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 158, HB 159, HB 255, HB 417, HB 404, HB 257
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 70, HB 327
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.
Public hearing to be held on: HB 409
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 7.
Executive session only.

TAX REFORM

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 5.
Public hearing to be held on: HB 36, HB 335, HB 429, HB 470
Executive session will be held: HJR 8
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 7.
Public hearing to be held on: HB 363, HB 430, HB 415, HB 459, HB 228
Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 1.
Public hearing to be held on: HB 119
Executive session will be held: HB 124
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 22, 2011, 8:30 AM House Hearing Room 1.
Public hearing to be held on: HCR 7, HB 368, HB 239
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2011

HOUSE BILLS FOR SECOND READING

HB 589 through HB 603

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 14 - Silvey
- 2 HB 15 - Silvey

HOUSE BILLS FOR PERFECTION

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 91 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst

HOUSE BILLS FOR THIRD READING

HB 71 - Nasheed