

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 25, 2012

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JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 25, 2012

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

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Iry Eicher.

The Journal of Tuesday, April 24, 2012, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:09 a.m. until 10:00 a.m.

RECONVENED

The Senate reconvened at 10:04 a.m., President Kibbie presiding.

The Senate stood at ease at 10:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:44 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson and Sorenson, until they arrive, on request of Senator Bertrand; Senator Rielly, until he arrives, on request of Senator Gronstal; and Senators Kapucian, McKinley, Hamerlinck, and Chelgren, until they arrive, on request of Senator Behn.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Joint Resolution 2008](#).

[House Joint Resolution 2008](#)

On motion of Senator Dotzler, [House Joint Resolution 2008](#), a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

[House Joint Resolution 2008](#), a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date. BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The amendment to 441 Iowa administrative code, rule 79.1, subrule (7), paragraph (b), as appearing in ARC 9959B, as published in the Iowa administrative bulletin, volume XXXIV, number 14, dated January 11, 2012, p. 968, is nullified.

Sec. 2. EFFECTIVE UPON ENACTMENT. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

On the question "Shall the resolution be adopted?" ([H.J.R. 2008](#)), the vote was:

Yeas, 43:

- | | | | |
|----------|----------|-----------|------------|
| Bacon | Dearden | Hatch | Ragan |
| Bartz | Dix | Hogg | Schoenjahn |
| Beall | Dotzler | Horn | Seng |
| Behn | Dvorsky | Houser | Seymour |
| Bertrand | Ernst | Jochum | Smith |
| Black | Feenstra | Johnson | Sodders |
| Boettger | Fraise | Kettering | Ward |
| Bolkcom | Greiner | Kibbie | Whitver |

Bowman	Gronstal	Mathis	Wilhelm
Courtney	Hahn	McCoy	Zaun
Danielson	Hancock	Quirnbach	

Nays, none.

Absent, 7:

Anderson	Hamerlinck	McKinley	Sorenson
Chelgren	Kapucian	Rielly	

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House Joint Resolution 2008](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:50 a.m. until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:07 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 April 25, 2012, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2338](#), a bill for an act relating to government operations and efficiency and other related matters, providing penalties, and including effective date and applicability provisions.

ALSO: That the House has on April 25, 2012, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2392, a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

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

House File 2472, a bill for an act extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, and including effective date provisions.

Read first time and attached to **companion Senate File 2340**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:08 p.m. until 9:00 a.m., Thursday, April 26, 2012.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Bill and Janice Portz, Spragueville—For celebrating their 50th wedding anniversary. Senator Bowman (4/25/12).

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Wednesday, April 25, 2012, 9:15 a.m.

Members Present: Bolcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Bartz, Black, Dotzler, Hogg, Jochum, Mathis, Quirnbach, Smith, and Zaun.

Members Absent: Anderson, Chelgren, and McCoy (all excused).

Committee Business: Passed [SF 2340](#). Approved [SSB 3204](#).

Adjourned: 9:25 a.m.

INTRODUCTION OF BILL

[Senate File 2341](#), by Gronstal and Behn, a bill for an act making changes to the controlled substance schedules, providing for penalties, and including effective date provisions.

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

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [SENATE FILE 2340](#), a bill for an act extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bolkcom, Seng, Feenstra, Bartz, Black, Dotzler, Hogg, Jochum, Mathis, Quirnbach, Smith, and Zaun. Nays, none. Absent, 3: Anderson, Chelgren, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.