

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 21, 2012

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JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 2012

The Senate met in regular session at 9:04 a.m., President Kibbie presiding.

Prayer was offered by Pastor LeAnn Stubbs of St. Stephen Lutheran Church in Urbandale, Iowa. She was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Shannon Goes.

The Journal of Monday, February 20, 2012, was approved.

INTRODUCTION OF RESOLUTION

Senate Resolution 109, by Quirmbach, Bacon, Anderson, Bartz, Beall, Behn, Bertrand, Black, Boettger, Bolkcom, Bowman, Chelgren, Courtney, Danielson, Dearden, Dix, Dotzler, Dvorsky, Ernst, Feenstra, Fraise, Greiner, Gronstal, Hahn, Hamerlinck, Hancock, Hatch, Hogg, Horn, Houser, Jochum, Johnson, Kapucian, Kettering, Kibbie, Mathis, McCoy, McKinley, Ragan, Rielly, Schoenjahn, Seng, Seymour, Smith, Soddors, Sorenson, Ward, Whitver, Wilhelm, and Zaun, a resolution recognizing Dr. Dan Shechtman of the Iowa State University College of Engineering, the United States Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology on his receipt of the 2011 Nobel Prize in Chemistry.

Read first time and referred to committee on **Rules and Administration**.

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 9:09 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 109](#), a resolution recognizing Dr. Dan Shechtman of the Iowa State University College of Engineering, the United States Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology on his receipt of the 2011 Nobel Prize in Chemistry.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Behn, Bartz, Courtney, Danielson, Dearden, Dvorsky, McKinley, Ragan, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SPECIAL GUEST

Senator Quirnbach introduced to the Senate chamber the 2011 Nobel Prize in Chemistry recipient, Dr. Dan Shechtman of the Iowa State University College of Engineering, the United States Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 109](#).

Senate Resolution 109

On motion of Senator Quirmbach, **Senate Resolution 109**, a resolution recognizing Dr. Dan Shechtman of the Iowa State University College of Engineering, the United States Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology on his receipt of the 2011 Nobel Prize in Chemistry, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved the adoption of **Senate Resolution 109**, which motion prevailed by a voice vote.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2223 and 2227** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:28 a.m. until 9:00 a.m., Wednesday, February 22, 2012.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 15, 2012, 1:05 p.m.

Members Present: Seng, Chair; Fraise, Vice Chair; Black, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly.

Members Absent: Johnson, Ranking Member (excused).

Committee Business: Guest speaker. Considered governor's appointee.

Adjourned: 1:55 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, February 21, 2012, 1:30 p.m.

Members Present: Sodders, Chair; Dotzler, Vice Chair; Greiner, Ranking Member; Bacon, Bertrand, Bowman, Chelgren, Danielson, Hatch, Horn, Mathis, Rielly, Ward, Whitver, and Wilhelm.

Members Absent: None.

Committee Business: Passed SF 2041 as amended. Approved SSBs 3108 and 3118 as amended.

Recessed: 1:35 p.m.

Reconvened: 2:05 p.m.

Adjourned: 2:20 p.m.

EDUCATION

Convened: Wednesday, February 15, 2012, 3:10 p.m.

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

Members Absent: Johnson (excused).

Committee Business: Passed SF 3102. Passed SFs 2035, 2044, and 3003 as amended.

Adjourned: 4:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 21, 2012, 1:35 p.m.

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

Members Absent: Bolkom and Sorenson (both excused).

Committee Business: Approved SSB 3162 as amended.

Adjourned: 2:10 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 21, 2012, 9:05 a.m.

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

Members Absent: None.

Committee Business: Passed SR 109.

Adjourned: 9:10 a.m.

TRANSPORTATION

Convened: Tuesday, February 21, 2012, 9:50 a.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: Passed SFs 2079 and 2091. Approved SSB 3165.

Adjourned: 10:40 a.m.

VETERANS AFFAIRS

Convened: Tuesday, February 21, 2012, 11:10 a.m.

