

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 10, 2011

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JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 10, 2011

The Senate met in regular session at 9:04 a.m., President Kibbie presiding.

The Senate observed a moment of silence.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maria Lewis.

The Journal of Wednesday, February 9, 2011, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Michael Carroll, the governor's appointee to be the Director of the Department of Administrative Services. He was the guest of Senator Danielson and the committee on State Government.

SPECIAL GUEST

President Kibbie introduced to the Senate chamber the Honorable Al Sturgeon, former member of the Senate from Woodbury County, Sioux City, Iowa.

The Senate rose and expressed its welcome.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 192** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, February 14, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Jack and Carol Atkinson, Preston—For celebrating their 50th wedding anniversary. Senator Bowman (2/10/11).

Thomas Danner, Peosta—For his dedication to the student athletes of Western Dubuque during his 35 years of coaching. Senator Bowman (2/10/11).

Joe Ihm, Guttenberg—For celebrating his 80th birthday. Senator Schoenjahn (2/10/11).

Iowa Chapter of the Lupus Foundation of America—The Senate hereby recognizes and declares May 2011 as Lupus Awareness Month and joins lupus advocacy groups in supporting programs of research, education, and community service. Senator Ragan (2/10/11).

Ken and Chris Weuste, Maquoketa—For celebrating their 50th wedding anniversary. Senator Bowman (2/10/11).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, February 10, 2011, 1:00 p.m.

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

Members Absent: Greiner and Kibbie (both excused).

Committee Business: Presentations on animal breeding operation reforms.

Adjourned: 1:15 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Thursday, February 10, 2011, 2:00 p.m.

Members Present: Soddors, Chair; Dotzler, Vice Chair; Bacon, Bowman, Chelgren, Dandekar, Danielson, Horn, Rielly, Ward, Whitver, and Wilhelm.

Members Absent: Greiner, Ranking Member; Bertrand and Hatch (all excused).

Committee Business: Passed SF 71. Presentation by the Iowa Finance Authority.

Adjourned: 2:50 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 10, 2011, 10:10 a.m.

Members Present: Courtney, Chair; Sodders, Vice Chair; Sorenson, Ranking Member; and Kibbie.

Members Absent: Greiner (excused).

Committee Business: Presentation by the Iowa Braille and Sight Saving School.

Adjourned: 11:20 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 10, 2011, 2:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Hahn, Ranking Member; Bolkom, Hancock, Hogg, Kapucian, Ragan, Schoenjahn, Seng, and Sorenson.

Members Absent: Behn and Hamerlinck (both excused).

Committee Business: Presentation by Iowa's Water and Land Legacy.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: Wednesday, February 9, 2011, 3:00 p.m.

Members Present: Rielly, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; Beall, Dandekar, Danielson, Dearden, Ernst, Hahn, Hancock, Houser, McCoy, and Zaun.

Members Absent: None.

Committee Business: Approved [SSB 1083](#). Presentation by the Tama County Engineer.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 10, 2011, 10:10 a.m.

Members Present: Jochum, Chair; Danielson, Vice Chair; Bartz, Ranking Member; Bowman and Ernst.

Members Absent: None.

Committee Business: Presentations by Outcomes Pharmaceutical Health Care and the Department of Administrative Services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 10, 2011, 10:15 a.m.

Members Present: Black, Chair; Houser, Ranking Member; Hahn and Wilhelm.

Members Absent: Dearden, Vice Chair (excused).

Committee Business: Forestry presentations by the Department of Natural Resources and the Department of Agriculture and Land Stewardship.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 10, 2011, 10:10 a.m.

Members Present: Schoenjahn, Chair; Quirnbach, Vice Chair; Dix, Ranking Member; Hamerlinck and Horn.

Members Absent: None.

Committee Business: Presentations by community colleges.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 9, 2011, 10:10 a.m.

Members Present: Hancock, Chair; Hogg, Vice Chair; Seymour, Ranking Member; Fraise and Smith.

Members Absent: None.

Committee Business: Presentations by the Iowa Civil Rights Commission and the Iowa Coalition Against Sexual Assault.

Adjourned: 10:50 a.m.

ALSO:

Convened: Thursday, February 10, 2011, 10:15 a.m.

Members Present: Hancock, Chair; Hogg, Vice Chair; Seymour, Ranking Member; Fraise and Smith.

Members Absent: None.

Committee Business: Presentation by the Attorney General.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 10, 2011, 10:00 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Anderson and Dvorsky.

Members Absent: None.

