

JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Now, O God, strengthen Thou my hands. (Nehemiah 6:9)

Almighty God, our Heavenly Host, the source of all that is beautiful and good in life, again we come to You, restless, seeking rest in You; weak, seeking strength from You; uncertain, seeking certainty in Your presence. Lesser things have laid their hands upon us, we have majored in minors, we have triumphed with trifles - yet You are always with us endeavoring to lead us along the better way to life and to a greater life together.

Strengthen us with Your Spirit and help us to deal wisely and well with the high business before us this day. May we go from this moment of prayer to be true children of Yours, serving You and our fellow citizens with all our hearts. Because we have lived this hour and thought and prayed, may the world become a better place in which all people can live together in peace. 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: Ally Webb, Katie Wilson, Andrew Bexten, Reagan Taggart and Abby Davis.

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

SPECIAL RECOGNITION

The Marion County Lady Mustang Basketball Team was introduced by Representatives Redmon and Shumake and recognized for attaining the 2011 Class 1A Missouri State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2020 through House Resolution No. 2064

Speaker Tilley assumed the Chair.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS SCS HCS HB 163** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HCS HB 163** was delivered to the Governor by the Chief Clerk of the House.

PERFECTION OF HOUSE BILLS

HB 656, as amended, relating to payday loans, was taken up by Representative Brandom.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Brandom, **HB 656, as amended**, was ordered perfected and printed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Fitzwater	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively

Shumake	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Lasater	Long	Nasheed	Wallingford
Webb				

VACANCIES: 001

Speaker Tilley resumed the Chair.

HCS HB 555, relating to individuals with disabilities, was taken up by Representative Grisamore.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 555, Page 3, Section 143.1017, Line 26, by inserting after the word “**health.**” the following:

“The moneys in the developmental disabilities waiting list equity trust fund established in this subsection shall not be appropriated in lieu of general state revenues.”; and

Further amend said bill, Page 32, Section 210.496, Line 23, by inserting after the word “**child**” the following:

“or an inability to perform the duties of a foster parent”; and

Further amend said bill, Section 210.900, Page 33, Line 41, by inserting after all of said section the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification;
or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child or person seventeen years of age or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court Rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

6. In cases involving a parent with a disability or disease, determinations made under this section shall consider the availability and use of accommodations for the disability or disease, including assistive technology and support services.”; and

Further amend said bill, Section 211.447, Page 42, Lines 146-148, by deleting the words "**determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 555, Page 21, Section 208.152, Line 206, by inserting after the number “(24)” the following:

“Prescribed medically necessary hearing aids. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;” and renumber subsequent subdivisions accordingly; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 555, Page 86, Section 632.120, Line 17, by inserting after all of said section and line the following:

“632.312. Notwithstanding the provisions of section 105.452 to the contrary, a sheriff may receive reimbursement for the actual costs of transporting a person to and from a mental health facility pursuant to chapter 632 from a public or private hospital, not-for-profit charitable organization, the state, or a political subdivision.”; and

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

On motion of Representative Wyatt, **House Amendment No. 3** was adopted.

Representative Nance offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 555, Page 24, Section 208.152, Line 311, by inserting after all of said section and line the following:

“208.184. 1. Subject to appropriation, for the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.

2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall not be required to send back the prepopulated form referenced in subsection 1 of this section. The department shall renew the child's eligibility for MO HealthNet benefits or the state children's health insurance program benefits based on information available to the department through electronic or other means, unless sufficient information is not in the state's possession and cannot be acquired from other sources, including other state agencies, without the participation of the applicant or the applicant's parent or caretaker relative.”; and

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

On motion of Representative Nance, **House Amendment No. 4** was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SS SCS SBs 113 & 95, relating to dog breeders, was taken up by Representative Loehner.

