

Journal of the Senate

SECOND REGULAR SESSION

THIRD DAY—TUESDAY, JANUARY 12, 2010

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God opposes the proud, but gives grace to the humble.” (1 Peter 5:5)

Gracious God, order our footsteps this day by Your teachings and open our hearts by Your directing so we may be about the things that we have been elected to do and what we do is done with our conscience clear, and our decisions and lives righteous. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Scott offered Senate Resolution No. 1344, regarding Austin Daniel Palmer, Windsor, which was adopted.

Senator Stouffer offered Senate Resolution No. 1345, regarding William D. “Pete” Peterson, Boonville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1346, regarding John W. Bowen, Boonville, which was adopted.

Senator Lager offered Senate Resolution No. 1347, regarding the Ninetieth Birthday of Mary Belle Miller, Maryville, which was adopted.

REFERRALS

President Pro Tem Shields referred **SCR 33** and **SCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 35

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

WHEREAS, the State Tax Commission is required pursuant to section 137.021 of the Revised Statutes of Missouri to biannually promulgate by regulation a value based upon productive capability for each grade of agricultural and horticultural land; and

WHEREAS, on December 21, 2009, the State Tax Commission filed with the Secretary of State a proposed amendment to 12 CSR 30-4.010 relating to agricultural land productive values; and

WHEREAS, the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural land grades beyond the level which the General Assembly considers to be fair and reasonable; and

WHEREAS, section 137.021 of the Revised Statutes of Missouri permits the General Assembly to disapprove, within the first sixty days of the regular session, the promulgated agricultural values:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-fifth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the members of the General Assembly disapprove of the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010 and that the State Tax Commission shall continue to use values set forth in the most recent preceding regulation promulgated under section 137.021 of the Revised Statutes of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 742—By Shoemyer.

An Act to repeal section 208.955, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet oversight committee.

SB 743—By Shoemyer.

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to a property tax for

cemetery maintenance.

SB 744—By Pearce.

An Act to amend chapters 376 and 630, RSMo, by adding thereto four new sections relating to the treatment of eating disorders.

SB 745—By Bray.

An Act to amend chapter 640, RSMo, by adding thereto five new sections relating to the Missouri uniform building energy code.

SB 746—By Griesheimer.

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to billboards.

SB 747—By Rupp and Mayer.

An Act to repeal section 376.805, RSMo, and to enact in lieu thereof one new section relating to health insurance coverage for elective abortions.

SB 748—By Rupp.

An Act to amend chapter 303, RSMo, by adding thereto one new section relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law.

SB 749—By Rupp.

An Act to amend chapters 41 and 42, RSMo, by adding thereto two new sections relating to exposure to depleted uranium by members of the military.

SB 750—By Rupp.

An Act to repeal section 307.173, RSMo, and to enact in lieu thereof one new section relating to tinted windows.

SB 751—By Lembke.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

SB 752—By Lembke.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

SB 753—By Dempsey.

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to the investment of certain cemetery trust funds.

SB 754—By Dempsey.

An Act to repeal sections 214.270, 214.276, 214.277, 214.283, 214.290, 214.300, 214.310, 214.320, 214.325, 214.330, 214.335, 214.340, 214.345, 214.360, 214.363, 214.365, 214.367, 214.387, 214.392, 214.400, 214.410, 214.500, 214.504, 214.508, 214.512, 214.516, and 214.550, RSMo, and to enact in lieu

thereof twenty-eight new sections relating to cemeteries, with penalty provisions.

SJR 29—By Purgason and Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4 (d) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax.

Senator Griesheimer requested unanimous consent of the Senate to withdraw **SB 704**, which request was granted.

CONCURRENT RESOLUTIONS

Senator Engler moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Engler, **HCR 1** was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Cunningham—1

Absent with leave—Senators—None

Vacancies—None

Senator Engler moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Engler, **HCR 2** was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Barnitz—1

Absent with leave—Senators—None

Vacancies—None

INTRODUCTIONS OF GUESTS

On behalf of Senator Bray and herself, Senator Days introduced to the Senate, the Physician of the Day, Dr. Ed Weisbart, M.D., CPE, FAAFP, St. Louis.

Senator Champion introduced to the Senate, Randy Wright and Michelle Pence.

Senator Cunningham introduced to the Senate, Dr. Arthur Laffer, Tennessee; and Dr. Joe Haslag, Columbia.

Senator Barnitz introduced to the Senate, coaches Jeremy McKague and Kyle Burkett, managers Jordan Staley, Thomas Sieg and David Zhou and members of the Class 1 Champion Osage County R-I School District's 2009 high school track and field team: John Martellaro, Jason Rost, Josh Kuhn, Tyler Seifert, Tyler Malone, Andrew Mehmert, Christian McCollum, Michael Hopkins, Chris Viele, Ethan Hagenhoff, Dylan Barnes, Zac Malone, Brady Stone, and Jacob Trachsel.

