

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 15, 2012

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JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 15, 2012

The Senate met in regular session at 9:06 a.m., President Pro Tempore Danielson presiding.

Prayer was offered by the Honorable Merlin Bartz, member of the Senate from Worth County, Grafton, Iowa. Senator Bartz sang “Danny Boy” while accompanied by Senator Seng on the accordion, and Senator Kibbie recited an old Irish blessing.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Maggie Soddors, daughter of Senator Soddors.

The Journal of Wednesday, March 14, 2012, was approved.

INTRODUCTION OF GOVERNOR’S APPOINTEE

The Secretary of the Senate introduced Donna Mueller, the governor’s appointee to be the Chief Executive Officer of IPERS. She was the guest of Senator Kibbie and the committee on State Government.

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 March 14, 2012, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2218, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning

lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

ALSO: That the House has on March 14, 2012, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2398, a bill for an act classifying certain substances as schedule I controlled substances, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2422, a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

SPECIAL GUESTS

Senator Kibbie introduced to the Senate chamber the Honorable Maurice Cummins accompanied by his wife, Anne. Senator Cummins is a member of the Seanad Eireann (Irish Senate) and the spokesperson on foreign policy.

Senator Cummins addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

Senators Beall and Boettger presented Senator Cummins with gifts on behalf of the Iowa Senate and the International Relations Committee.

Senator Kibbie introduced to the Senate chamber 2011 Miss Shamrock, Chelsea Rouse, accompanied by her mother, Sue Rouse and Andy Joyce, the local representative from St. Patrick's Association in Emmetsburg, Iowa. Senator Kibbie also welcomed local Irish Dancers from the Foy School of Traditional Irish Dance in Des Moines to the Senate chamber.

The Senate rose and expressed its welcome.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

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

S.F. 2250 attached to H.F. 2320
S.F. 2253 attached to H.F. 2343
S.F. 2254 attached to H.F. 2329
S.F. 2316
S.F. 2317
S.F. 2318
S.F. 2319
S.F. 2321

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:27 a.m. until 1:00 p.m., Monday, March 19, 2012.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Lahoma N. Counts, Mason City—For her 20 years of service as Executive Director of the Elderbridge Agency on Aging and her advocacy for older adults. Senator Ragan (3/15/12).

Father Kenneth Gehling, Mason City—For his 50 years of service with the Catholic Church. Senator Ragan (3/15/12).

Wyatt Henkenius, Corning—For his nomination to the Iowa Basketball Coaches Association 22nd Annual Academic All-State Team. Senator Ernst (3/15/12).

Jacob Porter, Waterloo—For being named a University of Iowa Presidential Scholar for 2012. Senator Danielson (3/15/12).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, March 15, 2012, 11:35 a.m.

Members Present: Seng, Chair; Fraise, Vice Chair; Johnson, Ranking Member; Black, Bowman, Courtney, Greiner, Hahn, and Kibbie.

Members Absent: Hancock, Houser, Kapucian, and Rielly (all excused).

Committee Business: Passed SFs 2092 and 2292.

Recessed: 11:45 a.m.

Reconvened: 11:50 a.m.

Adjourned: 11:55 a.m.

APPROPRIATIONS

Convened: Thursday, March 15, 2012, 11:15 a.m.

Members Present: Dvorsky, Chair; McCoy, Vice Chair; Dix, Ranking Member; Bartz, Black, Boettger, Bolkcom, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Johnson, Kapucian, Kettering, Ragan, Schoenjahn, and Seymour.

Members Absent: Danielson and Houser (both excused).

Committee Business: Passed [HF 2422](#).

Adjourned: 11:25 a.m.

COMMERCE

Convened: Thursday, March 15, 2012, 11:00 a.m.

Members Present: McCoy, Chair; Beall, Bolkcom, Courtney, Kettering, Mathis, Schoenjahn, Seng, Ward, and Zaun.

Members Absent: Rielly, Vice Chair; Anderson, Ranking Member; Bertrand, Feenstra, and Wilhelm (all excused).

Committee Business: Passed [HF 2301](#).

Adjourned: 11:05 a.m.

HUMAN RESOURCES

Convened: Tuesday, March 13, 2012, 11:15 a.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Seymour, Ranking Member; Bacon, Boettger, Bolkom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirnbach, and Whitver.

Members Absent: None.

Committee Business: Approved governor's appointees.

Adjourned: 11:30 a.m.

ALSO:

Convened: Wednesday, March 14, 2012, 1:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Seymour, Ranking Member; Bacon, Boettger, Bolkom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirnbach, and Whitver.

Members Absent: None.