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

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 4, Section 273.345, Line 85, by inserting immediately following the word **“agriculture.”** the following:

“The animal’s enclosure shall be cleaned of waste at least once a day.”; and

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

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Anders	Atkins	Carlson	Colona	Conway 27
Ellinger	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe

May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 098

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Crawford	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 024

Bahr	Brown 50	Carter	Cox	Cross
Curtman	Day	Funderburk	Gatschenberger	Gosen
Hodges	Hoskins	Korman	Lant	Largent
Leara	Molendorp	Nasheed	Phillips	Riddle
Schneider	Torpey	Webb	Zimmerman	

VACANCIES: 001

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

Representative Richardson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 3, Section 273.345, Line 48, by deleting the bracket “[“ after the word “means”; and

Further amend said bill, page, and section, Lines 52-57, by deleting all of said lines and inserting in lieu thereof the following:

“provided to the dog;”; and

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

Representative McNeil moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative McGeoghegan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 2, Section 273.345, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the following:

“that dogs are not bred to produce more than two litters in any eighteen-month period;”; and

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

Representative McGeoghegan moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Loehner, **SS SCS SBs 113 & 95** was truly agreed to and finally passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Guernsey	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Korman
Lair	Lant	Largent	Leach	Lichtenegger
Loehner	Long	McCaherty	McGhee	Nance
Nasheed	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieffer
Schoeller	Shively	Shumake	Smith 150	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 071

Allen	Anders	Atkins	Brown 85	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cross	Ellinger	Faith	Fuhr
Gosen	Haefner	Hampton	Harris	Holsman
Hubbard	Hughes	Hummel	Jones 63	Jones 89
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lauer	Leara	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Pierson	Rizzo	Schieber
Schneider	Schupp	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Walton Gray	Webber	Zerr
Zimmerman				

PRESENT: 001

Black

ABSENT WITH LEAVE: 005

Brown 50	Gatschenberger	Grisamore	Scharnhorst	Webb
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VACANCIES: 001

Speaker Tilley declared the bill passed.

SCS SB 188, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

Representative Webber requested a division of the question on **SCS SB 188**.

Representative Webber offered **House Amendment No. 1 to Part I**.

House Amendment No. 1

AMEND Part I of Senate Committee Substitute for Senate Bill No. 188, Page 2, Section 213.010, Line 35, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said bill, Page 5, Section 213.070, Line 11, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said page, Section 213.101, Line 5, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

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

Representative Fallert offered **House Amendment No. 1 to House Amendment No. 1 to Part I**.

Representative Elmer raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is in violation of Rule 75.

The Chair ruled the point of order well taken.

Representative Webber moved that **House Amendment No. 1 to Part I** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Carlson	Carter
Colona	Conway 27	Ellinger	Fallert	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schneider	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zerr		

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Fisher	Leara	Meadows	Nasheed
Nolte	Pollock	Schieffer	Silvey	Webb
Zimmerman				

VACANCIES: 001

On motion of Representative Elmer, **Part I of SCS SB 188** was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Smith 150	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 061

Anders	Atkins	Aull	Barnes	Berry
Black	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Lasater
Leach	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 009

Brown 50	Fisher	Leara	Meadows	Nolte
Pollock	Silvey	Webb	Zimmerman	

VACANCIES: 001

Representative Taylor offered **House Amendment No. 1 to Part II.***House Amendment No. 1*

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 213.111, Line 60, by deleting the word “**dollars.**” and inserting in lieu thereof the following:

“**dollars, except under the condition that said respondent has revenue during the twenty or more calendar weeks of four billion dollars or more or that during this period has been included on the Fortune 500 list of companies. For this respondent the sum of actual damages, including damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses, and punitive damages awarded shall be determined by a court of law or a jury.**”; and

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

Representative Taylor moved that **House Amendment No. 1 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Weter			

NOES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Lichtenegger	Loehner
Long	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Faith	Fisher	Franz	Kander
Leara	Meadows	Pollock	Silvey	Webb
Zimmerman				

VACANCIES: 001

Representative McManus offered **House Amendment No. 2 to Part II.**

House Amendment No. 2

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 5, Section 213.101, Line 10, by inserting after the word "**Commission.**" the following:

"If, notwithstanding the intent of this section, federal funds to the Missouri Human Rights Commission or any other state or local department, agency or public entity currently receiving funds for the purpose of monitoring, tracking, preventing or punishing discrimination shall lose funds or are ineligible for funding as the result of a federal grant making or funding agency, entity or department finding or determining that Missouri's Human Rights Act is no longer compliant with federal civil rights law, the provisions of this section shall revert to the provisions of the law in effect December 31, 2010 and shall be enforced as such."; and

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

Representative McManus moved that **House Amendment No. 2 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anders	Atkins	Aull	Bahr	Barnes
Berry	Black	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Leach
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber	Weter		

NOES: 093

Allen	Asbury	Bernskoetter	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89

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Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Faith	Holsman	Kander
Pollock	Schneider	Silvey	Smith 150	Webb
Zimmerman				

