

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 13, 2012

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 13, 2012

The Senate met in regular session at 1:09 p.m., President Kibbie presiding.

Prayer was offered by Pastor Steve Oden of the New Life Christian Church in Waukon, Iowa. He was the guest of Senator Wilhelm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hailey Albert.

The Journal of Thursday, February 9, 2012, 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 February 9, 2012, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2165, a bill for an act relating to physician orders for scope of treatment.

Read first time and attached to **similar Senate File 2125**.

House File 2226, a bill for an act relating to child abuse reports and disposition data.

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

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2167 and 2168** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:27 p.m. until 9:00 a.m., Tuesday, February 14, 2012.

APPENDIX

COMMUNICATION 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 ADMINISTRATIVE SERVICES

Internal Service Fund Report, pursuant to Iowa Code section 8A.123(5b). Report received on February 10, 2012.

CERTIFICATES OF RECOGNITION

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

The Alzheimer's Association—For their work educating Iowans, raising funds to promote awareness to fight Alzheimer's disease and related disorders. Senator Ragan (2/13/12).

Carl and Pauline Miller, West Burlington—For celebrating their 70th wedding anniversary. Senator Courtney (2/13/12).

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, February 13, 2012, 2:20 p.m.

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

Members Absent: Johnson (excused).

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

INTRODUCTION OF BILLS

Senate File 2165, by committee on Human Resources, a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

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

Senate File 2166, by committee on Human Resources, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

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

Senate File 2167, by committee on Natural Resources and Environment, a bill for an act relating to the issuance of hunting and fishing licenses and providing for fees.

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

Senate File 2168, by committee on Economic Growth/Rebuild Iowa, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

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

Senate File 2169, by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, including provisions concerning the regulation of motor vehicles and motor vehicle dealers, the licensing and regulation of motor vehicle operators, and administrative reporting requirements, providing penalties, and including effective date provisions.

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

Senate File 2170, by committee on Commerce, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

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

Senate File 2171, by committee on Commerce, a bill for an act relating to third-party payment of services provided by a doctor of chiropractic.

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

Senate File 2172, by committee on Agriculture, a bill for an act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

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

Senate File 2173, by committee on State Government, a bill for an act authorizing the imposition of certain charges for fire protection and emergency medical services.

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

Senate File 2174, by committee on State Government, a bill for an act relating to the regulation of persons offering occupational therapy services and making penalties applicable.

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

Senate File 2175, by Quirnbach, Hogg, Dvorsky, Dearden, and Bolkom, a bill for an act specifying requirements applicable to the issuance of a permit for extraction of oil or natural gas pursuant to hydraulic fracturing.

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

Senate File 2176, by Boettger, Zaun, Behn, McKinley, Seymour, Whitver, Hamerlinck, Johnson, Greiner, Kapucian, Ward, Chelgren, Hahn, Ernst, Anderson, Houser, Feenstra, and Smith, a bill for an act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

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

Senate File 2177, by Sodders, a bill for an act relating to county and multicounty juvenile detention homes.

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

Senate File 2178, by Seng, a bill for an act authorizing certain special charter cities to impose a special charter city sales and services tax.

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

STUDY BILLS RECEIVED

SSB 3152 Human Resources

Relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

SSB 3153 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

SSB 3154 Judiciary

Relating to the criminal offense of solicitation to commit murder and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2145

WAYS AND MEANS: Bolkcom, Chair; Quirnbach and Smith

Senate File 2150

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirnbach

Senate File 2175

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hahn and Hogg

House File 2101

LOCAL GOVERNMENT: Rielly, Chair; Bartz and Quirnbach

House File 2166

WAYS AND MEANS: Dotzler, Chair; Black and Feenstra

SSB 3152

HUMAN RESOURCES: Hatch, Chair; Ragan, Bolkcom, Boettger, and Seymour

SSB 3153

JUDICIARY: Whitver, Chair; Hancock and Jochum

SSB 3154

JUDICIARY: Hogg, Chair; Sodders and Dix

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2172 (formerly SF 2022), a bill for an act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Seng, Fraise, Johnson, Bowman, Courtney, Greiner, Hahn, Hancock, Kapucian, and Kibbie. Nays, none. Absent, 3: Black, Houser, and Rielly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 2170 (SSB 3098), a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McCoy, Rielly, Anderson, Beall, Bertrand, Bolkcom, Feenstra, Kettering, Mathis, Schoenjahn, Seng, Ward, Wilhelm, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2170, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2171 (SSB 3063), a bill for an act relating to third-party payment of services provided by a doctor of chiropractic.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McCoy, Rielly, Anderson, Beall, Bertrand, Bolkcom, Feenstra, Mathis, Schoenjahn, Seng, Wilhelm, and Zaun. Nays, 2: Kettering and Ward. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH/REBUILD IOWA

Bill Title: SENATE FILE 2168 (formerly SF 2110), a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, Dotzler, Greiner, Bacon, Bertrand, Bowman, Danielson, Hatch, Horn, Mathis, Rielly, Ward, and Wilhelm. Nays, 2: Chelgren and Whitver. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 2165 (SSB 3083), a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Seymour, Bacon, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirnbach, and Whitver. 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 Human Resources Committee on [Senate File 2165](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2166 \(SSB 3056\)](#), a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Seymour, Bacon, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirnbach, and Whitver. 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 Human Resources Committee on [Senate File 2166](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE FILE 2167 \(SSB 3051\)](#), a bill for an act relating to the issuance of hunting and fishing licenses and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Black, Hahn, Bolkcom, Ernst, Hogg, Ragan, Schoenjahn, and Seng. Nays, 4: Hamerlinck, Hancock, Kapucian, and Sorenson. 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 Natural Resources and Environment Committee on [Senate File 2167](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE FILE 2173](#) (formerly [SF 2012](#)), a bill for an act authorizing the imposition of certain charges for fire protection and emergency medical services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Danielson, Kibbie, Dearden, Fraise, Hatch, Horn, Jochum, McCoy, and Soddors. Nays, 5: Sorenson, Bertrand, Chelgren, Dix, and Smith. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2174 (SSB 3092), a bill for an act relating to the regulation of persons offering occupational therapy services and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2174](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 2169 (SSB 3109), a bill for an act relating to matters under the purview of the department of transportation, including provisions concerning the regulation of motor vehicles and motor vehicle dealers, the licensing and regulation of motor vehicle operators, and administrative reporting requirements, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Bowman, Kapucian, Beall, Danielson, Dearden, Dvorsky, 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 2169](#), and they were attached to the committee report.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 13th day of February, 2012.

[Senate File 93](#).

MICHAEL E. MARSHALL
Secretary of the Senate