

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 28, 2012

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JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 2012

The Senate met in regular session at 9:05 a.m., President Kibbie presiding.

Prayer was offered by Reverend Nathan Sherill, pastor of the St. Paul Lutheran Church in Council Bluffs, Iowa. He was the guest of Senator Houser.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Rachel Mortimer.

The Journal of Monday, February 27, 2012, was approved.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills be referred from the Regular Calendar to the following committees:

S.F.	2224	Ways and Means
S.F.	2251	Ways and Means
S.F.	2252	Ways and Means
S.F.	2254	Natural Resources and Environment
S.F.	2263	Ways and Means
S.F.	2264	Appropriations
S.F.	2271	Ways and Means
S.F.	2272	Ways and Means
S.F.	2276	Appropriations
S.F.	2278	Appropriations
S.F.	2291	Ways and Means

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:52 a.m., President Kibbie presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2247, 2242, 2237, 2232, and 2231.

Senate File 2247

On motion of Senator Hatch, **Senate File 2247**, a bill for an act relating to terminology changes in Iowa Code references to mental retardation, was taken up for consideration.

Senator Hatch 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. 2247), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Gronstal.

Senate File 2242

On motion of Senator Jochum, **Senate File 2242**, a bill for an act relating to children in out-of-home placements in accordance with a court order, was taken up for consideration.

Senator Jochum 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. 2242), the vote was:

Yeas, 49:

Anderson	Dearden	Horn	Schoenjahn
Bacon	Dix	Houser	Seng
Bartz	Dotzler	Jochum	Seymour
Beall	Dvorsky	Johnson	Smith
Behn	Ernst	Kapucian	Sodders
Bertrand	Feenstra	Kettering	Sorenson
Black	Fraise	Kibbie	Ward
Boettger	Greiner	Mathis	Whitver
Bolkcom	Gronstal	McCoy	Wilhelm
Bowman	Hahn	McKinley	Zaun
Chelgren	Hamerlinck	Quirnbach	
Courtney	Hancock	Ragan	
Danielson	Hogg	Rielly	

Nays, none.

Absent, 1:

Hatch

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

Senate File 2237

On motion of Senator Danielson, **Senate File 2237**, 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, was taken up for consideration.

Senator Danielson 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. 2237), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2232

On motion of Senator Horn, **Senate File 2232**, a bill for an act relating to certain multiple driving-related convictions involving one event or occurrence of driving, was taken up for consideration.

Senator Horn 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. 2232), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2231

On motion of Senator Fraise, **Senate File 2231**, a bill for an act relating to the practices and procedures of the state public defender, was taken up for consideration.

Senator Fraise 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. 2231), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver

Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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 Files 2231, 2232, 2237, 2242, and 2247** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2221, 2220, 2208, 2203, 2202, and 2188.

Senate File 2221

On motion of Senator Dvorsky, **Senate File 2221**, a bill for an act requiring background checks for school bus drivers and making penalties applicable, was taken up for consideration.

Senator Dvorsky 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. 2221), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson

Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2220

On motion of Senator Beall, **Senate File 2220**, a bill for an act relating to the licensing of schools of cosmetology arts and sciences and barber schools, was taken up for consideration.

Senator Beall 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. 2220), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2208

On motion of Senator Fraise, **Senate File 2208**, a bill for an act relating to the confidentiality of an arrest warrant, was taken up for consideration.

Senator Fraise 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. 2208), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Soddors
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2203

On motion of Senator Whitver, **Senate File 2203**, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions, was taken up for consideration.

Senator Whitver offered amendment **S-5016**, filed by the committee on Judiciary on February 16, 2012, to pages 1, 40, and 120 of the bill, and moved its adoption.

Amendment **S-5016** was adopted by a voice vote.

Senator Whitver 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. 2203), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2202

On motion of Senator Kettering, **Senate File 2202**, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions, was taken up for consideration.

