

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 17, 2012

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JOURNAL OF THE SENATE

ONE-HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 17, 2012

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

Prayer was offered by Katie Kustra, a senior at Kuemper High School in Carroll, Iowa. She was the guest and granddaughter of President Kibbie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katie Kustra, who sang “The National Anthem.”

Kennedy High School Show Choir from Cedar Rapids, Iowa, sang a patriotic ballad. They were the guests of Senators Hogg and Mathis.

The Journal of Monday, April 16, 2012, was approved.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 119, 120, 128, 127, 126, and 125.

Senate Resolution 119

On motion of Senator Behn, **Senate Resolution 119**, a resolution thanking Senator Robert Bacon for his service in the Iowa Senate, was taken up for consideration.

Senator Behn moved the adoption of [Senate Resolution 119](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Bacon.

Senator Bacon addressed the Senate with brief remarks.

Senate Resolution 120

On motion of Senator Behn, [Senate Resolution 120](#), a resolution to honor Senator James A. Seymour on his retirement from the Senate, was taken up for consideration.

Senator Behn moved the adoption of [Senate Resolution 120](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Seymour.

Senator Seymour addressed the Senate with brief remarks.

Senate Resolution 128

On motion of Senator Zaun, [Senate Resolution 128](#), a resolution honoring the public service of Senator Steve Kettering, was taken up for consideration.

Senator Zaun moved the adoption of [Senate Resolution 128](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Kettering.

Senator Kettering addressed the Senate with brief remarks.

President Pro Tempore Danielson took the chair at 10:41 a.m.

Senate Resolution 127

On motion of Senator Kibbie, [Senate Resolution 127](#), a resolution to honor Steve Conway for over a quarter of a century of service to the Senate, was taken up for consideration.

Senator Kibbie moved the adoption of [Senate Resolution 127](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute.

Senate Resolution 126

On motion of Senator Gronstal, [Senate Resolution 126](#), a resolution honoring William L. Krieg for more than two decades of service to the Iowa Senate, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Resolution 126](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute.

Senate Resolution 125

On motion of Senator Zaun, [Senate Resolution 125](#), a resolution honoring Senator Paul McKinley on his retirement from the Iowa Senate, was taken up for consideration.

Senator Zaun moved the adoption of [Senate Resolution 125](#), which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator McKinley.

Senator McKinley addressed the Senate with brief remarks.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:00 p.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:43 p.m., President Pro Tempore Danielson presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2012, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2322, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 123, 122, 121, and 124.

Senate Resolution 123

On motion of President Kibbie, **Senate Resolution 123**, a resolution to honor Senator Eugene Fraise for over a quarter of a century of public service, was taken up for consideration.

President Kibbie moved the adoption of **Senate Resolution 123**, which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Fraise.

Senator Fraise addressed the Senate with brief remarks.

Senate Resolution 122

On motion of Senator Rielly, **Senate Resolution 122**, a resolution thanking Senator Tom Hancock for his service in the Iowa Senate, was taken up for consideration.

Senator Rielly moved the adoption of **Senate Resolution 122**, which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Hancock.

Senator Hancock addressed the Senate with brief remarks.

Senate Resolution 121

On motion of Senator Hancock, **Senate Resolution 121**, a resolution honoring the public service of Senator Thomas J. Rielly, was taken up for consideration.

Senator Hancock moved the adoption of **Senate Resolution 121**, which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Rielly.

Senator Rielly addressed the Senate with brief remarks.

Senate Resolution 124

On motion of Senator Fraise, **Senate Resolution 124**, a resolution to honor Senator John Patrick “Jack” Kibbie on his retirement from the Senate, was taken up for consideration.

Senator Fraise moved the adoption of **Senate Resolution 124**, which motion prevailed by a voice vote.

The Senate rose and expressed its tribute to Senator Kibbie.

Senator Kibbie addressed the Senate with brief remarks.

Senator Hancock took the chair at 3:56 p.m.

President Pro Tempore Danielson took the chair at 4:02 p.m.

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 April 17, 2012, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 2283, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

ALSO: That the House has on April 17, 2012, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2328, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions.

ALSO: That the House has on April 17, 2012, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 675, a bill for an act concerning mechanics' liens including the establishment of a state construction registry for residential construction property, and including effective date and applicability provisions.

ALSO: That the House has on April 17, 2012, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including fee and effective date provisions. (S-5215)

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools. (S-5216)

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:47 p.m. until 9:00 a.m., Wednesday, April 18, 2012.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Dean Borg, Mount Vernon—For achieving the 2012 Mitchell V. Charnley Award. Senator Dvorsky (4/17/12).

Mark Farlinger, Cresco—For achieving the rank of Eagle Scout, Troop 261. Senator Bartz (4/17/12).

Ms. Emilee Boyle Gehling, Sioux City—For her dedication to liberty and for making history—Bertrand v. Mullin (2012). Senator Bertrand (4/17/12).

Ms. Jeana Goosmann, Sioux City—For showing courage and making history—Bertrand v. Mullin (2012). Senator Bertrand (4/17/12).

Sister Myrtle Keller, Sioux City—For 50 years of passion as our medical missionary. Senator Bertrand (4/17/12).

The Kennedy High School Show Choir, Happiness, Inc., Cedar Rapids—For being named Grand Champion at Show Choir Nationals 2012. Senators Mathis, Hogg, Horn, and Dvorsky (4/17/12).

Mildred Kay Lucas, Bedford—For being selected as “National Mother of Achievement” by American Mothers, Inc. Senator Ernst (4/17/12).

The Honorable James Seymour—For dedicated service representing the people of Western Iowa. Senator Boettger (4/17/12).

Bill and Judy Travis, Vinton—For celebrating their 60th wedding anniversary. Senator Kapucian (4/17/12).

Ms. Shannon Wilke, Sioux City—For fighting for truth—Bertrand v. Mullin (2012). Senator Bertrand (4/17/12).

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, April 17, 2012, 12:05 p.m.

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

Members Absent: Fraise and Houser (both excused).

Committee Business: Passed [SF 2299](#) and [HF 2458](#).

Recessed: 12:10 p.m.

Reconvened: 1:00 p.m.

Adjourned: 1:10 p.m.

STUDY BILL RECEIVED

SSB 3203 **Ways and Means**

Authorizing the establishment of a distributed generation pilot project and making penalties applicable.

SUBCOMMITTEE ASSIGNMENT

SSB 3203

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: [HOUSE FILE 2458](#), a bill for an act establishing a rural Iowa primary care loan repayment program and trust fund to be administered by the college student aid commission.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5214	H.F.	2329	Dick L. Dearden
S-5215	S.F.	430	House
S-5216	S.F.	2284	House
S-5217	H.F.	2422	Tom Hancock