

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 21, 2012

The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“To think to quickly of prayer as a matter of words can be a most discouraging thing.” (Alan Ecclestone)

Lord, too many seem to think too much on what they say and it interferes with what You might desire for us to pray. Help us open a channel between us and You and help us be thoughtful to what You encourage us to express, our feelings and thoughts so they may become effective actions. 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.

Senator Dempsey announced photographers from KRCG-TV, the University of Missouri and Mizzou Football were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Crowell Schaefer—2

Vacancies—None

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1466, regarding Rachel Greatwood, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 1467, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Junior Johnson, Lamar, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1468, regarding Sunset Auto Company, Sunset Hills, which was adopted.

INTRODUCTION OF BILLS

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

SB 817—By Parson.

An Act to repeal sections 116.080, 116.090, 116.120, 116.180, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with existing penalty provisions, and an emergency clause for a certain section.

SB 818—By Parson.

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to motor vehicle registration.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SJR 26** and **SB 701**, begs leave to report that it has examined the same and finds that the joint resolution and bill have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

SB 577, with **SCS**, was placed on the Informal Calendar.

Senator Lamping moved that **SB 749** be taken up for perfection, which motion prevailed.

Senator Lamping offered **SS** for **SB 749**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 749

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Senator Lamping moved that **SS** for **SB 749** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 749, Page 1, Section 191.724, Line 9 of said page, by

striking the following: “, contraception,”; and further amend line 16 of said page, by striking the following: “contraception,”; and

Further amend said bill and section, Page 2, Line 11 of said page, by striking the following: “, contraception,”.

Senator Justus moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Lamping, **SB 749**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 648**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 568**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 690**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 562**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 563**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 736**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Mayer referred **SJR 26** to the Committee on Ways and Means and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 8**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 8

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.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required under Section 137.021, RSMo, to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 23, 2011, propose a value for each of the eight grades of agricultural and horticultural land for the 2013 and 2014 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed agricultural and horticultural land values are excessive; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby disapprove the State Tax Commission's proposed state regulation to be promulgated under Section 137.021, RSMo, establishing agricultural land values for the 2013 and 2014 assessment years; and

BE IT FURTHER RESOLVED that the General Assembly recommends that the State Tax Commission review the current procedure for determining and establishing agricultural land values; and

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, President Tim Wolfe, Athletic Director Mike Alden, Coach Gary Pinkel and members of the 2011-2012 University of Missouri football team.

Senator Brown introduced to the Senate, members of the Missouri Society of Anesthesiologists from around the state.

Senator Dixon introduced to the Senate, Becky Smith and forty-two sixth grade students from Central High School, Springfield.

Senator Dixon introduced to the Senate, recipients of the Missouri State University Citizen Scholar Award: from the 30th Senatorial District, Rachel Greatwood, Springfield; from the 33rd Senatorial District, Rebekah Allen, Mountain View; from the 20th Senatorial District, Alison Bos; from the 15th Senatorial District, Deanne Vassalli; and from the 31st Senatorial District, Samantha Warner, Archie.

Senator Schmitt introduced to the Senate, Mary Elizabeth Grimes, Suzanne Dalton and members of the Missouri Chapter of the March of Dimes.

Senator Kehoe introduced to the Senate, Principal Janah Massman, Coach Peggy Wieberg, Coach Diane Juergensmeyer and members of the 2011 Missouri State Champion St. Elizabeth High School girls softball team.

On behalf of Senator Lager, the President introduced to the Senate, second through sixth grade gifted students from Savannah.

Senator Rupp introduced to the Senate, representatives of Leadership Troy.

Senator Lembke introduced to the Senate, the 2012 Milken Foundation Educator of the Year, Eric Cochran, his wife, Jessica, and their daughters, Kelsey and Kristin; and Kelsey and Kristin were made honorary pages.

On behalf of the President, Senator Pearce introduced to the Senate, the Physician of the Day, Dr. William Haynie and his wife, Joyce, Butler.

Senator Pearce introduced to the Senate, Blaine Duesing, Anna Campbell, Deborah Galley, Nancy Montgomery, Kimberly Stewart, and Kristie Condon, representatives of the University of Central Missouri Speech Pathology Department.

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

SENATE CALENDAR

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 22, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 794-Schmitt	SB 807-Dempsey
SB 795-Callahan, et al	SB 808-Lembke
SB 796-Justus	SB 809-Lamping
SB 797-Justus	SB 810-Lamping
SB 798-Justus, et al	SB 811-Dixon
SB 799-Justus, et al	SB 812-Schaefer, et al
SB 800-Justus	SB 813-Richard
SB 801-Justus	SB 814-Brown
SB 802-Justus	SB 815-McKenna
SB 803-Rupp	SB 816-Kraus
SB 804-Engler	SB 817-Parson
SB 805-Engler	SB 818-Parson
SB 806-Cunningham	

HOUSE BILLS ON SECOND READING

HCS for HJR 43	HB 1075-Sater
HB 1135-Smith (150), et al	HB 1093-Elmer, et al
HCS for HB 1140	HB 1141-Gatschenberger, et al
HB 1036-Dugger	HB 1156-Rowland, et al
HB 1039-Leara	HB 1179-Hampton, et al
HB 1099-Fitzwater, et al	HB 1185-Parkinson and Kelley (126)
HB 1100-Fitzwater, et al	HB 1250-Ruzicka, et al
HB 1105-Day	HB 1251-Ruzicka
HCS for HB 1311	HB 1269-Brattin, et al
HCS for HB 1329	HB 1103-Crawford and Wyatt
HB 1219-Elmer, et al	HB 1192-Koenig, et al
HB 1104-Schoeller and Smith (150)	HB 1041-Thomson

THIRD READING OF SENATE BILLS

SJR 26-Lager (In Fiscal Oversight)	SB 701-Mayer
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SENATE BILLS FOR PERFECTION

SB 474-Kraus, with SCS	SB 578-Parson
SB 655-Green, et al, with SCS	SB 562-Dixon, et al, with SCS
SB 648-Dempsey, with SCS	SB 563-Dixon, with SCS
SB 568-Parson, with SCS	SB 736-Engler
SB 690-Engler	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer	SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 439-Mayer, with SCS	SB 577-Goodman and Rupp, with SCS
SB 442-Stouffer, with SCS	SB 589-Kraus, with SCS (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)	SB 591-Parson, with SCS & SA 1 (pending)
SB 465-Schaaf	SB 596-Brown, with SCS
SB 470-Dixon, with SCS	SB 621-Brown, with SCS & SS for SCS (pending)
SB 479-Crowell	SB 719-Kehoe, with SCS
SB 480-Stouffer, with SCS	SB 749-Lamping, with SS & SA 1 (pending)
SBs 484, 477 & 606-Rupp, with SCS	SJR 29-Lamping, with SS & SA 1 (pending)
SB 492-Crowell	
SB 547-Purgason	

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

To be Referred

HCR 8-Guernsey, et al

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