Senator Kettering 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. 2202), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders

Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2188

On motion of Senator Wilhelm, **Senate File 2188**, a bill for an act relating to the renewal period for foster care licensing, was taken up for consideration.

Senator Wilhelm 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. 2188), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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 Files 2188, 2202, 2203, 2208, 2220, and 2221** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 2166** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2185, 2174, and 2172.

Senate File 2185

On motion of Senator Seymour, **Senate File 2185**, a bill for an act relating to the supervision of physician assistants, was taken up for consideration.

Senator Seymour 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. 2185), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm

Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

Senate File 2174

On motion of Senator Jochum, **Senate File 2174**, a bill for an act relating to the regulation of persons offering occupational therapy services and making penalties applicable, was taken up for consideration.

Senator Jochum 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. 2174), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Soddors
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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

President Pro Tempore Danielson took the chair at 11:48 a.m.

Senate File 2172

On motion of Senator Kibbie, **Senate File 2172**, 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, was taken up for consideration.

Senator Kibbie offered amendment **S-5019**, filed by him on February 20, 2012, to page 1 of the bill, and moved its adoption.

Amendment **S-5019** was adopted by a voice vote.

Senator Kibbie 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. 2172**), the vote was:

Yeas, 49:

Anderson	Dix	Horn	Schoenjahn
Bacon	Dotzler	Houser	Seng
Bartz	Dvorsky	Jochum	Seymour
Beall	Ernst	Johnson	Smith
Behn	Feenstra	Kapucian	Sodders
Bertrand	Fraise	Kettering	Sorenson
Black	Greiner	Kibbie	Ward
Boettger	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	
Dearden	Hogg	Rielly	

Nays, 1:

Bolkcom

Absent, none.

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

President Kibbie took the chair at 11:56 a.m.

UNFINISHED BUSINESS
(Deferred January 25, 2012)

House File 589

The Senate resumed consideration of **House File 589**, a bill for an act relating to offenses involving agricultural operations, and providing penalties and remedies, and amendment **S-5004**, deferred January 25, 2012.

Senator Hogg offered amendment **S-5029**, filed by him from the floor to pages 1–2 of amendment **S-5004**, and moved its adoption.

Amendment **S-5029** to amendment **S-5004** lost by a voice vote.

Senator McCoy offered amendment **S-5030**, filed by him from the floor to pages 1–2 and amending the title provisions of amendment **S-5004**, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment **S-5030** to amendment **S-5004** be adopted?” (**H.F. 589**), the vote was:

Yeas, 8:

Bolkcom	Dotzler	Hatch	McCoy
Danielson	Dvorsky	Jochum	Quirnbach

Nays, 42:

Anderson	Dearden	Horn	Seng
Bacon	Dix	Houser	Seymour
Bartz	Ernst	Johnson	Smith
Beall	Feenstra	Kapucian	Sodders
Behn	Fraise	Kettering	Sorenson
Bertrand	Greiner	Kibbie	Ward
Black	Gronstal	Mathis	Whitver
Boettger	Hahn	McKinley	Wilhelm
Bowman	Hamerlinck	Ragan	Zaun
Chelgren	Hancock	Rielly	
Courtney	Hogg	Schoenjahn	

Absent, none.

Amendment **S-5030** to amendment **S-5004** lost.

Senator Seng moved the adoption of amendment S-5004.

Amendment S-5004 was adopted by a voice vote.

With the adoption of amendment S-5004, the Chair ruled the following amendments out of order:

S-3193, filed by Senator McCoy on March 31, 2011, to page 1 and amending the title page of the bill;

S-3195, filed by Senator McCoy on March 31, 2011, to page 1 of the bill;

S-3199, filed by Senator McCoy on March 31, 2011, to page 1 and amending the title page of the bill;

S-3200, filed by Senator McCoy on March 31, 2011, to page 1 of the bill;

S-3201, filed by Senator McCoy on March 31, 2011, to page 1 and amending the title page of the bill;

S-3202, filed by Senator McCoy on March 31, 2011, to page 1 of the bill;