Members Present: Beall, Chair; Danielson, Vice Chair; Seymour, Ranking Member; Bacon, Ernst, Greiner, Horn, Kibbie, Ragan, and Sodders.

Members Absent: Black (excused).

Committee Business: Passed SF 2076 as amended. Approved SSBs 3150 and 3157.

Adjourned: 11:25 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 110, by Hancock, Beall, Kibbie, Danielson, Ernst, Kapucian, Seymour, and Bartz, a resolution urging Congress and the President of the United States to protect America's national guard units from additional budget cuts.

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

Senate Resolution 111, by Dix, Greiner, Ward, Kapucian, Smith, Bacon, Boettger, Hahn, Kettering, Ernst, Zaun, Behn, Seymour, Whitver, Chelgren, Feenstra, Sorenson, Hamerlinck, Bartz, Bertrand, Houser, Anderson, and Johnson, a resolution requesting the United States Congress to make permanent the federal tax reductions provided to all Iowans.

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

INTRODUCTION OF BILLS

Senate File 2236, by committee on State Government, a bill for an act relating to the procedures and duties of the Iowa ethics and campaign disclosure board relating to campaign finance and to county redistricting and making penalties applicable.

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

Senate File 2237, by committee on State Government, a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

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

Senate File 2238, by Seng, a bill for an act concerning financing of the municipal fire and police retirement system and providing for an appropriation.

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

Senate File 2239, by Seng, a bill for an act establishing an incentive program applicable to specified wind energy production facilities.

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

Senate File 2240, by committee on Local Government, a bill for an act relating to the powers and duties of county treasurers related to real property by modifying provisions for the payment of taxes and assessments in installments, modifying provisions providing for the apportionment of installment payments on delinquent taxes, and modifying certain tax payment provisions following a tax sale.

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

STUDY BILLS RECEIVED

SSB 3179 State Government

Relating to fire protection and emergency medical services, including tax credits, service charges, and applicability provisions.

SSB 3180 Local Government

To legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

SSB 3181 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, and the FY 2009 prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

SSB 3182 State Government

Allowing political subdivisions of this state to engage in partnerships to merge certain agency operations, workforces, duties, or services and providing for the assignment of employees and the elimination of positions in such agencies.

SSB 3183 Judiciary

Relating to county and multicounty juvenile detention homes.

SSB 3184 State Government

Authorizing a city to use city reserve funds as a loan for certain projects.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2228

TRANSPORTATION: Rielly, Chair; Hancock and Zaun

Senate File 2235

EDUCATION: Beall, Chair; Boettger and Bowman

Senate File 2239

AGRICULTURE: Seng, Chair; Black and Kapucian

SSB 3179

STATE GOVERNMENT: Danielson, Chair; Dix and Sodders

SSB 3180

LOCAL GOVERNMENT: Courtney, Chair; Bartz and Quirnbach

SSB 3181

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

SSB 3182

STATE GOVERNMENT: Danielson, Chair; Dix and McCoy

SSB 3183

JUDICIARY: Sodders, Chair; Fraise and Ward

SSB 3184

STATE GOVERNMENT: Danielson, Chair; Dix and McCoy

FINAL COMMITTEE REPORTS OF BILL ACTION

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 2240 (SSB 3138), a bill for an act relating to the powers and duties of county treasurers related to real property by modifying provisions for the payment of taxes and assessments in installments, modifying provisions providing for the apportionment of installment payments on delinquent taxes, and modifying certain tax payment provisions following a tax sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Wilhelm, Beall, Bartz, Bacon, Bowman, Courtney, Ernst, Hamerlinck, Quirnbach, Rielly, and Schoenjahn. 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 Local Government Committee on [Senate File 2240](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE FILE 2236 \(SSB 3077\)](#), a bill for an act relating to the procedures and duties of the Iowa ethics and campaign disclosure board relating to campaign finance and to county redistricting and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Danielson, Kibbie, Dearden, Fraise, Hatch, Horn, Jochum, McCoy, and Sodders. Nays, 6: Sorenson, Bertrand, Chelgren, Dix, Feenstra, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2237 \(SSB 3017\)](#), a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.