Committee Business: Passed HF's 2306, 2345, 2368, 2387, and 2388. Passed HF's 2226 and 2305 as amended.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: Thursday, March 15, 2012, 11:55 a.m.

Members Present: Fraise, Chair; Hogg, Vice Chair; Boettger, Ranking Member; Dix, Dvorsky, Hancock, Horn, Jochum, Quirnbach, Sodders, Ward, and Whitver.

Members Absent: Sorenson (excused).

Committee Business: Passed HF's 2321, 2370, 2379, and 2399. Passed HF's 490 and 2390 as amended. Approved governor's appointee.

Recessed: 12:00 p.m.

Reconvened: 12:20 p.m.

Adjourned: 1:00 p.m.

STATE GOVERNMENT

Convened: Tuesday, March 13, 2012, 10:40 a.m.

Members Present: Danielson, Chair; Sorenson, Ranking Member; Chelgren, Dearden, Dix, Feenstra, Fraise, Hatch, Horn, Jochum, McCoy, Smith, and Sodders.

Members Absent: Kibbie, Vice Chair; and Bertrand (both excused).

Committee Business: Passed HF's 2285 and 2427. Approved governor's appointees.

Recessed: 10:45 a.m.

Reconvened: 10:55 a.m.

Adjourned: 11:05 a.m.

ALSO:

Convened: Wednesday, March 14, 2012, 1:05 p.m.

Members Present: Danielson, Chair; Kibbie, Vice Chair; Sorenson, Ranking Member; Chelgren, Dearden, Dix, Feenstra, Fraise, Hatch, Horn, Jochum, McCoy, Smith, and Sodders.

Members Absent: Bertrand (excused).

Committee Business: Passed HF's 2319 and 2400. Approved governor's appointees.

Adjourned: 1:15 p.m.

SUBCOMMITTEE ASSIGNMENT

House File 2422

APPROPRIATIONS: Dvorsky, Chair; Bartz, Black, Boettger, Bolkom, Danielson, Dix, Dotzler, Fraise, Hancock, Hatch, Hogg, Houser, Jochum, Johnson, Kapucian, Kettering, McCoy, Ragan, Schoenjahn, and Seymour

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [HOUSE FILE 2092](#), a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Seng, Fraise, Johnson, Black, Bowman, Courtney, Greiner, Hahn, and Kibbie. Nays, none. Absent, 4: Hancock, Houser, Kapucian, and Rielly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2292](#), a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Seng, Fraise, Johnson, Black, Bowman, Courtney, Greiner, Hahn, and Kibbie. Nays, none. Absent, 4: Hancock, Houser, Kapucian, and Rielly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Bill Title: [HOUSE FILE 2422](#), a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 19: Dvorsky, McCoy, Dix, Bartz, Black, Boettger, Bolkcom, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Johnson, Kapucian, Kettering, Ragan, Schoenjahn, and Seymour. Nays, none. Absent, 2: Danielson and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: [HOUSE FILE 2301](#), a bill for an act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility.

Recommendation: DO PASS.

Final Vote: Ayes, 10: McCoy, Beall, Bolkcom, Courtney, Kettering, Mathis, Schoenjahn, Seng, Ward, and Zaun. Nays, none. Absent, 5: Rielly, Anderson, Bertrand, Feenstra, and Wilhelm.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: [HOUSE FILE 2264](#), a bill for an act relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2402](#), a bill for an act permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2404](#), a bill for an act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Joshua Cobbs – Iowa Autism Council
Theresa Croonquist – Iowa Autism Council
Jeff Gitchel – Iowa Autism Council
Steven Muller – Iowa Autism Council
Linda Wessels – Iowa Autism Council

Michael Bunde – Early Childhood Iowa State Board
David Discher – Early Childhood Iowa State Board
Leone Junck – Early Childhood Iowa State Board
Sigrid Lane – Early Childhood Iowa State Board
Rae Miller – Early Childhood Iowa State Board
Robert Ockerman – Early Childhood Iowa State Board
Jean Stadlander – Early Childhood Iowa State Board
Betty Zan – Early Childhood Iowa State Board

Diane Crookham-Johnson – State Board of Education
Charles Edwards Jr. – State Board of Education
William “Mike” May – State Board of Education

Annette Shaw – Iowa Higher Education Loan Authority

Gretchen Tegeler – School Budget Review Committee

JUDICIARY

W. Thomas Phillips – Board of Parole

AMENDMENTS FILED

S-5093	S.F.	2316	Matt McCoy
S-5094	S.F.	2316	Steven Sadders
S-5095	S.F.	365	Pam Jochum