

**PROOF**

---

---

**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 9, 2013**

---

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

---

EIGHTY-SIXTH CALENDAR DAY  
FIFTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 9, 2013

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by Bishop Julius Calvin Trimble, resident bishop of the Iowa Annual Conference of the United Methodist Church. He was the guest of Senator Beall.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

Autumn Boettger, granddaughter of Senator Nancy J. Boettger and Dave Boettger, played a violin solo in honor of her grandfather's birthday.

The Journal of Monday, April 8, 2013, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:32 a.m. until 1:00 p.m.

## AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Jochum presiding.

## CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 434, 431, and 230.

### [Senate File 434](#)

On motion of Senator Hogg, [Senate File 434](#), a bill for an act relating to an electric or natural gas vehicle facility tax credit and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

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?" ([S.F. 434](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

### [Senate File 431](#)

On motion of Senator Hogg, [Senate File 431](#), a bill for an act modifying provisions relating to solar energy system income tax credits and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Hogg offered amendment [S-3132](#), filed by him on April 8, 2013, to page 1 of the bill, and moved its adoption.

Amendment [S-3132](#) 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?" ([S.F. 431](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

### [Senate File 230](#)

On motion of Senator Petersen, [Senate File 230](#), a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Petersen offered amendment [S-3134](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3134](#) was adopted by a voice vote.

With the adoption of amendment [S-3134](#), the Chair ruled amendment [S-3009](#), filed by Senator Petersen on February 25, 2013, to page 1 of the bill; and amendment [S-3096](#), filed by Senator Petersen on March 28, 2013, to page 1 and amending the title page of the bill, out of order.

Senator Petersen asked and received unanimous consent that [House File 211](#) be substituted for [Senate File 230](#).

### [House File 211](#)

On motion of Senator Petersen, [House File 211](#), a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law, was taken up for consideration.

Senator Petersen offered amendment [S-3135](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3135](#) was adopted by a voice vote.

Senator Petersen 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. 211](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

## WITHDRAWN

Senator Petersen asked and received unanimous consent that [Senate File 230](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 602](#).

[House File 602](#)

On motion of Senator McCoy, [House File 602](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment [S-3089](#), filed by the committee on Appropriations on March 26, 2013, to pages 1 and 4–8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3089](#) be adopted?” ([H.F. 602](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson

Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

Amendment [S-3089](#) was adopted.

Senator Mathis offered amendment [S-3136](#), filed by her from the floor to page 4 of the bill.

(Amendment [S-3136](#) and [House File 602](#) were deferred.)

The Senate stood at ease at 1:43 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:21 p.m., President Jochum presiding.

The Senate resumed consideration of amendment [S-3136](#) and [House File 602](#), previously deferred.

Senator McCoy asked and received unanimous consent that action on amendment [S-3136](#) and [House File 602](#) be **deferred**.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 569](#).

**[House File 569](#)**

On motion of Senator Bolkcom, [House File 569](#), a bill for an act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and including transition, implementation, and effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom 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. 569](#)), the vote was:

Yeas, 39:

Beall	Danielson	Hogg	Ragan
Bertrand	Dearden	Horn	Schneider
Black	Dix	Houser	Schoenjahn
Boettger	Dotzler	Jochum	Segebart
Bolkcom	Dvorsky	Johnson	Seng
Bowman	Ernst	Kapucian	Sodders
Brase	Greiner	Mathis	Taylor
Breitbach	Gronstal	McCoy	Wilhelm
Chelgren	Hart	Petersen	Zumbach
Courtney	Hatch	Quirmbach	

Nays, 11:

Anderson	Feenstra	Sinclair	Whitver
Behn	Guth	Smith	Zaun
Chapman	Rozenboom	Sorenson	

Absent, none.

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 431 and 434** and **House Files 211 and 569** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 545, 541, 538, 533, 530, 522, and 500.

### [House File 545](#)

On motion of Senator Beall, [House File 545](#), a bill for an act creating a new category of allowable expenditures from the veterans trust fund, with report of committee recommending passage, was taken up for consideration.

Senator Danielson offered amendment [S-3111](#), filed by him on April 3, 2013, to page 1 of the bill, and moved its adoption.

