

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 23, 2013

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JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 2013

The Senate met in regular session at 2:13 p.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ochevedan, Iowa.

PLEDGE OF ALLEGIANCE

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

The Journal of Monday, April 22, 2013, was approved.

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 23, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 152, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions.

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.

ALSO: That the House has on April 23, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 631](#), a bill for an act modifying provisions applicable to the propane education and research council.

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

[House File 638](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 23, 2013, **refused to concur** in the Senate amendment to the following bills in which the concurrence of the House was asked:

[House File 603](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

[House File 604](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

The Senate stood at ease at 2:23 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:54 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Zumbach, until they arrive, on request of Senator Bertrand.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 365, 360, and 331.

[Senate File 365](#)

On motion of Senator Taylor, [Senate File 365](#), a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Taylor offered amendment [S-3176](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3176](#) was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that [House File 487](#) be substituted for [Senate File 365](#).

[House File 487](#)

On motion of Senator Taylor, [House File 487](#), a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home, was taken up for consideration.

Senator Taylor offered amendment [S-3177](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3177](#) 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?” ([H.F. 487](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Chelgren Zumbach

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

WITHDRAWN

Senator Taylor asked and received unanimous consent that [Senate File 365](#) be **withdrawn** from further consideration of the Senate.

[Senate File 360](#)

On motion of Senator Hogg, [Senate File 360](#), a bill for an act relating to mechanic’s liens and the mechanics’ notice and lien registry, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Hogg offered amendment [S-3174](#), filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3174](#) was adopted by a voice vote.

Senator Hogg asked and received unanimous consent that [House File 565](#) be **substituted** for [Senate File 360](#).

[House File 565](#)

On motion of Senator Hogg, [House File 565](#), a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [House File 565](#) be **deferred**.

[Senate File 331](#)

On motion of Senator Bowman, [Senate File 331](#), a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Bowman withdrew amendment [S-3070](#), filed by him on March 26, 2013, to page 1 and amending the title page of the bill.

Senator Bowman asked and received unanimous consent that [House File 355](#) be **substituted** for [Senate File 331](#).

[House File 355](#)

On motion of Senator Bowman, [House File 355](#), a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions, was taken up for consideration.

Senator Bowman offered amendment [S-3144](#), filed by him on April 10, 2013, to page 1 of the bill, and moved its adoption.

Amendment [S-3144](#) was adopted by a voice vote.

Senator Bowman offered amendment [S-3175](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3175](#) was adopted by a voice vote.

Senator Bowman 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. 355](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Chelgren Zumbach

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

WITHDRAWN

Senator Bowman asked and received unanimous consent that [Senate File 331](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 355** and **487** be **immediately messaged** to the House.

SENATE INSISTS

[House File 603](#)

Senator Mathis called up for consideration [House File 603](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and moved that the Senate insist on its amendment.

A nonrecord roll call was requested.

The yeas were 25, nays 20.

The motion prevailed and the Senate **insisted** on its amendment.

[House File 604](#)

Senator Schoenjahn called up for consideration [House File 604](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on [House File 603](#) on the part of the Senate: Senators Mathis, Chair; Anderson, Brase, Danielson, and Guth.

The Chair announced the following conference committee on [House File 604](#) on the part of the Senate: Senators Schoenjahn, Chair; Chelgren, Horn, Quirnbach, and Smith.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 603** and **604** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:18 p.m. until 9:00 a.m., Wednesday, April 14, 2013.

APPENDIX

COMMUNICATION RECEIVED

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

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on April 23, 2013.

CERTIFICATES OF RECOGNITION

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

Chad Ford, Ankeny – For achieving the rank of Eagle Scout, Troop 188. Senator Whitver.

Josh Woods, Ankeny – For achieving the rank of Eagle Scout, Troop 188. Senator Whitver.

SUBCOMMITTEE ASSIGNMENT

[House File 631](#)

WAYS AND MEANS: Hogg, Chair; Feenstra and Quirmbach

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM 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 23rd day of April, 2013.

Senate Files 114, 142, 146, 182, 186, 189, 204, 282, 288, 298, 316, 317, 318, 332, 340, 343, 355, 362, 380, 384, 388, 389, 419, and 427.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

<u>S-3174</u>	<u>S.F.</u>	<u>360</u>	Robert M. Hogg
<u>S-3175</u>	<u>H.F.</u>	<u>355</u>	Tod R. Bowman
<u>S-3176</u>	<u>S.F.</u>	<u>365</u>	Rich Taylor
<u>S-3177</u>	<u>H.F.</u>	<u>487</u>	Rich Taylor