

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 23, 2012

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JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 23, 2012

The Senate met in regular session at 12:06 p.m., President Kibbie presiding.

Prayer was offered by the Honorable Robert Bacon, member of the Senate from Story County, Maxwell, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Rachel Mortimer.

The Journal of Thursday, April 19, 2012, was approved.

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 19, 2012, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2332](#), a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions. ([S-5228](#))

ALSO: That the House has on April 19, 2012, **adopted** the following resolution in which the concurrence of the Senate is asked:

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.

Read first time and referred to committee on **Human Resources**.

The Senate stood at ease at 12:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:18 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKinley, until he arrives, on request of Senator Behn.

HOUSE AMENDMENT CONSIDERED

Senate File 430

Senator Jochum called up for consideration **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, amended by the House in House amendment **S-5215**, filed April 17, 2012.

Senator Jochum moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Jochum moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 430](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

McKinley

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2339](#).

[Senate File 2339](#)

On motion of Senator Dotzler, [Senate File 2339](#), a bill for an act increasing the amount available for allocation to the brownfields and grayfields redevelopment tax credits under the aggregate tax credit limit and including effective date provisions, was taken up for consideration.

Senator Dotzler 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. 2339](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

McKinley

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 563](#).

[House File 563](#)

On motion of Senator Hogg, [House File 563](#), a bill for an act creating the transparency in private attorney contracts Act, placed on the Unfinished Business Calendar on March 22, 2012, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment [S-5051](#), filed by the committee on Judiciary on March 7, 2012, to pages 1–4 of the bill, and moved its adoption.

Amendment [S-5051](#) was adopted by a voice vote.

Senator Hogg 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. 563](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

McKinley

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 430** and **2339** and [House File 563](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2464](#).

House File 2464

On motion of Senator Mathis, **House File 2464**, a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Mathis 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. 2464**), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

McKinley

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

HOUSE AMENDMENT CONSIDERED

Senate File 2332

Senator Danielson called up for consideration **Senate File 2332**, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected

from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions, amended by the House in House amendment [S-5228](#), filed April 23, 2012.

Senator Danielson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Danielson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2332](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

McKinley

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 2332](#) and [House File 2464](#) be **immediately messaged** to the House.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Gronstal and Behn for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2012 Regular Session of the Eighty-fourth General Assembly were given to the following:

Hailey Albert, Mackenzie Bills, Taylor Broshar, Thomas Day, Sean Duff, Iry Eicher, Shannon Goes, Jordan Grube, Katie Jaeschke, Nina Liu, Rachel Mortimer, Peggy Osmundson, Adam Pitts, and Britney Samuelson.

The Senate rose and expressed its appreciation.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:55 p.m. until 9:00 a.m., Tuesday, April 24, 2012.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Peter Halfhill, Earlville—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/23/12).

The citizens of Menville, IA—For celebrating their community's quasiquicentennial. Senator Anderson (4/23/12).

STUDY BILL RECEIVED

SSB 3204 Ways and Means

Relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sale and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2340

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

House Joint Resolution 2008

HUMAN RESOURCES: Dotzler, Chair; Ragan and Seymour

SSB 3204

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

AMENDMENT FILED

S-5228 S.F. 2332 House