

# JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

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THIRTY-SIXTH DAY, TUESDAY, MARCH 6, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Brett Capranica, Summit Woods Baptist Church, Lee's Summit, MO.

Most High God, as one ancient ruler once acknowledged:

You are “the Most High and praised and honored,” the one “who lives forever, for Your dominion is an everlasting dominion, and Your kingdom endures from generation to generation” (*Daniel 4:34*). Your “works are right and Your ways are just; and those who walk in pride You are able to humble.” (*Daniel 4:37*).

So we begin this day of legislation acknowledging You as the supreme lawmaker and ultimate king. We humble ourselves in recognition that justice is not determined by human pleasures, but by who You have revealed Yourself to be through the Holy Scriptures. Wisdom is not found in man-made principles but from the foundation of fearing You as the Almighty. Mercy is not calculated according to natural inclinations, but by the heights and depths by which You have shown Your own love to us through Your Son. All human authority is a derived authority, fixed by Your sovereign pleasure.

And so we pray with humility to You. Govern Your creation through these men and women whom You have sent as Your servants for good. For each of these leaders, along with all who interact with them, give them a humbled sense that they serve a cause, a purpose, a society, and a creator all much greater than themselves. As they serve the people of Missouri, may they have a strong sense that they are serving You by Your pleasure. Let Your supremacy season every debate, conversation, vote, and legal measure presented here this day.

We acknowledge You as the Most High. We humble ourselves as people here to carry out Your pleasure.

To the honor of Your great name, O Lord, I pray in Your Son’s name. 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: Chance Bedell, Chloe Bedell, Jacob Vegso, Montana Bedell and Tate Bedell.

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

## SPECIAL RECOGNITION

Max Deforest, a World War II Veteran, was introduced by Representative Denison and was recognized as an Outstanding Missourian.

## SECOND READING OF HOUSE BILLS

**HB 1884** through **HB 1891** were read the second time.

## PERFECTION OF HOUSE BILLS

**HCS#2 HB 1317**, relating to abuse of a child, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS#2 HB 1317** was adopted.

On motion of Representative Riddle, **HCS#2 HB 1317** was ordered perfected and printed.

**HCS HB 1525**, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

Representative Jones (63) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1525, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than [two] **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than [two] **twenty eight** grams but less than [six] **two hundred eighty** grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is [six] **two hundred eighty** grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or

produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the

accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than [two] **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than [two] **twenty eight** grams but less than [six] **two hundred eighty** grams the person shall be guilty of a class B felony;

(2) If the quantity involved is [six] **two hundred eighty** grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.”; and

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

Representative Jones (63) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

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

Representative Barnes raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Fuhr, **HCS HB 1525** was adopted.

On motion of Representative Fuhr, **HCS HB 1525** was ordered perfected and printed.

**HCS HB 1193**, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1193** was adopted.

On motion of Representative Frederick, **HCS HB 1193** was ordered perfected and printed.

**HCS HB 1198**, relating to prevailing wages, was taken up by Representative Fisher.

**HCS HB 1198** was laid over.

**HCS HB 1220**, relating to children of incarcerated mothers, was taken up by Representative Hubbard.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1220, Page 1, Section 217.145, Line 4, by inserting immediately after the word "**rights**" the following:

**“, except that a person who has pled guilty to or been found guilty of any of the offenses listed in subsection 1 of section 210.117 when the victim of the crime is a child or of child abuse under sections 210.109 to 210.183 shall not be eligible to participate in the program”; and**

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1220, Page 2, Section 217.145, Line 33, by deleting the words "**which houses women**"; and

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

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

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was adopted.

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

**AFTERNOON SESSION**

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

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Kesselring, Judah Kesselring, Augustine Kesselring and Abigail Culpepper.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 990 through House Resolution No. 1034

**PERFECTION OF HOUSE BILLS**

**HB 1029**, relating to state agency program evaluations, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1029** was ordered perfected and printed.

**HB 1431**, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

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

*House Amendment No. 1*

AMEND House Bill No. 1431, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 144.805, RSMo, and to enact in lieu thereof two new sections relating to aviation sales taxes."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"94.1050. 1. The governing body of any home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall be not more than three percent per occupied room per night, and shall be imposed solely for the purpose of funding improvements to any regional airport owned and operated by such city and any other economic development purpose. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city on any date available for elections for the city a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.**

**3. All revenue generated by the tax shall be collected by the city and shall be deposited in a special trust fund. If the tax is repealed, all funds remaining in the special trust fund shall be used as determined by the**

governing body of the city. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for twenty-eight days or less during any calendar quarter."; and

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

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

On motion of Representative Hoskins, **HB 1431, as amended**, was ordered perfected and printed.

**HCS HB 1495**, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1495** was adopted.

On motion of Representative Nance, **HCS HB 1495** was ordered perfected and printed.

**HCS HB 1212**, relating to vehicles hauling livestock or milk, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1212** was adopted.

On motion of Representative Smith (150), **HCS HB 1212** was ordered perfected and printed.

