

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 27, 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

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 2012

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

Prayer was offered by Reverend Julia Poulsen of the First United Methodist Church in Jefferson, Iowa. She was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Peggy Osmundson.

The Journal of Monday, March 26, 2012, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:09 p.m., President Kibbie presiding.

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 27, 2012, **refused to concur** in the Senate amendment to the following bills in which the concurrence of the House was asked:

House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates.

House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

House File 2338, a bill for an act relating to appropriations to the judicial branch.

The Senate stood at ease at 1:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:40 p.m., President Kibbie presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Tom Triplett, Interior Design Examining Board

Mickey Williams, Commission of Veterans Affairs

Karen "Dee" Vanderhoef, Iowa Workforce Development Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2312

Senator Hatch called up for consideration **Senate File 2312**, a bill for an act relating to persons with mental health illnesses and substance-related disorders, amended by the House in House amendment **S-5113**, filed March 21, 2012.

Senator Hatch moved that the Senate concur and vote “No” in the House amendment.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

President Pro Tempore Danielson took the chair at 1:50 p.m.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration **Senate File 2253**.

Senate File 2253

On motion of Senator Dearden, **Senate File 2253**, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal, placed on the Unfinished Business Calendar on March 15, 2012, was taken up for consideration.

Senator Dearden asked and received unanimous consent that **House File 2343** be **substituted** for **Senate File 2253**.

House File 2343

On motion of Senator Dearden, **House File 2343**, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal, was taken up for consideration.

Senator Black asked and received unanimous consent that action on **House File 2343** be **deferred**.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration **House File 2292**.

House File 2292

On motion of Senator Kibbie, **House File 2292**, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable, placed on the Unfinished Business Calendar on March 22, 2012, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie offered amendment **S-5135**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-5135** 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?" (**H.F. 2292**), the vote was:

Yeas, 45:

Bacon	Dix	Horn	Rielly
Bartz	Dotzler	Houser	Schoenjahn
Beall	Dvorsky	Jochum	Seng
Behn	Ernst	Johnson	Seymour
Black	Feenstra	Kapucian	Smith
Boettger	Fraise	Kettering	Sodders

Bolkcom	Greiner	Kibbie	Ward
Bowman	Gronstal	Mathis	Wilhelm
Chelgren	Hahn	McCoy	Zaun
Courtney	Hancock	McKinley	
Danielson	Hatch	Quirnbach	
Dearden	Hogg	Ragan	

Nays, 5:

Anderson	Hamerlinck	Whitver
Bertrand	Sorenson	

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 2312** and **House File 2292** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:11 p.m. until 9:00 a.m., Wednesday, March 28, 2012.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Reverend Julia Poulsen, First United Methodist Church, Jefferson—For blessing us with the opening prayer in the Iowa Senate. Senator Beall (3/27/12).

The citizens of Quimby, Iowa—For celebrating their community's quasiquicentennial. Senator Anderson (3/27/12).

INTRODUCTION OF RESOLUTION

Senate Resolution 117, by Hancock, Dotzler, Danielson, Dvorsky, Bowman, Wilhelm, Sodders, Ragan, Jochum, Hatch, Mathis, Quirnbach, Beall, Schoenjahn, Courtney, Gronstal, Fraise, Dearden, Horn, Zaun, Behn, Sorenson, Anderson, Bertrand, Ernst, Boettger, Bacon, Bartz, Johnson, Ward, Kapucian, Hamerlinck, and Kibbie, a resolution urging Congress and the President of the United States to protect Iowa's Air National Guard units from additional budget cuts.

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

STUDY BILLS RECEIVED

SSB 3197 Appropriations

Concerning public safety, by establishing a public safety training and equipment trust fund, establishing a public safety standards, training, and facilities task force, and making appropriations.

SSB 3198 Appropriations

Making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2323

APPROPRIATIONS: Danielson, Chair; Johnson and Ragan

SSB 3197

APPROPRIATIONS: Danielson, Chair; Dvorsky and Kettering

SSB 3198

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

BILLS 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 bills have 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 27th day of March, 2012.

Senate Files 2096, 2122, 2153, 2159, 2160, 2163, 2172, 2185, 2186, 2188, 2225, 2248, 2269, 2280, 2288, 2294, and 2296.

MICHAEL E. MARSHALL
Secretary of the Senate

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 27, 2012:

I am withdrawing the name of Tracy Erlandson to serve as a member of the Vision Iowa Board from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-5131	H.F.	561	Robert M. Hogg
S-5132	H.F.	561	Robert M. Hogg
S-5133	H.F.	561	Robert M. Hogg
S-5134	H.F.	561	Robert M. Hogg
S-5135	H.F.	2292	John P. Kibbie
S-5136	H.F.	2329	Kent Sorenson
S-5137	H.F.	561	Pam Jochum
S-5138	H.F.	561	Pam Jochum
S-5139	H.F.	561	Pam Jochum