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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, FEBRUARY 8, 2012**

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# JOURNAL OF THE SENATE

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THIRTY-FIRST CALENDAR DAY  
NINETEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 8, 2012

The Senate met in regular session at 9:02 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jeff Wartgow of First Congregational United Church of Christ in DeWitt, Iowa. He was the guest of Senator Hamerlinck.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Adam Pitts.

The Journal of Tuesday, February 7, 2012, was approved.

## BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 2138](#) be referred from the Regular Calendar to the committee on **Appropriations**.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:07 a.m. until 9:00 a.m., Thursday, February 9, 2012.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Lisa Brothers Arbisser, M.D., Davenport—For being selected for the Iowa Volunteer Hall of Fame for outstanding contribution of volunteer service to her community. Senator Smith (2/8/12).

Howard Beebout, Chariton—For celebrating his 95<sup>th</sup> birthday. Senator McKinley (2/8/12).

Bob Cain, Chariton—For his 50 years of coaching high school football, including 45 years at Chariton High School. Senator McKinley (2/8/12).

Richard and Mary Davis, Chariton—For celebrating their 50<sup>th</sup> wedding anniversary. Senator McKinley (2/8/12).

The Engineering Program of Lewis Central High School, Council Bluffs—For being selected as a 2011–2012 National Project Lead the Way Model School. Senator Gronstal (2/8/12).

Jean Gass, Dallas—For celebrating her 85<sup>th</sup> birthday. Senator McKinley (2/8/12).

Evelyn Oxenreider, Chariton—For celebrating her 90<sup>th</sup> birthday. Senator McKinley (2/8/12).

Donnie Rodgers, Knoxville—For his 65 years with Wells Fargo Bank in Knoxville. Senator McKinley (2/8/12).

Dean Werts, Chariton—For celebrating his 90<sup>th</sup> birthday. Senator McKinley (2/8/12).

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** Wednesday, February 8, 2012, 2:10 p.m.

**Members Present:** Quirnbach, Chair; Schoenjahn, Vice Chair; Hamerlinck, Ranking Member; Beall, Bowman, Dvorsky, Feenstra, Hogg, Johnson, Smith, Soddors, and Wilhelm.

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

**Committee Business:** Presentations by the Department of Education and the Iowa State Education Association.

**Adjourned:** 2:50 p.m.

**LOCAL GOVERNMENT**

**Convened:** Tuesday, February 7, 2012, 4:05 p.m.

**Members Present:** Wilhelm, Chair; Beall, Vice Chair; Bartz, Ranking Member; Bacon, Bowman, Courtney, Ernst, Hamerlinck, Quirmbach, Rielly, and Schoenjahn.

**Members Absent:** None.

**Committee Business:** Passed [HF 524](#). Approved [SSB 3070](#).

**Adjourned:** 4:20 p.m.

**TRANSPORTATION**

**Convened:** Wednesday, February 8, 2012, 1:10 p.m.

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

**Members Absent:** None.

**Committee Business:** Approved SSBs 3109 and 3115.

**Adjourned:** 1:45 p.m.

**WAYS AND MEANS**

**Convened:** Wednesday, February 8, 2012, 3:00 p.m.

**Members Present:** Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Anderson, Bartz, Black, Chelgren, Dotzler, Hogg, Jochum, Mathis, McCoy, Quirmbach, Smith, and Zaun.

**Members Absent:** None.

**Committee Business:** Approved [SSB 3116](#).

**Recessed:** 3:05 p.m.

**Reconvened:** 3:15 p.m.

**Adjourned:** 3:35 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

**Convened:** Tuesday, February 7, 2012, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by ICN.

**Adjourned:** 11:40 a.m.

**ALSO:**

**Convened:** Wednesday, February 8, 2012, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:30 a.m.

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

**Convened:** Tuesday, February 7, 2012, 10:05 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by Agren Inc.

**Adjourned:** 10:55 a.m.

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

**Convened:** Wednesday, February 8, 2012, 10:10 a.m.

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

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

**Committee Business:** Presentation by the University of Iowa.

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

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

**Convened:** Wednesday, February 8, 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 the Board of Regents, University of Iowa, Iowa State University, University of Northern Iowa, Iowa Braille and Sight Saving School, and Iowa School for the Deaf.

**Adjourned:** 11:40 a.m.

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

**Convened:** Wednesday, February 8, 2012, 10:10 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 Human Services, Iowa community colleges, Iowa Workforce Development, and the Family Development and Self-Sufficiency Program.

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

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Wednesday, February 08, 2012, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by LSA.

**Adjourned:** 10:25 a.m.

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

**Convened:** Tuesday, February 7, 2012, 10:05 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentations by the Department of Public Safety, the Department of Corrections, the Department of Natural Resources, and the Department of Transportation.

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

**ALSO:**

**Convened:** Wednesday, February 8, 2012, 10:05 a.m.

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

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

**Committee Business:** Presentation by the Des Moines Social Club.

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

**INTRODUCTION OF BILLS**

[Senate File 2142](#), by committee on Veterans Affairs, a bill for an act creating the hire a hero tax credit and including retroactive applicability provisions.

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

[Senate File 2143](#), by Chelgren, a bill for an act relating to the liquidation of the Iowa fund of funds and creating an exemption from the computation of the state individual income tax of income from an equity investment in a qualified Iowa business and including effective date and retroactive applicability provisions.

