

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 18, 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

ONE HUNDRED FIRST CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 18, 2012

The Senate met in regular session at 9:03 a.m., President Kibbie presiding.

Prayer was offered by Senate Pages Nina Liu and Taylor Broshar. Taylor sang “Ave Maria”, accompanied by Nina on the violin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Pages Nina Liu and Taylor Broshar.

The Journal of Tuesday, April 17, 2012, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 106](#).

Senate Resolution 106

On motion of Senator Hatch, [Senate Resolution 106](#), a resolution honoring Art Pennington, an American baseball great, with report of committee recommending passage, was taken up for consideration.

Senator Hatch moved the adoption of [Senate Resolution 106](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Hatch introduced to the Senate chamber baseball great, Art Pennington.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:42 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Houser and Ward, until they arrive, on request of Senator Behn; and Senator Dvorsky, until he arrives, on request of Senator Gronstal.

UNFINISHED BUSINESS

(Deferred March 27, 2012)

House File 2343

The Senate resumed consideration of **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, deferred March 27, 2012.

Senator Dearden 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. 2343**), the vote was:

Yeas, 46:

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

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

Nays, 1:

Black

Absent, 3:

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

WITHDRAWN

Senator Dearden asked and received unanimous consent that **Senate File 2253** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2284

Senator Quirnbach called up for consideration **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, amended by the House in House amendment **S-5216**, filed April 17, 2012.

Senator Quirnbach 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.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2335](#).

Senate File 2335

On motion of Senator Danielson, [Senate File 2335](#), a bill for an act concerning public safety, by establishing a public safety training and equipment trust fund, establishing a public safety training and facilities task force, and making appropriations, was taken up for consideration.

Senator Sodders offered amendment [S-5218](#), filed by him from the floor to pages 1–3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5218](#) be adopted?” (S.F. 2335), the vote was:

Yeas, 33:

Anderson	Dearden	Hogg	Rielly
Bartz	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Jochum	Seng
Bertrand	Fraise	Kapucian	Sodders
Black	Gronstal	Kibbie	Sorenson
Bolkcom	Hahn	Mathis	Wilhelm
Bowman	Hamerlinck	McCoy	
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 15:

Bacon	Dix	Johnson	Smith
Behn	Ernst	Kettering	Whitver
Boettger	Feenstra	McKinley	Zaun
Chelgren	Greiner	Seymour	

Absent, 2:

Houser	Ward
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Amendment [S-5218](#) was adopted.

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. 2335), the vote was:

Yeas, 35:

Anderson	Danielson	Hancock	Quirnbach
Bacon	Dearden	Hatch	Ragan
Bartz	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schoenjahn
Bertrand	Fraise	Jochum	Seng
Black	Greiner	Kapucian	Sodders
Bolkcom	Gronstal	Kibbie	Sorenson
Bowman	Hahn	Mathis	Wilhelm
Courtney	Hamerlinck	McCoy	

Nays, 13:

Behn	Ernst	McKinley	Zaun
Boettger	Feenstra	Seymour	
Chelgren	Johnson	Smith	
Dix	Kettering	Whitver	

Absent, 2:

Houser	Ward
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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 2284** and **2335** and **House File 2343** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:28 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:36 p.m., President Kibbie presiding.

The Senate stood at ease at 1:37 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:07 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2422](#).

House File 2422

On motion of Senator Hancock, [House File 2422](#), a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2012, with report of committee recommending passage, was taken up for consideration.

Senator Hancock withdrew amendment [S-5217](#), filed by him on April 17, 2012, to pages 1-6 and 8-11 and amending the title page of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kapucian, until he returns, on request of Senator Behn.

Senator Hancock offered amendment [S-5219](#), filed by him from the floor to pages 1-6 and 8-11 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5219](#) be adopted?" ([H.F. 2422](#)), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 26:

Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Jochum	Schoenjahn
Bolkcom	Fraise	Kibbie	Seng

Bowman	Gronstal	Mathis	Sodders
Courtney	Hancock	McCoy	Wilhelm
Danielson	Hatch	Quirnbach	
Dearden	Hogg	Ragan	

Nays, 21:

Anderson	Chelgren	Hamerlinck	Sorenson
Bacon	Dix	Johnson	Whitver
Bartz	Ernst	Kettering	Zaun
Behn	Feenstra	McKinley	
Bertrand	Greiner	Seymour	
Boettger	Hahn	Smith	

Absent, 3:

Houser	Kapucian	Ward
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Amendment S-5219 was adopted.

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?" (H.F. 2422), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2422** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:34 p.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 4:14 p.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Kettering, the Senate adjourned at 4:15 p.m. until 9:00 a.m., Thursday, April 19, 2012.

APPENDIX**CERTIFICATE OF RECOGNITION**

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

Yvonne Church, Sioux City—For being named the 2013 Sioux City Community School District “Teacher of the Year.” Senators Bertrand and Anderson (4/18/12).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the northwest Senate gallery:

Jacob Mayer, senior at South Central Calhoun High School and member of the Iowa Youth Advisory Council, accompanied by his parents, Mike and Leisa Mayer; Tori Jones, senior at South Central Calhoun High School; and MaeLaan Nesbitt, freshman at Morningside University. Senator Beall.

INTRODUCTION OF BILL

Senate File 2338, by committee on Appropriations, a bill for an act relating to government operations and efficiency and other related matters, providing penalties, and including effective date and applicability provisions.

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

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 2338 (formerly SF 2299), a bill for an act relating to government operations and efficiency and other related matters, providing penalties, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, McCoy, Black, Bolcom, Danielson, Dotzler, Hancock, Hatch, Hogg, Jochum, Ragan, and Schoenjahn. Nays, 7: Dix, Bartz, Boettger, Johnson, Kapucian, Kettering, and Seymour. Absent, 2: Fraise and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2338](#), and they were attached to the committee report.

AMENDMENTS FILED

S-5218	S.F.	2335	Steven J. Sodders
S-5219	H.F.	2422	Tom Hancock