

**PROOF**

---

---

**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 24, 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 SEVENTH CALENDAR DAY  
SIXTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 24, 2012

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

Prayer was offered by the Honorable Nancy J. Boettger, member of the Senate from Shelby County, Harlan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mackenzie Bills.

The Journal of Monday, April 23, 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 23, 2012, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

[Senate File 466](#), a bill for an act relating to residential contractors and providing a penalty.

ALSO: That the House has on April 23, 2012, **insisted** on its amendment to [Senate File 2336](#), a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions, and the conference committee members on the part of the House are: the representative from Henry, Representative Heaton, Chair; the representative from Story, Representative Heddens; the representative from Scott, Representative Linda Miller; the representative from Story, Representative Wessel-Kroeschell; the representative from Harrison, Representative Windschitl.

ALSO: That the House has on April 23, 2012, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

**House File 2422**, a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions. ([S-5229](#))

ALSO: That the House has on April 23, 2012, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2471**, a bill for an act relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

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

ALSO: That the House has on April 23, 2012, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 563**, a bill for an act creating the transparency in private attorney contracts Act.

#### SPECIAL GUEST

Senator Mathis presented Mike Glover, long-time journalist with the Associated Press, with a certificate of recognition, to honor him upon his retirement.

The Senate rose and expressed its tribute.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [Senate File 2336](#) on the part of the Senate: Senators Hatch, Chair; Bolkom, Ragan, Johnson, and Bacon.

#### IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 2336](#) be **immediately messaged** to the House.

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 10:10 a.m., President Kibbie presiding.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 10:11 a.m. until 11:00 a.m.

#### RECONVENED

The Senate reconvened at 11:23 a.m., President Kibbie presiding.

The Senate stood at ease at 11:24 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:41 a.m., President Kibbie presiding.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 11:42 a.m. until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened at 1:29 p.m., President Kibbie presiding.

#### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2460](#).

#### [House File 2460](#)

On motion of Senator Dotzler, [House File 2460](#), a bill for an act relating to Iowa's urban renewal law and incremental taxes by modifying provisions relating to the duration of urban renewal areas,

the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

([House File 2460](#) was deferred.)

The Senate stood at ease at 1:30 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:06 p.m., President Kibbie presiding.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

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 24, 2012, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2315](#), a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions. ([S-5234](#))

The Senate resumed consideration of [House File 2460](#), previously deferred.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hamerlinck and McKinley, until they arrive, on request of Senator Behn.

Senator Dotzler offered amendment [S-5220](#), filed by the committee on Ways and Means on April 19, 2012, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bartz offered amendment [S-5231](#), filed by him from the floor to pages 1, 4, 10, and 13 of amendment [S-5220](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5231](#) be adopted?” ([H.F. 2460](#)), the vote was:

Yeas, 23:

Anderson	Chelgren	Houser	Sorenson
Bacon	Dix	Johnson	Ward
Bartz	Ernst	Kapucian	Whitver
Behn	Feenstra	Kettering	Wilhelm
Bertrand	Greiner	Seymour	Zaun
Boettger	Hahn	Smith	

Nays, 25:

Beall	Dotzler	Horn	Rielly
Black	Dvorsky	Jochum	Schoenjahn
Bolkcom	Fraise	Kibbie	Seng
Bowman	Gronstal	Mathis	Sodders
Courtney	Hancock	McCoy	
Danielson	Hatch	Quirnbach	
Dearden	Hogg	Ragan	

Absent, 2:

Hamerlinck	McKinley
------------	----------

Amendment [S-5231](#) lost.

Senator Dotzler offered amendment [S-5230](#), filed by Senators Dotzler and Wilhelm from the floor to pages 1, 4, 10, and 13 of amendment [S-5220](#) and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5230](#) be adopted?” ([H.F. 2460](#)), the vote was:

Yeas, 48:

Anderson	Danielson	Hatch	Ragan
Bacon	Dearden	Hogg	Rielly
Bartz	Dix	Horn	Schoenjahn
Beall	Dotzler	Houser	Seng

Behn	Dvorsky	Jochum	Seymour
Bertrand	Ernst	Johnson	Smith
Black	Feenstra	Kapucian	Sodders
Boettger	Fraise	Kettering	Sorenson
Bolkcom	Greiner	Kibbie	Ward
Bowman	Gronstal	Mathis	Whitver
Chelgren	Hahn	McCoy	Wilhelm
Courtney	Hancock	Quirnbach	Zaun

Nays, none.

Absent, 2:

Hamerlinck          McKinley

Amendment [S-5230](#) was adopted.

With the adoption of amendment [S-5230](#) to amendment [S-5220](#), the Chair ruled amendment [S-5225](#), filed by Senator Bartz on April 19, 2012, to page 13 of amendment [S-5220](#), out of order.

Senator Dotzler offered amendment [S-5232](#), filed by him from the floor to page 12 of amendment [S-5220](#), and moved its adoption.

