

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MAY 16, 2011

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JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 16, 2011

The Senate met in regular session at 1:13 p.m., President Kibbie presiding.

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Beall.

The Journal of Saturday, May 14, 2011, was approved.

The Senate stood at ease at 1:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:11 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

Senator Sorenson made the motion, under Rule 19, that the Senate resolve itself into a Committee of the Whole to consider [House File 657](#).

On the question "Shall the Senate resolve itself into a Committee of the Whole to consider [H.F. 657](#)?", the vote was:

Yeas, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Nays, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Absent, 1:

Houser

The motion lost.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 534](#).

[Senate File 534](#)

On motion of Senator Bolkcom, [Senate File 534](#), a bill for an act relating to the application of certificate of need requirements to specialized outpatient surgical facilities, providing for fees, and including effective date and applicability provisions, was taken up for consideration.

Senator Chelgren offered amendment [S-3345](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3345](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3345](#) out of order.

Senator Chelgren offered amendment [S-3346](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3346](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3346](#) out of order.

Senator Chelgren offered amendment [S-3348](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3348](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3348](#) out of order.

Senator Ernst offered amendment [S-3344](#), filed by Senators Ernst and Dix from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3344](#) be adopted?” ([S.F. 534](#)), the vote was:

Yeas, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Nays, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Absent, 1:

Houser

Amendment [S-3344](#) lost.

Senator Bartz offered amendment [S-3347](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3347](#) be adopted?” ([S.F. 534](#)), the vote was:

Yeas, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Nays, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Absent, 1:

Houser

Amendment [S-3347](#) lost.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 534](#)), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Absent, 1:

Houser

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 534](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:17 p.m. until 9:00 a.m., Thursday, May 19, 2011.

APPENDIX**CERTIFICATE OF RECOGNITION**

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

Story County Conservation Director Steve Lekwa—For 38 years of leadership and service in protecting the natural environment and outdoor recreational opportunities for the people of Story County. Senator Quirmbach (5/16/11).

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

Pursuant to Senate Rule 59, the Judiciary committee having failed to file its report within the prescribed time, the nominee, Sandra Blodgett as a member of the Commission on Judicial Qualifications, is now automatically placed, without recommendation, upon the individual confirmation calendar.

AMENDMENTS FILED

S-3344	S.F. 534	Joni Ernst Bill Dix
S-3345	S.F. 534	Mark Chelgren
S-3346	S.F. 534	Mark Chelgren
S-3347	S.F. 534	Merlin Bartz
S-3348	S.F. 534	Mark Chelgren