PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 31, 2011

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JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 31, 2011

The Senate met in regular session at 8:09 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Merlin Bartz, member of the Senate from Worth County, Grafton, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jim Gulbranson.

The Journal of Wednesday, March 30, 2011, was approved.

The Senate stood at ease at 8:13 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:10 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:11 a.m. until 12:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 12:12 p.m., President Kibbie presiding.

BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that **Senate Files 390, 391, 516, and 517** be referred from the Regular Calendar to the **Unfinished Business Calendar**.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F.	150	Commerce
S.F.	201	Transportation
S.F.	281	Human Resources
S.F.	293	State Government
S.F.	314	Local Government
S.F.	348	State Government
S.F.	358	State Government
S.F.	366	State Government
S.F.	416	Commerce
S.F.	417	Commerce
S.F.	421	Education
S.F.	422	Education
S.F.	423	Education
S.F.	435	State Government
S.F.	436	State Government
S.F.	439	State Government
S.F.	447	State Government
S.F.	449	State Government
S.F.	450	Local Government
S.F.	455	Education
S.F.	457	Judiciary
S.F.	459	Commerce
S.F.	467	Education
S.F.	484	State Government

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:20 p.m. until 1:00 p.m., Monday, April 4, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Jennifer Feenstra, Orange City—For being awarded the prestigious Fulbright Scholar grant in recognition of her work. Senator Feenstra (3/31/11).

Evelyn Fowler, Vinton—For celebrating her 90th birthday. Senator Kapucian (3/31/11).

Logan Halverson, Independence—For achieving the rank of Eagle Scout, Troop 47. Senator Schoenjahn (3/31/11).

Agnes Kalina, Elberon—For celebrating her 92nd birthday. Senator Kapucian (3/31/11).

Maurice Muench, Belle Plaine—For celebrating his 90th birthday. Senator Kapucian (3/31/11).

Bob and Judi Orr, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (3/31/11).

Samuel and Etta Schmitt, Dike—For celebrating their 65th wedding anniversary. Senator Kapucian (3/31/11).

Anne Spenler, Burlington—For celebrating her 90th birthday. Senator Courtney (3/31/11).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, March 30, 2011, 3:00 p.m.

Members Present: Seng, Chair; Fraise, Vice Chair; Johnson, Ranking Member; Black, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly.

Members Absent: None.

Committee Business: Subcommittee of the whole on HF 589. Considered HFs 557, 589, and 592.

Recessed: 3:05 p.m.

Reconvened: 3:15 p.m.

Adjourned: 3:25 p.m.

COMMERCE

Convened: Thursday, March 31, 2011, 10:10 a.m.

Members Present: Dandekar, Chair; Rielly, Vice Chair; Behn, Ranking Member; Anderson, Beall, Bolkcom, Courtney, Feenstra, McCoy, Schoenjahn, Seng, Ward, Wilhelm, and Zaun.

Members Absent: Kettering (excused).

Committee Business: Presentations by the Chair of the Iowa Utilities Board and the Iowa Attorney General's Consumer Advocate for Utilities. Passed HFs 596 and 597.

Adjourned: 11:40 a.m.

STUDY BILL RECEIVED

SSB 1205 Ways and Means

Establishing a property tax credit for certain commercial, industrial, and railway property, providing penalties, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 549

TRANSPORTATION: Rielly, Chair; Danielson and Kapucian

SSB 1205

WAYS AND MEANS: Bolkcom, Chair; Jochum and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: HOUSE FILE 596 (HSB 217), a bill for an act exempting business entities located in small cities or adjacent to small cities, and formed by local development corporations, from certain security regulations.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dandekar, Rielly, Behn, Anderson, Beall, Bolkcom, Courtney, Feenstra, McCoy, Schoenjahn, Seng, Ward, Wilhelm, and Zaun. Nays, none. Absent, 1: Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *HOUSE FILE 597 (HSB 200), a bill for an act creating new procedures for external review of health care coverage decisions by health carriers and including transition and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN S–3210.

Final Vote: Ayes, 14: Dandekar, Rielly, Behn, Anderson, Beall, Bolkcom, Courtney, Feenstra, McCoy, Schoenjahn, Seng, Ward, Wilhelm, and Zaun. Nays, none. Absent, 1: Kettering.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on House File 597, and they were attached to the committee report.

EDUCATION

Bill Title: HOUSE FILE 493 (formerly HF 139), a bill for an act requiring faculty members of regents institutions and community colleges and teachers employed by school districts charged with a crime to repay all salary received during a paid leave of absence if convicted.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN S–3207.

Final Vote: Ayes, 13: Quirmbach, Schoenjahn, Hamerlinck, Beall, Boettger, Bowman, Dvorsky, Feenstra, Hogg, Johnson, Smith, Sodders, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Kibbie announced the assignment of the following bills to committee:

H.F.	524	Local Government
H.F.	549	Judiciary
H.F.	642	Appropriations
H.F.	654	Ways and Means
H.F.	655	Ways and Means

WITHDRAWAL AND DEFERRAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on March 30, 2011:

I am withdrawing the name of Fred Schuster to serve as a Commission on Aging member from further consideration by the Senate.

Pursuant to Iowa Code section 231.11, please accept this letter as the notice of deferment of the appointment to the Commission on Aging, formerly held by Nancy Nichols. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S–3192	H.F.	589	Matt McCoy
S–3193	H.F.	589	Matt McCoy
S–3194	H.F.	589	Matt McCoy
S–3195	H.F.	589	Matt McCoy
S–3196	H.F.	589	Matt McCoy
S–3197	H.F.	589	Matt McCoy
S–3198	H.F.	589	Matt McCoy
S–3199	H.F.	589	Matt McCoy
S–3200	H.F.	589	Matt McCoy
S–3201	H.F.	589	Matt McCoy
S–3202	H.F.	589	Matt McCoy
S–3203	H.F.	589	Matt McCoy
S–3204	H.F.	589	Matt McCoy
S–3205	H.F.	589	Matt McCoy
S–3206	H.F.	589	Matt McCoy
S–3207	H.F.	493	Education
S–3208	H.F.	589	Matt McCoy
S–3209	H.F.	589	Matt McCoy
S–3210	H.F.	597	Commerce