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

[Senate File 2144](#), by Chelgren, a bill for an act prohibiting labor unions from knowingly collecting dues from persons not lawfully present in the United States and providing penalties.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 2145](#), by Whitver, a bill for an act creating a reduction in the individual income tax rates and including effective date and applicability provisions.

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

[Senate File 2146](#), by committee on Local Government, a bill for an act relating to meeting requirements for rural water districts.

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

[Senate File 2147](#), by Hogg, a bill for an act relating to eligibility for the medical assistance for employed people with disabilities program.

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

[Senate File 2148](#), by Soddors, a bill for an act creating the manufactured housing program fund.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

[Senate File 2149](#), by McCoy, a bill for an act relating to the criminal transmission of the human immunodeficiency virus and providing a penalty.

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

[Senate File 2150](#), by Anderson, a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

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

[Senate File 2151](#), by Anderson, a bill for an act relating to rental of land within the right-of-way of a primary highway for farming purposes and providing for the allocation of resulting revenue to the primary road fund.

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



## STUDY BILLS RECEIVED

**SSB 3142**      **Appropriations**

Relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

**SSB 3143**      **Appropriations**

Relating to appropriations to the justice system.

**SSB 3144**      **Appropriations**

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

**SSB 3145**      **Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents.

**SSB 3146**      **Judiciary**

Relating to the offense of livestock abuse, and providing penalties.

**SSB 3147**      **Judiciary**

Amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

**SSB 3148**      **Agriculture**

Providing for persons associated with licensed veterinarians, and providing for fees.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2002](#)

APPROPRIATIONS: Dvorsky, Chair; Dix

[Senate File 2009](#)

APPROPRIATIONS: Dvorsky, Chair; Dix

[Senate File 2024](#)

APPROPRIATIONS: Schoenjahn, Chair; Dix and Dvorsky

[Senate File 2032](#)

APPROPRIATIONS: Dvorsky, Chair; Dix

[Senate File 2051](#)

APPROPRIATIONS: Dvorsky, Chair; Dix

[Senate File 2118](#)

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Dearden

[Senate File 2124](#)

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

[Senate File 2129](#)

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Courtney and Ward

[Senate File 2130](#)

ECONOMIC GROWTH/REBUILD IOWA: Sodders, Chair; Greiner and Rielly

[Senate File 2133](#)

WAYS AND MEANS: Hogg, Chair; Feenstra and Quirmbach

[Senate File 2140](#)

WAYS AND MEANS: Bolcom, Chair; Feenstra and Quirmbach

[Senate File 2141](#)

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Black and Kapucian

[Senate File 2143](#)

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Zaun

[House File 2150](#)

WAYS AND MEANS: Jochum, Chair; Dotzler and Feenstra

[SSB 3142](#)

APPROPRIATIONS: Black, Chair; Dvorsky and Houser

[SSB 3143](#)

APPROPRIATIONS: Fraise, Chair; Dvorsky and Seymour

[SSB 3144](#)

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

[SSB 3145](#)

APPROPRIATIONS: Schoenjahn, Chair; Dix and Dvorsky

[SSB 3146](#)

JUDICIARY: Hogg, Chair; Boettger and Fraise

[SSB 3147](#)

JUDICIARY: Fraise, Chair; Dvorsky and Whitver

[SSB 3148](#)

AGRICULTURE: Seng, Chair; Bowman and Houser

## FINAL COMMITTEE REPORTS OF BILL ACTION

### LOCAL GOVERNMENT

**Bill Title:** [SENATE FILE 2146 \(SSB 3070\)](#), a bill for an act relating to meeting requirements for rural water districts.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Wilhelm, Beall, Bartz, Bacon, Bowman, Courtney, Ernst, Hamerlinck, Quirmbach, Rielly, and Schoenjahn. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** [HOUSE FILE 524](#), a bill for an act relating to the administration of the special appraiser's fund and the assessment expense fund.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN [S-5010](#).

**Final Vote:** Ayes, 11: Wilhelm, Beall, Bartz, Bacon, Bowman, Courtney, Ernst, Hamerlinck, Quirmbach, Rielly, and Schoenjahn. Nays, none. Absent, none.

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

**STATE GOVERNMENT**

**Bill Title:** [SENATE FILE 2011](#), a bill for an act relating to the membership of the statewide interoperable communications system board.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Danielson, Kibbie, Sorenson, Chelgren, Dearden, Dix, Feenstra, Fraise, Hatch, Horn, Jochum, McCoy, Smith, and Sodders. Nays, none. Absent, 1: Bertrand.

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

**VETERANS AFFAIRS**

**Bill Title:** \*[SENATE FILE 2142 \(SSB 3068\)](#), a bill for an act creating the hire a hero tax credit and including retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Beall, Danielson, Seymour, Bacon, Ernst, Greiner, Horn, Kibbie, Ragan, and Sodders. Nays, none. Absent, 1: Black.

**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 2142](#), and they were attached to the committee report.

**AMENDMENTS FILED**

<a href="#">S-5009</a>	<a href="#">S.F. 2127</a>	Steve Kettering
<a href="#">S-5010</a>	<a href="#">H.F. 524</a>	Local Government
<a href="#">S-5011</a>	<a href="#">S.F. 2120</a>	Jeff Danielson