S-3205, filed by Senator McCoy on March 31, 2011, to page 1 and amending the title page of the bill;

S-3206, filed by Senator McCoy on March 31, 2011, to page 1 and amending the title page of the bill;

S-3208, filed by Senator McCoy on March 31, 2011, to page 1 of the bill;

S-3209, filed by Senator McCoy on March 31, 2011, to page 1 of the bill;

S-3192, filed by Senator McCoy on March 31, 2011, to pages 1-6 and 11 of the bill;

S-3197, filed by Senator McCoy on March 31, 2011, to page 5 of the bill;

S-3198, filed by Senator McCoy on March 31, 2011, to page 7 of the bill;

S-3194, filed by Senator McCoy on March 31, 2011, to page 11 and amending the title page of the bill;

S-3196, filed by Senator McCoy on March 31, 2011, to page 11 and amending the title page of the bill;

S-3203, filed by Senator McCoy on March 31, 2011, to page 11 and amending the title page of the bill; and

S-3204, filed by Senator McCoy on March 31, 2011, to page 11 and amending the title page of the bill.

Senator Seng 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?" (H.F. 589), the vote was:

Yeas, 40:

Anderson	Courtney	Hancock	Schoenjahn
Bacon	Dearden	Horn	Seng
Bartz	Dix	Houser	Seymour
Beall	Ernst	Johnson	Smith
Behn	Feenstra	Kapucian	Sodders
Bertrand	Fraise	Kettering	Sorenson
Black	Greiner	Kibbie	Ward
Boettger	Gronstal	McKinley	Whitver
Bowman	Hahn	Ragan	Wilhelm
Chelgren	Hamerlinck	Rielly	Zaun

Nays, 10:

Bolkcom	Dvorsky	Jochum	Quirnbach
Danielson	Hatch	Mathis	
Dotzler	Hogg	McCoy	

Absent, none.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2150](#).

House File 2150

On motion of Senator Jochum, [House File 2150](#), a bill for an act updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on February 23, 2012, with report of committee recommending passage, was taken up for consideration.

Senator Jochum 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?" ([H.F. 2150](#)), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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 Files 2172, 2174, and 2185** and **House Files 589 and 2150** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2217](#).

[Senate File 2217](#)

On motion of Senator Hogg, [Senate File 2217](#), a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of

certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions, was taken up for consideration.

Senator Hogg offered amendment [S-5032](#), filed by Senators Hogg and Dix from the floor to pages 2, 3, 8, 11, 14, 15, and 17–19 of the bill, and moved its adoption.

Amendment [S-5032](#) was adopted by a voice vote.

Senator Bolkcom offered amendment [S-5020](#), filed by him on February 22, 2012, to pages 7 and 9 of the bill, and moved its adoption.

Amendment [S-5020](#) lost by a voice vote.

Senator Hogg 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. 2217](#)), the vote was:

Yeas, 50:

Anderson	Dearden	Hogg	Rielly
Bacon	Dix	Horn	Schoenjahn
Bartz	Dotzler	Houser	Seng
Beall	Dvorsky	Jochum	Seymour
Behn	Ernst	Johnson	Smith
Bertrand	Feenstra	Kapucian	Sodders
Black	Fraise	Kettering	Sorenson
Boettger	Greiner	Kibbie	Ward
Bolkcom	Gronstal	Mathis	Whitver
Bowman	Hahn	McCoy	Wilhelm
Chelgren	Hamerlinck	McKinley	Zaun
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, none.

Absent, none.

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 2217** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:16 p.m. until 9:00 a.m., Wednesday, February 29, 2012.

APPENDIX

CERTIFICATE OF RECOGNITION

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

The American Lung Association of Iowa—In recognition of its work in COPD (Chronic Obstructive Pulmonary Disease). Senator Ragan (2/28/12).

