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**STATE OF IOWA**

**Senate Journal**

**MONDAY, FEBRUARY 4, 2013**

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# JOURNAL OF THE SENATE

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TWENTY-SECOND CALENDAR DAY  
THIRTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 4, 2013

The Senate met in regular session at 1:08 p.m., President Pro Tempore Sodders presiding.

Prayer was offered by Pastor Al Hazelton of the Assembly of God Church in Harlan, Iowa. He was the guest of Senator Boettger.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Laura Prindle.

The Journal of Thursday, January 31, 2013, was approved.

## CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 106](#).

### [Senate File 106](#)

On motion of Senator Jochum, [Senate File 106](#), a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment [S-3004](#), filed by him from the floor to page 3 and amending the title page of the bill.

([Senate File 106](#) and amendment [S-3004](#), were deferred.)

The Senate stood at ease at 1:37 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:11 p.m., President Pro Tempore Soddors presiding.

The Senate resumed consideration of [Senate File 106](#) and amendment [S-3004](#), previously deferred.

Senator Feenstra withdrew amendment [S-3004](#).

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Ernst, until they arrive, on request of Senator Dix.

Senator Jochum 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. 106](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Chelgren                Ernst

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

**ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 2:19 p.m. until 9:00 a.m., Tuesday, February 5, 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:

**AGRICULTURAL DEVELOPMENT AUTHORITY**

Executive Director Report, pursuant to Iowa Code section 175.8(4). Report received on February 4, 2013.

**AUDITOR OF STATE**

Special Investigation of the Adair County Engineer's Office Report, pursuant to Iowa Code section 11.6. Report received on February 1, 2013.

**DEPARTMENT OF HUMAN SERVICES**

Mental Health and Disability Services Commission Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on February 4, 2013.

**DEPARTMENT OF TRANSPORTATION**

Recycling Report, pursuant to Iowa Code section 307.21(3). Report received on January 31, 2013.

Passenger Rail Service Revolving Fund Report, pursuant to Iowa Code section 327J.3(1). Report received on February 4, 2013.

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3(5). Report received on February 4, 2013.

**AGENCY ICN REPORT**

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF NATURAL RESOURCES – Report received on February 4, 2013.

## CERTIFICATES OF RECOGNITION

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

Matthew Eaton, Des Moines – For achieving the rank of Eagle Scout, Troop 71. Senator Zaun.

William Tanner Peard, Waukee – For achieving the rank of Eagle Scout, Troop 178. Senator Zaun.

## REPORTS OF COMMITTEE MEETINGS

### ECONOMIC GROWTH/REBUILD IOWA

**Convened:** Tuesday, January 29, 2013, 4:05 p.m.

**Members Present:** Soddors, Chair; Chapman, Ranking Member; Behn, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, and Whitver.

**Members Absent:** Bowman, Vice Chair; Chelgren, and Wilhelm (all excused).

**Committee Business:** Presentations.

**Adjourned:** 4:50 p.m.

### GOVERNMENT OVERSIGHT

**Convened:** Thursday, January 31, 2013, 3:00 p.m.

**Members Present:** Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; and Greiner.

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

**Committee Business:** Presentation by the Iowa Lottery CEO, Terry Rich.

**Adjourned:** 3:30 p.m.

## INTRODUCTION OF BILLS

[Senate File 122](#), by Gronstal, a bill for an act relating to the targeted jobs withholding credit pilot project and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

[Senate File 123](#), by Taylor, a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system for employees of the department of corrections.

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

[Senate File 124](#), by Horn, a bill for an act allowing the operation of certain motorboats on lake Macbride at any time.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 125](#), by Black, a bill for an act increasing certain fees relating to the purchase of resident hunting, fishing, and trapping licenses.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 126](#), by Jochum, a bill for an act relating to the sales and use tax imposed on the operation of bingo games.

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

[Senate File 127](#), by Dearden, a bill for an act providing for the restoration of the right to register to vote and to vote and hold elective office for certain persons and including effective date and retroactive applicability provisions.

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

#### STUDY BILLS RECEIVED

[SSB 1105](#)      **Human Resources**

Relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

[SSB 1106](#)      **State Government**

Relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

**SSB 1107 State Government**

Relating to the exemption of gaming floors from the prohibitions of the smokefree air Act and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 86**

WAYS AND MEANS: Dotzler, Chair; Black and Schneider

**Senate File 88**

WAYS AND MEANS: McCoy, Chair; Seng and Smith

**Senate File 92**

WAYS AND MEANS: Dotzler, Chair; Behn and Petersen

**Senate File 107**

WAYS AND MEANS: Dotzler, Chair; Black and Chapman

**Senate File 108**

WAYS AND MEANS: Dotzler, Chair; Seng and Smith

**Senate File 112**

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

**Senate File 116**

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Dearden and Johnson

**SSB 1105**

HUMAN RESOURCES: Dotzler, Chair; Johnson and Wilhelm

**SSB 1106**

STATE GOVERNMENT: Danielson, Chair; Chapman and Jochum

**SSB 1107**

STATE GOVERNMENT: Petersen, Chair; Anderson and Sadders

AMENDMENTS FILED

<u>S-3004</u>	<u>S.F. 106</u>	Randy Feenstra
<u>S-3005</u>	<u>S.F. 121</u>	Jeff Danielson