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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, JANUARY 26, 2012**

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# JOURNAL OF THE SENATE

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EIGHTEENTH CALENDAR DAY  
TWELFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 26, 2012

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Dave Mulder, former member of the Senate from Sioux County, Sioux Center, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Iry Eicher.

The Journal of Wednesday, January 25, 2012, was approved.

## BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 2065** be referred from the Regular Calendar to the committee on **Ways and Means**.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:07 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 9:10 a.m., President Kibbie presiding.

## FINAL COMMITTEE REPORT OF BILL ACTION

## RULES AND ADMINISTRATION

**Bill Title:** [HOUSE CONCURRENT RESOLUTION 104](#), a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Gronstal, Kibbie, Behn, Bartz, Danielson, Dearden, Dvorsky, McKinley, Ragan, and Zaun. Nays, none. Absent, 1: Courtney.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 104](#).

**House Concurrent Resolution 104**

On motion of Senator Gronstal, [House Concurrent Resolution 104](#), a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of [House Concurrent Resolution 104](#), which motion prevailed by a voice vote.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House Concurrent Resolution 104](#) be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, January 30, 2012.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF EDUCATION

SAVE/SILO Annual Report, pursuant to Iowa Code section 256.9(19). Report received on January 25, 2012.

#### DEPARTMENT OF PUBLIC SAFETY

Iowa Statewide Interoperable Communications System Board Annual Report, pursuant to Iowa Code section 80.29(14). Report received on January 26, 2012.

### AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2011, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC HEALTH—Report received on 1/25/2012.

### CERTIFICATES OF RECOGNITION

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

Sam Ennis, Ames—For his outstanding performance promoting ethanol in the “Fuel of the Future” video contest. Senator Anderson (1/26/12).

185th Air Refueling Wing, Sioux City—For being awarded the 2011 Air Force Outstanding Unit Award. Senator Anderson (1/26/12).

### REPORTS OF COMMITTEE MEETINGS

#### HUMAN RESOURCES

**Convened:** Monday, January 23, 2012, 4:05 p.m.

**Members Present:** Ragan, Chair; Wilhelm, Vice Chair; Bacon, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirmbach, and Whitver.

**Members Absent:** Seymour, Ranking Member (excused).

**Committee Business:** Presentation by the Department of Human Services.

**Adjourned:** 4:35 p.m.

#### **RULES AND ADMINISTRATION**

**Convened:** Thursday, January 26, 2012, 9:10 a.m.

**Members Present:** Gronstal, Chair; Kibbie, Vice Chair; Behn, Ranking Member; Bartz, Danielson, Dearden, Dvorsky, McKinley, Ragan, and Zaun.

**Members Absent:** Courtney (excused).

**Committee Business:** Passed [HCR 104](#).

**Adjourned:** 9:15 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

**Convened:** Tuesday, January 24, 2012, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentations by the Governor's Office of Drug Control Policy and the Iowa Ethics and Campaign Disclosure Board.

**Adjourned:** 11:45 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** Thursday, January 16, 2012, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by the Secretary of Agriculture.

**Adjourned:** 11:10 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

**Convened:** Thursday, January 26, 2012, 10:10 a.m.

**Members Present:** Dotzler, Chair; Seng, Vice Chair; Boettger, Ranking Member; and Mathis.

**Members Absent:** Bertrand (excused).

**Committee Business:** Presentations by the Iowa Public Employment Relations Board and the Department of Cultural Affairs.

**Adjourned:** 11:20 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** Thursday, January 26, 2012, 10:05 a.m.

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

**Members Absent:** Hamerlinck (excused).

**Committee Business:** Presentations by Northeast Iowa Community College and Hawkeye Community College.

**Adjourned:** 11:05 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Convened:** Tuesday, January 24, 2012, 10:00 a.m.

**Members Present:** Hatch, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Bacon and Bolkcom.

**Members Absent:** None.

**Committee Business:** Presentations by the Department of Veterans Affairs, the Iowa Veterans Home, the Department on Aging, and the Department of Public Health.

**Adjourned:** 11:15 a.m.

#### **ALSO:**

**Convened:** Thursday, January 26, 2012, 10:00 a.m.

**Members Present:** Hatch, Chair; Ragan, Vice Chair; and Bacon.

**Members Absent:** Johnson, Ranking Member; and Bolkcom (both excused).

**Committee Business:** Presentation by the Department of Human Services and the DHS Mental Health and Disability Services Division.

**Adjourned:** 11:00 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Thursday, January 26, 2012, 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 Law Enforcement Academy and the Department of Public Safety.

**Adjourned:** 11:35 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,  
INFRASTRUCTURE, AND CAPITALS**

**Convened:** Thursday, January 26, 2012, 10:05 a.m.

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

**Members Absent:** Dvorsky (excused).

**Committee Business:** Presentations by the Department of Transportation.

**Adjourned:** 11:20 a.m.

**INTRODUCTION OF BILLS**

**Senate File 2066**, by Beall, a bill for an act relating to the award of expert witness fees in civil cases and certain criminal cases.

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

**Senate File 2067**, by Jochum and Hatch, a bill for an act relating to patient safety by establishing a nurse staffing plan, a collaborative nurse staffing committee, a patient safety committee, and reporting for nurses, and including effective date provisions.

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

**Senate File 2068**, by Dearden, a bill for an act providing for civil damages for the commission of unlawful acts related to bald eagles.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

**Senate File 2069**, by Hogg, a bill for an act providing an individual and corporate income tax credit for the purchase of a fuel efficient new motor vehicle and including retroactive applicability provisions.

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

**Senate File 2070**, by Anderson, a bill for an act relating to service of notice by mail for holders of a property tax sale certificate of purchase.

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

**Senate File 2071**, by committee on Appropriations, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

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

#### STUDY BILLS RECEIVED

##### **SSB 3096      Local Government**

Providing that a county enterprise includes natural gasworks and electric light and power service plants and systems.

##### **SSB 3097      Human Resources**

Relating to human papillomavirus including a public awareness program and making appropriations for the public awareness program, provision of vaccinations, and cervical cancer screenings.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 2029**

COMMERCE: Rielly, Chair; Courtney and Feenstra

##### **Senate File 2034**

COMMERCE: McCoy, Chair; Anderson and Rielly



**Senate File 2039**

COMMERCE: Schoenjahn, Chair; Courtney and Zaun

**Senate File 2059**

STATE GOVERNMENT: Danielson, Chair; Chelgren and Kibbie

**Senate File 2060**

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Johnson

**Senate File 2064**

STATE GOVERNMENT: Kibbie, Chair; Danielson and Smith

**Senate File 2067**

HUMAN RESOURCES: Hatch, Chair; Boettger and Jochum

**SSB 3096**

LOCAL GOVERNMENT: Bowman, Chair; Bartz and Courtney

**SSB 3097**

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Boettger

**FINAL COMMITTEE REPORT OF BILL ACTION****APPROPRIATIONS**

**Bill Title:** \*SENATE FILE 2071 (SSB 3071), a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Dvorsky, McCoy, Black, Bolkcom, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Ragan, and Schoenjahn. Nays, 8: Dix, Bartz, Boettger, Houser, Johnson, Kapucian, Kettering, and Seymour. Absent, 1: Danielson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2071](#), and they were attached to the committee report.