Amendment [S-3111](#) was adopted by a voice vote.

Senator Beall 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. 545](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

### [House File 541](#)

On motion of Senator Wilhelm, [House File 541](#), a bill for an act relating to dam reconstruction standards, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm 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. 541](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Soddors
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Present, 1:

Zumbach

Absent, none.

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

#### [House File 538](#)

On motion of Senator Hogg, [House File 538](#), a bill for an act authorizing alternate members of the board of parole, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment [S-3127](#), filed by the committee on Judiciary on April 4, 2013, to page 1 of the bill, and moved its adoption.

Amendment [S-3127](#) 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. 538](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 533](#)

On motion of Senator Wilhelm, [House File 533](#), a bill for an act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wilhelm offered amendment [S-3119](#), filed by the committee on Education on April 4, 2013, to page 3 of the bill, and moved its adoption.

Amendment [S-3119](#) was adopted by a voice vote.

Senator Wilhelm 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. 533](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 530](#)

On motion of Senator Taylor, [House File 530](#), a bill for an act relating to the governor's office of drug control policy and certain advisory councils, with report of committee recommending passage, was taken up for consideration.

Senator Taylor 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. 530](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 522](#)

On motion of Senator Hogg, [House File 522](#), a bill for an act relating to the prevention and control of aquatic invasive species in the state and providing penalties, with report of committee recommending passage, was taken up for consideration.

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. 522](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders

Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 500](#)

On motion of Senator Mathis, [House File 500](#), a bill for an act relating to early childhood Iowa initiative requirements for area boards, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment [S-3107](#), filed by the committee on Education on April 2, 2013, to page 1 of the bill, and moved its adoption.

Amendment [S-3107](#) was adopted by a voice vote.

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. 500](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver

Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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 **House Files 500, 522, 530, 533, 538, 541, and 545** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 454, 361, 357, 356, 351, and 312.

#### [House File 454](#)

On motion of Senator Mathis, [House File 454](#), a bill for an act 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, and eliminating a reporting requirement relating to vocational education funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment [S-3120](#), filed by the committee on Education on April 4, 2013, to page 6 of the bill, and moved its adoption.

Amendment [S-3120](#) was adopted by a voice vote.

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. 454](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 361](#)

On motion of Senator Dearden, [House File 361](#), a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans and disabled members of the armed forces serving on active federal service, with report of committee recommending passage, was taken up for consideration.

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. 361](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith

Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 357](#)

On motion of Senator Hogg, [House File 357](#), a bill for an act relating to the nomination and appointment of district judges, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment [S-3124](#), filed by the committee on Judiciary on April 4, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3124](#) 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. 357](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor

Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

### [House File 356](#)

On motion of Senator Taylor, [House File 356](#), a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment [S-3123](#), filed by the committee on Judiciary on April 4, 2013, to page 2 of the bill, and moved its adoption.

Amendment [S-3123](#) was adopted by a voice vote.

Senator Taylor 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. 356](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach

Chapman	Hart	Schneider
Chelgren	Hatch	Schoenjahn
Courtney	Hogg	Segebart

Nays, none.

Absent, 1:

Kapucian

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

### [House File 351](#)

On motion of Senator Wilhelm, [House File 351](#), a bill for an act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm 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. 351](#)), the vote was:

Yeas, 32:

Beall	Danielson	Horn	Schneider
Bertrand	Dearden	Jochum	Schoenjahn
Black	Dotzler	Johnson	Segebart
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Breitbach	Hatch	Quirnbach	Wilhelm
Courtney	Hogg	Ragan	Zumbach

Nays, 17:

Anderson	Dix	Houser	Whitver
Behn	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Sinclair	
Chapman	Greiner	Smith	
Chelgren	Guth	Sorenson	

Absent, 1:

Kapucian

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

[House File 312](#)

On motion of Senator Taylor, [House File 312](#), a bill for an act providing for certification requirements by persons involved in the management of manure, and including provisions for contingent implementation, with report of committee recommending passage, was taken up for consideration.

Senator Taylor 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. 312](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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 **House Files 312, 351, 356, 357, 361, and 454** be **immediately messaged** to the House.