VACANCIES: 001

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty
McCann Beatty	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Cierpiot	Curtman	Dieckhaus	Faith
Holsman	Loehner	McDonald	McGeoghegan	Nolte
Schneider	Silvey	Webb	Wright	Zimmerman

VACANCIES: 001

On motion of Representative Elmer, **Part II of SCS SB 188** was adopted by the following vote:

AYES: 094

Asbury	Aull	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Long	McCaherty	McNary	Molendorp	Nance
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schneider	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Barnes	Berry	Black
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter			

PRESENT: 001

Kander

ABSENT WITH LEAVE: 010

Allen	Brown 50	Cierpiot	Loehner	McGhee
Nolte	Schad	Silvey	Webb	Zimmerman

VACANCIES: 001

Representative May offered **House Amendment No. 1 to Part III.**

House Amendment No. 1

AMEND Part III of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 1, Line 8, by deleting all of said line and inserting in lieu thereof the following:

“employed by the employer or the employee’s supervisor or corporate or company official who could reasonably be capable or expected to be capable of responding, addressing or reporting a whistleblower’s complaint;”; and

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

Representative May moved that **House Amendment No. 1 to Part III** be adopted.

Which motion was defeated.

On motion of Representative Elmer, **Part III of SCS SB 188** was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Smith 150	Stream	Thomson	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 008

Brattin	Brown 116	Colona	Reiboldt	Shumake
Silvey	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Elmer, **SCS SB 188** was truly agreed to and finally passed by the following vote:

AYES: 093

Allen	Asbury	Aull	Bahr	Bernskoetter
Brattin	Brown 85	Burlison	Cauthorn	Cierpiot
Conway 14	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shively
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 063

Anders	Atkins	Barnes	Berry	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Cookson	Ellinger	Fallert	Harris

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Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zimmerman		

PRESENT: 001

Kander

ABSENT WITH LEAVE: 005

Brandom	Brown 116	Reiboldt	Silvey	Webb
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VACANCIES: 001

Speaker Tilley declared the bill passed.

On motion of Representative Jones (89), the House recessed until 3:15 p.m.

AFTERNOON SESSION

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

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 68**, 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 Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**SUPPLEMENTAL CALENDAR
APRIL 13, 2011**

SENATE BILL FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 37, relating to Diabetic Peripheral Neuropathy Week, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 37** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	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	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Flanigan	Parkinson	Silvey
Webb	Mr Speaker			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 464, relating to boards, commissions and committees, was taken up by Representative McNary.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 464, Page 5, Section 37.745, Line 3, by inserting after all of said line the following:

“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.

2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 464, Page 28, Section 210.101, Line 8, by inserting after the word "**departments:**" the following:

"labor and industrial relations,"; and

Further amend said bill, Page 29, Section 210.101, Line 20, by deleting the words "**who represent one**" and inserting in lieu thereof the words "**with one member representing each**"; and

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

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

On motion of Representative McNary, **HCS HB 464, as amended**, was adopted.

On motion of Representative McNary, **HCS HB 464, as amended**, was ordered perfected and printed.

HCS HBs 300, 334 & 387, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Diehl	Holsman	Jones 63	Jones 89
Nolte	Parkinson	Webb	Zimmerman	Mr Speaker

VACANCIES: 001

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was adopted.

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

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

HCS HJR 5 - Fiscal Review (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 555 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 366 - General Laws

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, 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 Budget, to which was referred **HB 18**, 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 Budget, to which was referred **HB 21**, 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 Budget, to which was referred **HB 22**, 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 Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 649**, 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 General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 27**, 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 General Laws, to which was referred **HJR 32**, 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 General Laws, to which was returned **HB 364**, 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 General Laws, to which was referred **HB 686**, 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 Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 17**, 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 Health Care Policy, to which was referred **SB 38**, 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 Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 57**, 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 Judiciary, to which was referred **SB 165**, 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 Judiciary, to which was referred **SB 220**, 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 Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 889**, 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 Local Government, to which was referred **SB 96**, 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 Local Government, to which was referred **SB 97**, 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 Local Government, to which was referred **SB 145**, 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 Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 741**, 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 Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 77**, 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 Transportation, to which was referred **SCS SB 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 Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 688**, 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 Utilities, to which was referred **SB 207**, 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 Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HCR 32**, 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.

HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, Missouri's 57,000 state employees rank 50th out of the 50 states in their annual compensation, according to the most recent figures available from the United States Census Bureau; and

WHEREAS, with an average salary of \$38,184, the average state employee in Missouri earned 26% less than the United States average of \$51,507; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation; and

WHEREAS, according to the United States Census Bureau, Missouri's full-time equivalent employment dropped 1.09%, and Missouri part-time employment dropped 8.47% from 2008 to 2009; and

WHEREAS, for December 2010, the Bureau of Labor Statistics of the United States Department of Labor reported an unemployment rate of 9.5%, the 15th highest percentage in the nation; and

WHEREAS, in his State of the State Address on January 19, 2011, Governor Nixon said that he has "cut state payroll by over 3,300 positions" since he took office in January 2009 and is recommending another 863 state employee positions be eliminated this year; and

WHEREAS, Governor Nixon acknowledged that "All across state government, a leaner workforce is doing more with less."; and

WHEREAS, if the recommended cuts are enacted in the 2012 fiscal year budget, Missouri's full-time employee payroll will drop to approximately 56,500 positions, with the largest reductions in the departments of Mental Health and Social Services;

WHEREAS, in asking state employees to "do more with less", it is vitally important that the State of Missouri attract and maintain a talented and dedicated workforce in order to best serve the needs of our citizens; and

WHEREAS, one of the keys to attracting and maintaining a talented and dedicated workforce will be to raise the annual compensation of our state workforce so we are no longer ranked 50th among the 50 states in state employee compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on State Employee Wages; and

BE IT FURTHER RESOLVED that the Committee shall:

- (1) Compare the wages of Missouri state employees to the wages for state employees in other states;
- (2) Study and develop strategies for increasing the wages of Missouri's state employees so Missouri will no longer rank 50th among states regarding state worker wages;
- (3) Report its recommendations to the House Budget Committee and the Senate Appropriations Committee by December 31, 2011; and
- (4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Committee shall be composed of the following ten members:

- (1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker of the House and Minority Leader of the House;
- (2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem of the Senate;
- (3) One representative from the Governor's Office;
- (4) One representative from the State Personnel Advisory Board; and
- (5) Two members of the public, with one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the First Regular Session of the Ninety-sixth General Assembly through December 31, 2011; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staffs of Senate Appropriations, Senate Research, House Appropriations, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 893**, 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 Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 491**, 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#2 SJR 2**, 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#2 SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 322**, entitled:

An act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 13, 2011

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163** entitled:

"AN ACT"

To repeal sections 288.040, 288.060, and 288.062, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

On April 13, 2011, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 9:30 a.m., Thursday, April 14, 2011.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.
Public hearing will be held: SCS SB 356, HB 990
Executive session may be held on any matter referred to the committee.
Lunch will not be provided.

BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of Markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.
CANCELLED

ELECTIONS

Thursday, April 14, 2011, 8:30 AM House Hearing Room 1.
Executive session will be held: SB 282
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

RULES

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.
Executive session will be held: HR 900
Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.
Executive session will be held: HB 364, HCS HBs 600, 337 & 413, HCS HB 742,
HCS HB 787, HCS SCS SB 162
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, April 14, 2011, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1006
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 14, 2011, 9:00 AM House Hearing Room 7.
Executive session will be held: HB 597, SB 180, SS SB 135
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: SCR 7, SB 173

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

WAYS AND MEANS

Thursday, April 14, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 843, HB 953, HB 885, HB 175

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

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2011

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 5, (Fiscal Review 4-13-11) - Pollock

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 111 - Cox
- 2 HCS HBs 223 & 231, (Fiscal Review 4-12-11) - Wallingford
- 3 HCS HB 430 - Burlison
- 4 HB 591 - Lichtenegger
- 5 HCS HB 697 - Smith (150)
- 6 HCS HB 407 - Wieland
- 7 HB 211 - Koenig
- 8 HB 257 - Cox
- 9 HB 305, E.C. - Gatschenberger
- 10 HB 357 - Leara
- 11 HB 656 - Brandom
- 12 HCS HB 555, (Fiscal Review 4-13-11) - Grisamore
- 13 HCS HB 464 - McNary
- 14 HCS HBs 300, 334 & 387 - Gatschenberger

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HCS#2 HB 609 - Molendorp

SENATE BILLS FOR SECOND READING

SB 322

HOUSE CONCURRENT RESOLUTIONS

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

SENATE BILLS FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 209, as amended - Guernsey
- 2 HCS HB 174, SA 1 - Thomson