INTRODUCTION OF RESOLUTION

Senate Resolution 114, by Zaun, McKinley, Kettering, Sorenson, Boettger, Bacon, Hahn, Ernst, Bertrand, Anderson, Behn, Seymour, Johnson, Whitver, Hamerlinck, Chelgren, Greiner, Kapucian, and Feenstra, a resolution supporting a free, independent, and secure Israel.

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

INTRODUCTION OF BILLS

Senate File 2300, by committee on State Government, a bill for an act relating to the authority of cities to regulate and restrict the occupancy of residential rental property.

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

Senate File 2301, by committee on Commerce, a bill for an act requiring a commercial breeder of dogs and cats to file evidence of

financial responsibility with the department of agriculture and land stewardship, and making penalties applicable.

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

Senate File 2302, by committee on Economic Growth/Rebuild Iowa, a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

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

Senate File 2303, by committee on Agriculture, a bill for an act providing for persons associated with licensed veterinarians, and providing for fees.

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

Senate File 2304, by committee on Judiciary, a bill for an act requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

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

Senate File 2305, by committee on Judiciary, a bill for an act relating to civil practice including liability provisions and privacy rights.

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

Senate File 2306, by committee on Judiciary, a bill for an act relating to right to cure notices under the consumer credit code.

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

Senate File 2307, by committee on Judiciary, a bill for an act relating to the sealing of juvenile delinquency records.

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

Senate File 2308, by committee on Economic Growth/Rebuild Iowa, a bill for an act relating to economic development by affecting

programs, tax incentives, and project completion and other assistance administered by the economic development authority, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

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

Senate File 2309, by committee on Economic Growth/Rebuild Iowa, a bill for an act relating to retailers maintaining a place of business in this state for purposes of the collection of sales and use taxes, agreements relating to the collection of sales and use taxes in the state, and sales of tangible personal property and services to the state.

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

Senate File 2310, by Anderson, a bill for an act providing for donations to the road use tax fund and other related funds and creating an exemption from the computation of the state individual income tax of donations to such funds, and including retroactive applicability provisions.

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

Senate File 2311, by committee on Agriculture, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

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

Senate File 2312, by committee on Human Resources, a bill for an act relating to persons with mental health illnesses and substance-related disorders.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 2166

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Jochum

Senate File 2224

WAYS AND MEANS: McCoy, Chair; Dotzler and Feenstra

Senate File 2251

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Feenstra

Senate File 2252

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Feenstra

Senate File 2254

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Kapucian and Ragan

Senate File 2263

WAYS AND MEANS: Quirnbach, Chair; Black and Chelgren

Senate File 2271

WAYS AND MEANS: McCoy, Chair; Dotzler and Smith

Senate File 2272

WAYS AND MEANS: Jochum, Chair; Anderson and Mathis

Senate File 2291

WAYS AND MEANS: Jochum, Chair; Quirnbach and Smith

Senate File 2310

WAYS AND MEANS: Quirnbach, Chair; Bartz and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 2303 (SSB 3148), a bill for an act providing for persons associated with licensed veterinarians, and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Fraise, Johnson, Black, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly. 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 Agriculture Committee on Senate File 2303, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2311 (SSB 3140), a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johnne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Fraise, Johnson, Black, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly. 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 Agriculture Committee on Senate File 2311, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 2301 (SSB 3159), a bill for an act requiring a commercial breeder of dogs and cats to file evidence of financial responsibility with the department of agriculture and land stewardship, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McCoy, Rielly, Beall, Bolkom, Courtney, Mathis, Schoenjahn, Seng, Ward, Wilhelm, and Zaun. Nays, 4: Anderson, Bertrand, Feenstra, and Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH/REBUILD IOWA