## BUSINESS PENDING

[House File 602](#)

The Senate resumed consideration of [House File 602](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and amendment [S-3136](#), previously deferred.

Senator Mathis asked and received unanimous consent to withdraw amendment [S-3136](#).

Senator McCoy 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. 602](#)), the vote was:

Yeas, 29:

Beall	Dearden	Hogg	Schoenjahn
Black	Dotzler	Horn	Seng
Bolkcom	Dvorsky	Jochum	Sodders
Bowman	Greiner	Mathis	Taylor
Brase	Gronstal	McCoy	Wilhelm
Breitbach	Guth	Petersen	
Courtney	Hart	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 20:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Rozenboom	Sorenson
Bertrand	Ernst	Schneider	Whitver
Boettger	Feenstra	Segebart	Zaun
Chapman	Houser	Sinclair	Zumbach

Absent, 1:

Kapucian

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

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 311](#).

[House File 311](#)

On motion of Senator Schoenjahn, [House File 311](#), a bill for an act relating to water quality, with report of committee without recommendation, was taken up for consideration.

Senator Schoenjahn 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. 311](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 245](#).

[House File 245](#)

On motion of Senator Danielson, [House File 245](#), a bill for an act appropriating moneys in the cigarette fire safety standard fund and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Danielson asked and received unanimous consent that action on [House File 245](#) be **deferred**.

UNFINISHED BUSINESS  
(Deferred April 8, 2013)

[House File 223](#)

The Senate resumed consideration of [House File 223](#), a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives, deferred April 8, 2013.

Senator Chapman asked and received unanimous consent to withdraw amendment [S-3130](#), filed by Senator Chapman, et al., on April 8, 2013, to pages 1 and 3 and amending the title page of the bill.

Senator Sodders 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. 223](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson

Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 6](#).

[House Concurrent Resolution 6](#)

On motion of Senator Gronstal, [House Concurrent Resolution 6](#), a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of [House Concurrent Resolution 6](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House Concurrent Resolution 6](#) and **House Files 223, 311, and 602** be **immediately messaged** to the House.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2013, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 114](#), a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

[Senate File 146](#), a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

ALSO: That the House has on April 9, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 197](#), a bill for an act relating to certification of adult day services programs.

[House File 210](#), a bill for an act relating to the practices and procedures of the state public defender.

[House File 472](#), a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies.

[House File 556](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:01 p.m. until 9:00 a.m., Wednesday, April 10, 2013.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Mike Earll, Sibley-Ocheyedan High School – For more than 38 years of dedicated service to young people through FFA, including 33 years as FFA adviser. Senator Johnson.

Derek Freiburger, Manchester – For achieving the rank of Eagle Scout, Troop 34. Senator Zumbach.

Alex Zehr, Manchester – For achieving the rank of Eagle Scout, Troop 34. Senator Zumbach.

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** Tuesday, April 9, 2013, 11:05 a.m.

**Recessed:** 11:10 a.m.

**Reconvened:** 11:55 a.m.

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

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

**Committee Business:** Discussed SFs 415, 426, and 437.

**Adjourned:** 12:20 p.m.

### STUDY BILL RECEIVED

#### [SSB 1250](#)      **Ways and Means**

Modifying provisions pertaining to delayed deposit services businesses, including provisions relating to fees.

## SUBCOMMITTEE ASSIGNMENT

[SSB 1250](#)

WAYS AND MEANS: Bolcom, Chair; Petersen and Smith

## AMENDMENTS FILED

<a href="#">S-3133</a>	<a href="#">H.F. 495</a>	Thomas G. Courtney
<a href="#">S-3134</a>	<a href="#">S.F. 230</a>	Janet Petersen
<a href="#">S-3135</a>	<a href="#">H.F. 211</a>	Janet Petersen
<a href="#">S-3136</a>	<a href="#">H.F. 602</a>	Liz Mathis
<a href="#">S-3137</a>	<a href="#">H.F. 477</a>	Brad Zaun Kent Sorenson
<a href="#">S-3138</a>	<a href="#">H.F. 245</a>	Jeff Danielson
<a href="#">S-3139</a>	<a href="#">H.F. 477</a>	Mark Chelgren
<a href="#">S-3140</a>	<a href="#">H.F. 381</a>	Jeff Danielson