#### **HOUSE CONCURRENT RESOLUTION**

**HCS HCR 32**, relating to land/water conservation, was taken up by Representative Cookson.

Representative Keeney assumed the Chair.

On motion of Representative Cookson, **HCS HCR 32** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	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
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharmhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Guernsey	Holsman	Lasater	Meadows
Oxford	Schneider			

**HOUSE RESOLUTION**

**HR 89**, relating to house employees, was taken up by Representative McGhee.

On motion of Representative McGhee, **HR 89** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	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	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schamhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 013

Berry	Curtman	Day	Dieckhaus	Diehl
Dugger	Funderburk	Lasater	Long	Meadows
Oxford	Shively	Mr Speaker		

**PERFECTION OF HOUSE BILLS**

**HB 1331**, relating to transfer of retirement service, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1331** was ordered perfected and printed.

**HCS HB 1123**, relating to licensure of hospitals, was taken up by Representative Frederick.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1123, Page 2, Section 197.080, Lines 33-34, by deleting the words “**threat of immediate jeopardy of safety**” and inserting in lieu thereof the following:

“**documented immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**”; and

Further amend said bill, Page 3, Section 197.100, Lines 14-15, by deleting the words “**threat of immediate jeopardy of safety**” and inserting in lieu thereof the following:

“**immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**”; and

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

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

On motion of Representative Frederick, **HCS HB 1123, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 1123, as amended**, was ordered perfected and printed.

**HB 1513**, relating to animal rights, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1513** was ordered perfected and printed.

**HB 1466**, relating to the Math and Science Tutoring Act, was taken up by Representative Nasheed.

Representative Jones (89) moved the previous question.

## Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Elmer	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schamhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Carlson	Conway 14	Day	Denison	Diehl
Dugger	Entlicher	Fraker	Funderburk	Hoskins
Hughes	Lampe	Largent	Lasater	Leach
Meadows	Neth	Oxford	Schneider	

On motion of Representative Nasheed, **HB 1466** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Cross
Dieckhaus	Ellinger	Ellington	Fallert	Fisher
Flanigan	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Holsman	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lant
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McNary	Montecillo
Nasheed	Neth	Nichols	Pace	Parkinson
Phillips	Pierson	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Scharnhorst	Schieffer	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 71
Smith 150	Spreng	Stream	Swearingen	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 046

Anders	Asbury	Brattin	Brown 116	Burlison
Conway 14	Crawford	Curtman	Davis	Elmer
Fitzwater	Franklin	Franz	Hampton	Hodges
Kelly 24	Koenig	Lauer	Leara	Marshall
McCreery	McDonald	McManus	McNeil	Molendorp
Morgan	Nance	Newman	Pollock	Quinn
Redmon	Ruzicka	Sater	Schad	Schatz
Schieber	Schupp	Shively	Solon	Sommer
Still	Swinger	Thomson	Wells	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Day	Denison	Diehl	Dugger
Entlicher	Fraker	Funderburk	Hoskins	Lampe
Largent	Lasater	Leach	Meadows	Nolte
Oxford				

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

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

**HCR 42** - Special Standing Committee on Disability Services

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1500** - Judiciary  
**HB 1698** - Judiciary  
**HB 1788** - Transportation Funding and Public Institutions  
**HB 1818** - General Laws  
**HB 1857** - Retirement  
**HB 1875** - Insurance Policy  
**HB 1878** - Transportation  
**HB 1890** - Health Insurance

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SB 736** - Local Government

### **COMMITTEE REPORTS**

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was returned **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, 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 1094**, 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 Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was returned **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1662**, 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 1488**, 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 **HB 1691**, 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 Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1403**, 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.

**ADVANCEMENT OF HOUSE BILLS - CONSENT**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HBs 1098 & 1084, HCS HB 1108, HB 1236, HCS HBs 1258, 1259 & 1260, HCS HB 1340, HB 1404 and HCS HB 1576.**

**INTRODUCTION OF HOUSE BILLS**

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

**HB 1892**, introduced by Representative Asbury, relating to salvage vehicles.

**HB 1893**, introduced by Representatives Carter, Webb and Nasheed, relating to teacher tenure.

**HB 1894**, introduced by Representatives Carter, Jones (63), Oxford, Ellington and Pace, relating to trafficking drugs.

**HB 1895**, introduced by Representatives Loehner, Wright, Johnson, Reiboldt, Entlicher, Dugger, Quinn, Shively, Schieffer, Swinger, Nance and Aull, relating to University of Missouri extension districts.

**HB 1896**, introduced by Representatives Cauthorn, Still, Quinn, Webber, Barnes, Kelly (24), Ellinger, Bernskoetter, Asbury and Jones (117), relating to sexual offenses.

**HB 1897**, introduced by Representatives Cox, Kelly (24) and Barnes, for the sole purpose of restructuring the Missouri criminal code.

**HB 1898**, introduced by Representatives Brown (50), Nasheed, Hubbard, McCaherty, Hodges, Conway (27) and Hughes, relating to urban historic districts.