Bill Title: *[SENATE FILE 2302](#) (formerly [SF 2215](#)), a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sodders, Dotzler, Greiner, Bacon, Bertrand, Bowman, Chelgren, Danielson, Hatch, Horn, Mathis, Rielly, Ward, Whitver, and Wilhelm. 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 Economic Growth/Rebuild Iowa Committee on [Senate File 2302](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2308](#) ([SSB 3110](#)), a bill for an act relating to economic development by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sodders, Dotzler, Greiner, Bacon, Bertrand, Bowman, Chelgren, Danielson, Hatch, Horn, Mathis, Rielly, Ward, Whitver, and Wilhelm. 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 Economic Growth/Rebuild Iowa Committee on [Senate File 2308](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2309](#) ([SSB 3178](#)), a bill for an act relating to retailers maintaining a place of business in this state for purposes of the collection of sales and use taxes, agreements relating to the collection of sales and use taxes in the state, and sales of tangible personal property and services to the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sodders, Dotzler, Bacon, Bowman, Danielson, Hatch, Horn, Mathis, Rielly, and Wilhelm. Nays, 5: Greiner, Bertrand, Chelgren, Ward, and Whitver. 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 Economic Growth/Rebuild Iowa Committee on [Senate File 2309](#), and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 2312 \(SSB 3137\)](#), a bill for an act relating to persons with mental health illnesses and substance-related disorders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Seymour, Bacon, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirmbach, 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 2312](#), and they were attached to the committee report.

JUDICIARY

Bill Title: *[SENATE FILE 2304 \(SSB 3028\)](#), a bill for an act requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Fraise, Hogg, Boettger, Dvorsky, Hancock, Horn, Jochum, Soddors, Ward, and Whitver. Nays, 2: Dix and Sorenson. Present, 1: Quirmbach. 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 Judiciary Committee on [Senate File 2304](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2305 \(SSB 3135\)](#), a bill for an act relating to civil practice including liability provisions and privacy rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Hogg, Boettger, Dvorsky, Hancock, Horn, Jochum, Quirmbach, Soddors, Ward, and Whitver. Nays, 2: Dix 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 Judiciary Committee on [Senate File 2305](#), and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2306 (formerly SF 335), a bill for an act relating to right to cure notices under the consumer credit code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fraise, Hogg, Boettger, Dix, Dvorsky, Hancock, Horn, Jochum, Quirnbach, Soddors, Sorenson, Ward, 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 Judiciary Committee on Senate File 2306, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2307 (formerly SF 380), a bill for an act relating to the sealing of juvenile delinquency records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fraise, Hogg, Boettger, Dix, Dvorsky, Hancock, Horn, Jochum, Quirnbach, Soddors, Sorenson, Ward, 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 Judiciary Committee on Senate File 2307, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2300 (SSB 3090), a bill for an act relating to the authority of cities to regulate and restrict the occupancy of residential rental property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Kibbie, Sorenson, Bertrand, Chelgren, Dearden, Dix, Feenstra, Fraise, Hatch, Horn, Jochum, McCoy, Smith, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2071, the following correction was made:

1. Page 8, line 8: change "subsection 3, paragraph "c"" to "subsection 3 paragraph "b".

MICHAEL E. MARSHALL
Secretary of the Senate

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

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 28th day of February, 2012.

Senate File 2071.

MICHAEL E. MARSHALL
Secretary of the Senate

PROOF OF PUBLICATIONS

(House File 2392)

Published copy of House File 2392 and verified proof of publication of said bill in The Dallas County News, a daily newspaper printed and published in the City of Adel, Dallas County, Iowa, on February 9, 2012, was filed with the Secretary of the Senate on February 28, 2012, in accordance with Iowa Code section 585.1.

(House File 2393)

Published copy of House File 2393 and verified proof of publication of said bill in The Des Moines Register, a daily newspaper printed and published by Tribune Company, in the City of Des Moines, Polk County, Iowa, on February 1, 2012, was filed with the Secretary of the Senate on February 28, 2012, in accordance with Iowa Code section 585.1.

AMENDMENTS FILED

S-5029	H.F.	589	Robert M. Hogg
S-5030	H.F.	589	Matt McCoy
S-5031	S.F.	2225	Daryl Beall

S-5032	S.F.	2217	Robert M. Hogg Bill Dix
S-5033	S.F.	2293	Matt McCoy
S-5034	S.F.	2265	Pam Jochum