Committee Business: Presentation by the Department of Public Defense.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 197, by committee on State Government, a bill for an act relating to the performance of routine maintenance of a fire protection system and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 198, by committee on Veterans Affairs, a bill for an act relating to assignment of visitation or physical care parenting time for children of military service members on active duty and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 199, by Dix, Sorenson, Johnson, Ward, McKinley, Behn, Kapucian, Hahn, Anderson, Bertrand, Hamerlinck, Ernst, Seymour, Feenstra, Boettger, Houser, and Whitver, a bill for an act establishing a limitation on the amount of property tax dollars that may be certified by a county or a city and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 200, by Beall and McCoy, a bill for an act requiring the installation of switch targets at certain locations along railroad tracks and providing a penalty.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 201, by Bertrand, Anderson, and Rielly, a bill for an act restricting the designation of certain portions of an interstate highway as part of a scenic byway.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 202, by Schoenjahn, Soddors, Kibbie, Hancock, McCoy, Horn, Dearden, Fraise, Dandekar, Gronstal, Black, Quirnbach, Beall, Ragan, Wilhelm, Jochum, Bolkcom, Bowman, Hogg, Dotzler, Seng, Hatch, Danielson, and Courtney, a bill for an act relating to education and employment training by establishing the pathways for academic career and employment program and fund and the gap tuition assistance program and fund.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 203, by Hogg, a bill for an act relating to the creation of the bond repayment fund and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 204, by committee on Education, a bill for an act establishing a task force on the prevention of sexual abuse of children and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 205, by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, including provisions relating to the regulation of motor vehicles and motor vehicle operations and provisions relating to the coordination of public transit funding programs, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1102 Commerce

Relating to the assessment of certain subdivided real property and including applicability provisions.

SSB 1103 Human Resources

Relating to assisted living programs, including voluntary cessation of program operations and decertification, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 146

TRANSPORTATION: Danielson, Chair; Bowman and Zaun

Senate File 158

WAYS AND MEANS: Dotzler, Chair; Bartz and Bolkcom

Senate File 164

AGRICULTURE: Kibbie, Chair; Hancock and Houser

Senate File 169

WAYS AND MEANS: Quirnbach, Chair; Anderson and Dotzler

Senate File 170

EDUCATION: Dvorsky, Chair; Hamerlinck and Hogg

Senate File 171

EDUCATION: Hogg, Chair; Dvorsky and Hamerlinck

Senate File 172

EDUCATION: Quirnbach, Chair; Dvorsky and Hamerlinck

Senate File 173

EDUCATION: Hogg, Chair; Dvorsky and Feenstra

Senate File 174

EDUCATION: Hogg, Chair; Boettger and Bowman

Senate File 176

EDUCATION: Feenstra, Chair; Dvorsky and Hogg

Senate File 180

EDUCATION: Dvorsky, Chair; Hamerlinck and Hogg

Senate File 195

WAYS AND MEANS: Quirnbach, Chair; Feenstra and Hogg

Senate File 199

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Feenstra

Senate File 200

TRANSPORTATION: McCoy, Chair; Beall and Houser

House File 184

EDUCATION: Wilhelm, Chair; Hamerlinck and Schoenjahn

House File 185

EDUCATION: Soddors, Chair; Beall and Hamerlinck

SSB 1102

COMMERCE: Dandekar, Chair; Kettering and Schoenjahn

SSB 1103

HUMAN RESOURCES: Dotzler, Chair; Boettger and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 204 (formerly SF 10), a bill for an act establishing a task force on the prevention of sexual abuse of children and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 204, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 197 (SSB 1067), a bill for an act relating to the performance of routine maintenance of a fire protection system and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Kibbie, Feenstra, Behn, Bertrand, Dearden, Dix, Fraise, Hatch, Horn, Jochum, Smith, Soddors, and Sorenson. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: *SENATE FILE 205 (SSB 1083), a bill for an act relating to matters under the purview of the department of transportation, including provisions relating to the regulation of motor vehicles and motor vehicle operations and provisions relating to the coordination of public transit funding programs, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Bowman, Kapucian, Beall, Dandekar, Danielson, Dearden, Ernst, Hahn, Hancock, Houser, McCoy, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 205](#), and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: *[SENATE FILE 198](#) (formerly [SF 79](#)), a bill for an act relating to assignment of visitation or physical care parenting time for children of military service members on active duty and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Beall, Danielson, Seymour, Bacon, Black, Ernst, Greiner, Horn, Kibbie, Ragan, and Sodders. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on [Senate File 198](#), and they were attached to the committee report.