**HB 1899**, introduced by Representatives Curtman, Houghton and Schatz, relating to motor vehicle sales by dealers.

**HB 1900**, introduced by Representatives Redmon, Klippenstein, White, Fitzwater, Elmer and Crawford, for the sole purpose of restructuring statutes based on executive branch reorganizations.

**HB 1901**, introduced by Representative Grisamore, relating to voter accessibility.

**HB 1902**, introduced by Representative Grisamore, relating to state procurement.

**HB 1903**, introduced by Representatives Koenig, Brattin, Brown (116), Higdon, White, Wieland, Davis, Curtman, Schatz, Hinson, Marshall, Rowland, Haefner, Cauthorn, Bernskoetter, Zerr, Tilley, Pollock, Gatschenberger, Bahr, Kelley (126), Franklin, Crawford, Riddle, Allen, Flanigan, Lant, Lair, Lichtenegger and McNary, relating to food stamps.

## COMMITTEE APPOINTMENTS

March 2, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

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March 2, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Gail McCann Beatty to the Committee on Appropriations - Health, Mental Health, and Social Services.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

## **COMMITTEE CHANGES**

March 6, 2012

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

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Genise Montecillo from the Special Standing Committee on Renewable Energy and appoint Representative Jeanette Mott Oxford.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

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March 2, 2012

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

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Webber from the Committee on Economic Development.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

The following members' presence was noted: Lasater and Oxford.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 7, 2012.

### **COMMITTEE MEETINGS**

#### **AGRI-BUSINESS**

Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 1860, HCR 31

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

#### **BUDGET**

Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

Executive session will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

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

Bills to be considered: HCS House Bills 2001 through 2013

#### **AMENDED**

#### **CHILDREN AND FAMILIES**

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 1267, HB 1470, HB 1362, HB 1445, HB 1145

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

**CORRECTIONS**

Wednesday, March 7, 2012, 5:00 PM House Hearing Room 1.  
Public hearing will be held: HB 1136, HB 1642, HB 1456  
Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 4.  
Public hearing will be held: HB 1867, HB 1767, HB 1532  
Executive session may be held on any matter referred to the committee.

**DOWNSIZING STATE GOVERNMENT**

Wednesday, March 7, 2012, Upon Morning Recess South Gallery.  
Executive session will be held: HB 1608  
Executive session may be held on any matter referred to the committee.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 1718  
Executive session may be held on any matter referred to the committee.

**FISCAL REVIEW**

Thursday, March 8, 2012, 8:30 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any and all bills assigned to the committee

**GENERAL LAWS**

Thursday, March 8, 2012, 9:00 AM North Gallery.  
Executive session may be held on any matter referred to the committee.

**HEALTH CARE POLICY**

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 1847, HB 1811  
Executive session may be held on any matter referred to the committee.

**AMENDED**

**HEALTH INSURANCE**

Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.  
Public hearing will be held: HB 1890  
Executive session may be held on any matter referred to the committee.

**AMENDED**

HIGHER EDUCATION

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 1855, HB 1353

Executive session will be held: HB 1353, HB 1257, HB 1587

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

CANCELLED

JUDICIARY

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 1202, HB 1655, HB 1817, HB 1627

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

LOCAL GOVERNMENT

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 1820, HB 1671, HB 1358

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

LOCAL GOVERNMENT

Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.

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

Upon adjournment, executive session only

CANCELLED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 7, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.

Public hearing will be held: HB 1563, HB 1803, HB 1852

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

AMENDED

SMALL BUSINESS

Wednesday, March 7, 2012, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 1065, HB 1674, HB 1702, HB 1841, HB 1146

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

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND  
ACCOUNTABILITY

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

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

No meal will be provided.

CANCELLED

**TAX REFORM**

Wednesday, March 7, 2012, 8:00 AM House Hearing Room 5.  
Public hearing will be held: HJR 71, HB 1835  
Executive session may be held on any matter referred to the committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.  
Public hearing will be held: HB 1752, HB 1744, HB 1408  
Executive session may be held on any matter referred to the committee.

**UTILITIES**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.  
Executive session will be held: HB 1316  
Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.  
Public hearing will be held: HB 1446, HB 1717  
Executive session will be held: HB 1717  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

**HOUSE BILLS FOR SECOND READING**

HB 1892 through HB 1903

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 52 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1042 - Thomson
- 2 HB 1191 - Ruzicka
- 3 HCS HB 1300 - Franz
- 4 HCS HB 1324 - Loehner
- 5 HCS HB 1198 - Fisher
- 6 HB 1051 - Allen
- 7 HCS HB 1169 - Franz
- 8 HB 1296 - Davis
- 9 HCS HB 1361 - Pollock
- 10 HCS HBs 1659 & 1116 - Torpey

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- 11 HCS HB 1214 - Torpey
- 12 HCS HBs 1319, 1045 & 1369 - Riddle
- 13 HCS HB 1449 - Berry
- 14 HB 1504 - Richardson
- 15 HB 1621 - Brown (116)

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 61 - Loehner

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

**HOUSE CONCURRENT RESOLUTIONS**

HCR 22 - Walton Gray

**SENATE BILLS FOR THIRD READING**

SS SCS SB 572, E.C. - Richardson