On motion of Senator Engler, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTH DAY—WEDNESDAY, JANUARY 13, 2010

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 577-Shields	SB 599-Ridgeway
SB 578-Shields	SB 600-Crowell
SB 579-Shields	SB 602-Crowell
SB 580-Griesheimer	SB 603-Mayer
SB 581-Griesheimer	SB 604-Mayer
SB 582-Griesheimer	SB 605-Mayer
SB 583-Champion	SB 606-Stouffer
SB 584-Bartle	SB 607-Stouffer
SB 585-Bartle	SB 608-Stouffer
SB 586-Bartle	SB 609-Green
SB 587-Nodler and Cunningham	SB 610-Green
SB 588-Nodler	SB 611-Green
SB 589-Nodler	SB 612-Wilson
SB 590-Bray	SB 613-Wilson
SB 591-Bray	SB 614-Wilson
SB 592-Bray	SB 615-Goodman
SB 593-Days and Bray	SB 616-Goodman
SB 594-Days	SB 617-Goodman
SB 596-Callahan	SB 618-Rupp, et al
SB 597-Ridgeway	SB 619-Rupp
SB 598-Ridgeway	SB 620-Rupp

SB 621-Lager	SB 662-Wilson
SB 622-Shoemyer	SB 663-Rupp
SB 623-Shoemyer	SB 664-Rupp
SB 624-Shoemyer	SB 665-Rupp
SB 625-Justus and Keaveny	SB 666-Shoemyer
SB 626-Justus	SB 667-Shoemyer
SB 627-Justus	SB 668-Justus
SB 628-Dempsey	SB 669-Justus
SB 629-Dempsey	SB 670-Justus
SB 630-Cunningham	SB 671-Cunningham
SB 631-Cunningham	SB 672-Cunningham
SB 632-Cunningham	SB 673-Pearce
SB 633-Pearce	SB 674-Wright-Jones
SB 634-Pearce	SB 675-Wright-Jones
SB 635-Pearce	SB 676-Wright-Jones
SB 636-Lembke	SB 677-Bray
SB 637-Lembke	SB 678-Bray
SB 638-Lembke	SB 679-Bray
SB 639-Schmitt	SB 680-Crowell
SB 640-Wright-Jones	SB 681-Wilson
SB 641-Wright-Jones	SB 682-Wilson
SB 642-Wright-Jones	SB 683-Wilson
SB 643-Keaveny	SB 684-Rupp
SB 644-Shields	SB 685-Rupp
SB 645-Shields	SB 686-Rupp
SB 646-Bray	SB 687-Wright-Jones
SB 647-Bray	SB 688-Wright-Jones
SB 648-Bray	SB 689-Wright-Jones
SB 649-Days and Wright-Jones	SB 690-Bray
SB 650-Days	SB 691-Wilson
SB 651-Days, et al	SB 692-Wilson
SB 652-Ridgeway	SB 693-Wilson
SB 653-Crowell	SB 694-Wright-Jones
SB 654-Crowell	SB 695-Wright-Jones
SB 655-Crowell	SB 696-Wright-Jones
SB 657-Mayer	SB 697-Wright-Jones and Keaveny
SB 658-Stouffer and Keaveny	SB 698-Griesheimer
SB 659-Stouffer	SB 699-Wilson
SB 660-Wilson	SB 700-Lager
SB 661-Wilson	SB 701-McKenna and Keaveny

SB 703-Vogel	SB 735-Cunningham
SB 705-Griesheimer	SB 736-McKenna
SB 706-Rupp	SB 737-Days
SB 707-McKenna	SB 738-Crowell
SB 708-McKenna	SB 739-Lembke
SB 709-Shoemyer	SB 740-Lembke
SB 710-Bray	SB 741-Griesheimer
SB 711-Bray	SB 742-Shoemyer
SB 712-Bray	SB 743-Shoemyer
SB 713-Mayer	SB 744-Pearce
SB 714-Crowell	SB 745-Bray
SB 715-Crowell	SB 746-Griesheimer
SB 716-Goodman	SB 747-Rupp and Mayer
SB 717-Vogel	SB 748-Rupp
SB 718-Crowell	SB 749-Rupp
SB 719-Bray	SB 750-Rupp
SB 720-Bray	SB 751-Lembke
SB 721-Nodler	SB 752-Lembke
SB 722-Bray	SB 753-Dempsey
SB 723-Bray	SB 754-Dempsey
SB 724-Griesheimer	SJR 19-Bartle
SB 725-Rupp	SJR 20-Bartle
SB 726-Bray	SJR 21-Bartle
SB 727-Bray	SJR 22-Callahan
SB 728-Crowell	SJR 23-Ridgeway
SB 729-McKenna	SJR 24-Wilson
SB 730-Schaefer, et al	SJR 25-Cunningham, et al
SB 731-Crowell	SJR 26-Cunningham
SB 732-Cunningham	SJR 27-Lembke
SB 733-Pearce	SJR 28-Lembke
SB 734-Pearce	SJR 29-Purgason and Cunningham

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 35-Stouffer

