

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 26, 2013

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JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 26, 2013

The Senate met in regular session at 9:09 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Michelle Aberle.

The Journal of Monday, February 25, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Wednesday, February 27, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE

Banking Division—Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, [HF 2465](#), section 7(4)(b). Report received on February 26, 2013.

LEGISLATIVE SERVICES AGENCY

Fiscal Services Division Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on February 26, 2013.

CERTIFICATES OF RECOGNITION

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

Elizabeth Baird – For her outstanding service to the Senate Transportation Committee. Senator Bowman.

Joshua Hill, Clinton – For being awarded the Lifesaving Certificate of Merit for his life-saving actions. Senator Hart.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, February 25, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Hatch (excused).

Committee Business: Passed SFs 36 and 199, as amended. Approved [SSB 1116](#).

Adjourned: 4:40 p.m.

JUDICIARY

Convened: Tuesday, February 26, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair; and Boettger (both excused).

Committee Business: Nominees for the Judicial Nominating Commission.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: Monday, February 25, 2013, 4:00 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach.

Members Absent: Feenstra (excused).

Committee Business: Passed [HF 14](#). Approved [SSB 1103](#).

Adjourned: 4:10 p.m.

WAYS AND MEANS

Convened: Tuesday, February 19, 2013, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Chapman, Hogg, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Black, Dotzler, Jochum, and McCoy (all excused).

Committee Business: Presentation.

Adjourned: 1:50 p.m.

ALSO:

Convened: Tuesday, February 26, 2013, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Behn (excused).

Committee Business: Presentation.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 21, 2013, 10:05 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 26, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; and Sinclair.

Members Absent: Quirmbach (excused).

Committee Business: Presentations.

Adjourned: 10:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 26, 2013, 10:10 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Presentations.

Adjourned: 11:20 a.m.

INTRODUCTION OF BILLS

[Senate File 256](#), by Soddors and Bolkcom, a bill for an act relating to the carrying of weapons including eligibility and training requirements and private establishment regulations.

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

[Senate File 257](#), by committee on Transportation, a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards, and including effective date and applicability provisions.

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

[Senate File 258](#), by committee on Human Resources, a bill for an act relating to the long-term care resident's advocate program and making appropriations.

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

[Senate File 259](#), by committee on Human Resources, a bill for an act relating to third-party payment of services provided by a physical therapist.

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

[Senate File 260](#), by Chelgren, Whitver, Zaun, Rozenboom, Guth, Kapucian, Sorenson, Segebart, Zumbach, Breitbach, Chapman, Behn, Feenstra, and Anderson, a bill for an act relating to the corporate income tax rates imposed on corporations and including retroactive applicability provisions.

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

[Senate File 261](#), by Chelgren, Sorenson, Smith, and Bertrand, a bill for an act requiring bills designed to amend, revise, enact, codify, or repeal a law to include a statement specifying the authority under the Iowa constitution for enactment of the bill.

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

[Senate File 262](#), by Chelgren, Whitver, Zaun, Sinclair, Rozenboom, Guth, Kapucian, Sorenson, Bertrand, Segebart, Zumbach, Breitbach, Chapman, Behn, Feenstra, and Anderson, a bill for an act creating an exemption from the computation of the state individual income tax of net capital gains from the sale of an equity investment in a qualified Iowa business and including retroactive applicability provisions.

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

[Senate File 263](#), by Chelgren, a bill for an act relating to exemptions from the prohibitions of the smokefree air Act for some bars.

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

[Senate File 264](#), by Chelgren, a bill for an act providing for the production and marketing of industrial hemp, and providing for penalties.

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

[Senate File 265](#), by Chelgren, a bill for an act providing education savings grants for pupils attending a public school or an accredited nonpublic school or receiving competent private instruction, establishing an education savings grant fund, providing for the establishment of education achievement standards, making appropriations, providing penalties, and including applicability provisions.

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

[Senate File 266](#), by Petersen, a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions.

