

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 27, 2011

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JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 27, 2011

The Senate met in regular session at 11:10 a.m., President Kibbie presiding.

Prayer was offered by Katie Kustra of Carroll, Iowa, who sang "Amazing Grace". She was the guest of Senators Kibbie and Kettering.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Walsh.

The Journal of Tuesday, April 26, 2011, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 2011, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 302](#), a bill for an act increasing the amount of tax credits available under the endow Iowa program and including effective date and retroactive applicability provisions.

[Senate File 412](#), a bill for an act relating to the powers and governance of benefited recreational lake districts, water quality districts, and combined recreational lake and water quality districts.

[Senate File 434](#), a bill for an act relating to property taxes and fees by modifying provisions relating to receipts for the payment of property taxes and provisions relating to delinquent rates and charges and by specifying certain dates for notices and delinquency.

ALSO: That the House has on April 26, 2011, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 561](#), a bill for an act relating to the permitting, licensing, construction, and operation of nuclear generation facilities.

Read first time and attached to **similar** [Senate File 390](#).

President Pro Tempore Danielson took the chair at 11:20 a.m.

SPECIAL GUEST

President Pro Tempore Danielson introduced to the Senate chamber the Honorable Keith Kreiman, former member of the Senate from Davis County, Bloomfield, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:42 a.m. until 2:45 p.m.

RECONVENED

The Senate reconvened at 2:53 p.m., President Kibbie presiding.

The Senate stood at ease at 2:54 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:55 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 10](#).

Senate Resolution 10

On motion of Senator Beall, [Senate Resolution 10](#), a resolution inviting the people of Yamanashi Prefecture, Japan, to be the guests of the State of Iowa at the rededication of the Japanese Bell of Peace and Friendship, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of [Senate Resolution 10](#), which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Kettering.

HOUSE AMENDMENT CONSIDERED

Senate File 313

Senator Gronstal called up for consideration [Senate File 313](#), a bill for an act relating to medical assistance program-related provisions, amended by the House in House amendment [S-3292](#), filed April 25, 2011.

Senator Ragan offered amendment [S-3296](#), filed by her from the floor to pages 1-3 of House amendment [S-3292](#), and moved its adoption.

Amendment [S-3296](#) to amendment [S-3292](#) was adopted by a voice vote.

Senator Ragan moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Ragan moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last

time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 313](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 313](#) be **immediately messaged** to the House.

SPECIAL GUEST

President Pro Tempore Danielson introduced to the Senate chamber the Honorable Jeff Angelo, former member of the Senate from Union County, Creston, Iowa.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:12 p.m. until 9:00 a.m., Thursday, April 28, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Donna Briggs, Sigourney—For celebrating her 85th birthday. Senator Rielly (4/27/11).

Carroll Oskvig, Milford—For many years of service protecting our water resources and soil quality. Senator Johnson (4/27/11).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, April 27, 2011, 2:00 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Seymour, Ranking Member; Bacon, Boettger, Bolkom, Dotzler, Jochum, Johnson, and Whitver.

Members Absent: Dvorsky, Hatch, and Quirnbach (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 2:10 p.m.

JUDICIARY

Convened: Wednesday, April 27, 2011, 2:00 p.m.

Members Present: Fraise, Chair; Hogg, Vice Chair; Boettger, Ranking Member; Dix, Hancock, Horn, Jochum, Soddors, Ward, and Whitver.

Members Absent: Dvorsky, Quirnbach, and Sorenson (all excused).

Committee Business: Approved governor's appointee.

Adjourned: 2:05 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, April 27, 2011, 1:40 p.m.

Members Present: Wilhelm, Chair; Beall, Vice Chair; Bartz, Ranking Member; Bacon, Bowman, Ernst, McCoy, Rielly, and Schoenjahn.

Members Absent: Hamerlinck and Quirnbach (both excused).

Committee Business: Approved governor's appointee.

Adjourned: 1:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, April 27, 2011, 2:30 p.m.

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

Members Absent: Behn, Bolkcom, Hamerlinck, Hancock, Kapucian, and Sorenson (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 2:35 p.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 27, 2011, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 418](#) – Relating to disclosure of specified information in connection with new motor vehicle repairs.

[Senate File 424](#) – Establishing a district-to-community college program and facilities sharing pilot program.

[Senate File 515](#) – Relating to the administration of the streamlined sales tax agreement by the department of revenue.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

HUMAN RESOURCES

Carole Dunkin – Commission on Aging

Geoff Jensen – Board of Athletic Training

Roberta Chambers – Health Facilities Council

Alejandro Pino – Commission of Latino Affairs

JUDICIARY

Jim Kersten – State Judicial Nominating Commission

LOCAL GOVERNMENT

Alan Soukup – County Finance Committee

STATE GOVERNMENT

John Anderson – Board of Barbering

Dennis Young – Investment Board of the IPERS

Vicky Apala-Cuevas – Commission of Native American Affairs

Keith Carpenter – Commission of Native American Affairs

Debra Larson – Board of Nursing

AMENDMENTS FILED

<u>S-3295</u>	<u>H.F. 645</u>	Matt McCoy
<u>S-3296</u>	<u>S.F. 313</u>	Amanda Ragan
<u>S-3297</u>	<u>H.F. 589</u>	Tom Rielly
		David Johnson
		John P. Kibbie
		Tim L. Kapucian
		Joe M. Seng