Amendment [S-5232](#) to amendment [S-5220](#) was adopted by a voice vote.

Senator Jochum offered amendment [S-5233](#), filed by her from the floor to pages 13, 15, and 16 of amendment [S-5220](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5233](#) be adopted?” ([H.F. 2460](#)), the vote was:

Yeas, 30:

Bartz	Dearden	Hogg	Rielly
Beall	Dotzler	Horn	Schoenjahn
Black	Dvorsky	Jochum	Seng
Bolkcom	Fraise	Kapucian	Sodders
Bowman	Greiner	Kibbie	Ward
Chelgren	Gronstal	Mathis	Wilhelm
Courtney	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 18:

Anderson	Dix	Johnson	Sorenson
Bacon	Ernst	Kettering	Whitver
Behn	Feenstra	McCoy	Zaun
Bertrand	Hahn	Seymour	
Boettger	Houser	Smith	

Absent, 2:

Hamerlinck	McKinley
------------	----------

Amendment [S-5233](#) to amendment [S-5220](#) was adopted.

The Senate resumed consideration of amendment [S-5220](#).

Senator Bertrand asked and received unanimous consent that action on amendment [S-5220](#) and [House File 2460](#) be **deferred**.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 3:27 p.m. until 4:00 p.m.

#### RECONVENED

The Senate reconvened at 4:02 p.m., President Kibbie presiding.

The Senate resumed consideration of [House File 2460](#) and amendment [S-5220](#), previously deferred.

Senator Dotzler moved the adoption of amendment [S-5220](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-5220](#), as amended, be adopted?” ([H.F. 2460](#)), the vote was:

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

Yeas, 48:

Anderson	Danielson	Hatch	Ragan
Bacon	Dearden	Hogg	Rielly
Bartz	Dix	Horn	Schoenjahn
Beall	Dotzler	Houser	Seng

Behn	Dvorsky	Jochum	Seymour
Bertrand	Ernst	Johnson	Smith
Black	Feenstra	Kapucian	Sodders
Boettger	Fraise	Kettering	Sorenson
Bolkcom	Greiner	Kibbie	Ward
Bowman	Gronstal	Mathis	Whitver
Chelgren	Hahn	McCoy	Wilhelm
Courtney	Hancock	Quirnbach	Zaun

Nays, none.

Absent, 2:

Hamerlinck          McKinley

Amendment [S-5220](#), as amended, was adopted.

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?" ([H.F. 2460](#)), 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, 22:

Anderson	Chelgren	Houser	Sorenson
Bacon	Dix	Johnson	Ward
Bartz	Ernst	Kapucian	Whitver
Behn	Feenstra	Kettering	Zaun
Bertrand	Greiner	Seymour	
Boettger	Hahn	Smith	

Absent, 2:

Hamerlinck          McKinley

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 2460](#) be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:26 p.m. until 9:00 a.m., Wednesday, April 25, 2012.

## APPENDIX

## CERTIFICATES OF RECOGNITION

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

Mike Glover—In appreciation upon his retirement of his 36 years of covering the Statehouse and Iowa politics and for being a skilled and dedicated chronicler of the Iowa political scene. Senator Mathis (4/24/12).

Tucker Watters, Des Moines—For achieving the rank of Eagle Scout, Troop #2. Senator Zaun (4/24/12).

## REPORT OF COMMITTEE MEETING

## HUMAN RESOURCES

**Convened:** Tuesday, April 24, 2012, 10:15 a.m.

**Members Present:** Ragan, Chair; Wilhelm, Vice Chair; Seymour, Ranking Member; Bacon, Bolkcom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirnbach, and Whitver.

**Members Absent:** Boettger (excused).

**Committee Business:** Passed [HJR 2008](#).

**Adjourned:** 10:20 a.m.

## SUBCOMMITTEE ASSIGNMENT

[House File 2471](#)

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirnbach

## FINAL COMMITTEE REPORT OF BILL ACTION

## HUMAN RESOURCES

**Bill Title:** [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.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Ragan, Wilhelm, Seymour, Bacon, Bolkom, Dotzler, Hatch, Jochum, Johnson, Mathis, Quirmbach, and Whitver. Nays, none. Absent, 1: Boettger.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## 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 24<sup>th</sup> day of April, 2012.

Senate Files 364, 451, 2322, and 2333.

MICHAEL E. MARSHALL  
Secretary of the Senate

## AMENDMENTS FILED

<a href="#">S-5229</a>	<a href="#">H.F. 2422</a>	House
<a href="#">S-5230</a>	<a href="#">H.F. 2460</a>	William Dotzler Mary Jo Wilhelm
<a href="#">S-5231</a>	<a href="#">H.F. 2460</a>	Merlin Bartz
<a href="#">S-5232</a>	<a href="#">H.F. 2460</a>	William Dotzler
<a href="#">S-5233</a>	<a href="#">H.F. 2460</a>	Pam Jochum
<a href="#">S-5234</a>	<a href="#">S.F. 2315</a>	House