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

[Senate File 267](#), by Seng, a bill for an act creating a tax credit available for the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 1204](#) **Transportation**

Concerning vehicle registration fees, including matters relating to evasion of fees and to fees for electric vehicles, providing penalties, and including applicability provisions.

[SSB 1205](#) **Education**

Relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable.

SSB 1206 Education

Relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, eliminating a reporting requirement relating to vocational education funds, creating a task force to review the reporting required of school districts, and including applicability provisions.

SSB 1207 Agriculture

Relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, the administration of programs by the board, the implementation of law by the board, and including effective date provisions.

SSB 1208 Agriculture

Making an appropriation to support soil and water conservation by the department of agriculture and land stewardship.

SSB 1208 State Government

Authorizing lottery games to benefit special olympics programs.

SSB 1210 Commerce

Extending the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions.

SSB 1211 Natural Resources and Environment

Relating to alternate energy by extending renewable energy tax credit eligibility dates, expanding membership of the Iowa energy center advisory council, and establishing specified grant and loan funds.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 232](#)

STATE GOVERNMENT: Sodders, Chair; Dearden and Smith

[Senate File 237](#)

TRANSPORTATION: Brase, Chair; Danielson and Feenstra

[Senate File 243](#)

LOCAL GOVERNMENT: Quirnbach, Chair; Dvorsky and Sinclair

[Senate File 248](#)

HUMAN RESOURCES: Quirnbach, Chair; Boettger and Bolkcom

[Senate File 249](#)

JUDICIARY: Quirnbach, Chair; Hogg and Schneider

[Senate File 250](#)

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Quirnbach

[Senate File 251](#)

JUDICIARY: Hogg, Chair; Quirnbach and Sorenson

[Senate File 252](#)

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

[Senate File 253](#)

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

[Senate File 254](#)

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

[Senate File 255](#)

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

[Senate File 265](#)

EDUCATION: Dvorsky, Chair; Behn and Hogg

[Senate File 266](#)

EDUCATION: Beall, Chair; Boettger and Hart

[SSB 1037](#)
(Reassigned)

JUDICIARY: Taylor, Chair; Petersen and Sorenson

[SSB 1039](#)
(Reassigned)

JUDICIARY: Hogg, Chair; Schneider and Taylor

[SSB 1066](#)
(Reassigned)

STATE GOVERNMENT: Dearden, Chair; Smith and Sadders

[SSB 1074](#)
(Reassigned)

STATE GOVERNMENT: Dearden, Chair; Chapman and Petersen

[SSB 1093](#)
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Dearden and Whitver

[SSB 1121](#)
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Dearden and Sorenson

[SSB 1149](#)
(Reassigned)

JUDICIARY: Petersen, Chair; Dvorsky and Zaun

[SSB 1163](#)
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; McCoy and Whitver

[SSB 1204](#)

TRANSPORTATION: Bowman, Chair; Behn and Danielson

[SSB 1205](#)

EDUCATION: Bowman, Chair; Beall and Johnson

[SSB 1206](#)

EDUCATION: Bowman, Chair; Boettger and Mathis

[SSB 1207](#)

AGRICULTURE: Seng, Chair; Kapucian and Sodders

[SSB 1208](#)

AGRICULTURE: Seng, Chair; Black and Greiner

[SSB 1209](#)

STATE GOVERNMENT: Horn, Chair; Feenstra and McCoy

[SSB 1210](#)

COMMERCE: McCoy, Chair; Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Petersen, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm

[SSB 1211](#)

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Bolkcom and Rozenboom

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 258](#) (formerly [SF 36](#)), a bill for an act relating to the long-term care resident's advocate program and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Ragan, Wilhelm, Bolkcom, Dotzler, Jochum, Mathis, and Quirnbach. Nays, 5: Johnson, Boettger, Ernst, Segebart, and Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 259](#) ([SSB 1116](#)), a bill for an act relating to third-party payment of services provided by a physical therapist.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirnbach, and Segebart. Nays, 1: Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [SENATE FILE 257 \(SSB 1103\)](#), a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 14](#), a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.