

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 11, 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

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 2013

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

Prayer was offered by members of the University of Northern Iowa Men's Glee Club from Cedar Falls, Iowa. They were the guests of Senator Danielson.

PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, February 7, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Steve Lukan, the governor's appointee to be the Drug Policy Coordinator. He was the guest of Senators Soddors and Schneider and the committee on Judiciary.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:17 p.m. until 9:00 a.m., Tuesday, February 12, 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 EDUCATION

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14(21c). Report received on February 8, 2013.

IOWA JUDICIAL BRANCH

Juvenile Victim Restitution Program Report, pursuant to Iowa Code section 232A.3. Report received on February 8, 2013.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on February 8, 2013.

DEPARTMENT OF MANAGEMENT

Block Grants Report, pursuant to Iowa Code section 8.22(1b). Report received on February 8, 2013.

DEPARTMENT OF REVENUE

Health Insurance for Dependent Children Report, pursuant to Iowa Code section 422.12M(4c). Report received on February 8, 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:

IOWA JUDICIAL BRANCH – Report received on February 8, 2013.

CERTIFICATE OF RECOGNITION

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

Jonathan Burress, Klemme – For achieving the rank of Eagle Scout. Senator Guth.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 11, 2013, 2:10 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: Ernst, Ranking Member (excused).

Committee Business: Presentations.

Adjourned: 3:05 p.m.

HUMAN RESOURCES

Convened: Monday, February 11, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkom, Dotzler, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver.

Members Absent: Ernst (excused).

Committee Business: Approved [SSB 1056](#), as amended. Approved governor's appointee.

Adjourned: 4:15 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 4](#), by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

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

[Senate Resolution 5](#), by committee on Rules and Administration, a resolution relating to permanent rules of the senate for the eighty-fifth general assembly.

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

INTRODUCTION OF BILLS

[Senate File 163](#), by Bolkcom, a bill for an act relating to an assault that occurs between persons in an intimate relationship and the crime of domestic abuse assault and making penalties applicable.

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

[Senate File 164](#), by Bolkcom, a bill for an act relating to the opening of a door on the side of a vehicle available to moving traffic and providing a penalty.

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

[Senate File 165](#), by Hogg, a bill for an act relating to water usage, making appropriations, and including effective date provisions.

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

[Senate File 166](#), by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Kapucian, Sorenson, Boettger, and Smith, a bill for an act creating a negotiated rulemaking process.

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

[Senate File 167](#), by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Anderson, Bertrand, Segebart, Chelgren, Zaun, Sorenson, Whitver, Kapucian, and Boettger, a bill for an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, providing a penalty, and including effective date provisions.

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

[Senate File 168](#), by Behn, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Chelgren, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Chapman, Kapucian, Sorenson, Boettger, and Smith, a bill for an act relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

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

[Senate File 169](#), by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Chelgren, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Kapucian, Sorenson, Boettger, and Smith, a bill for an act relating to the fiscal impact on cities of administrative rules adopted by the environmental protection commission.

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

[Senate File 170](#), by committee on Economic Growth, a bill for an act relating to bidding for purchases through a competitive bidding process by the state.

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

STUDY BILLS RECEIVED

[SSB 1132](#) **Human Resources**

Relating to licensure identification and display requirements and professional title and abbreviation restrictions for certain health-related professions and making penalties applicable.

[SSB 1133](#) **Human Resources**

Relating to service providers under Medicaid home and community-based services waivers.

SSB 1134 Ways and Means

Relating to electronic payment transactions by prohibiting the collection of interchange fees on specified taxes and fees, providing penalties, and including applicability provisions.

SSB 1135 Ways and Means

Establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

SSB 1136 Ways and Means

Relating to qualification for and receipt of the wind energy and renewable energy tax credits.

SSB 1137 Ways and Means

Increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and including effective date and retroactive applicability provisions.

SSB 1138 Natural Resources and Environment

Providing for a product stewardship report by the department of natural resources.

SSB 1139 Commerce

Relating to matters under the purview of the banking division of the department of commerce.

SSB 1140 Commerce

Providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 119](#)

COMMERCE: Beall, Chair; Chapman and Wilhelm

[Senate File 133](#)

JUDICIARY: Sodders, Chair; Schneider and Taylor

[Senate File 134](#)

JUDICIARY: Petersen, Chair; Boettger and Dvorsky

[Senate File 148](#)

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

[Senate File 149](#)

STATE GOVERNMENT: Dearden, Chair; Chapman and Sodders

[Senate File 150](#)

STATE GOVERNMENT: Petersen, Chair; Anderson and Sodders

[Senate File 151](#)

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

[Senate File 152](#)

JUDICIARY: Sodders, Chair; Hogg and Whitver

[Senate File 154](#)

TRANSPORTATION: Danielson, Chair; Feenstra and Taylor

[Senate File 155](#)

TRANSPORTATION: Danielson, Chair; Brase and Zumbach

[Senate File 158](#)

ECONOMIC GROWTH/REBUILD IOWA: Mathis, Chair; Hart and Whitver

[Senate File 159](#)

ECONOMIC GROWTH/REBUILD IOWA: Dotzler, Chair; Behn and Hatch

[House File 112](#)

JUDICIARY: Horn, Chair; Taylor and Zaun

[SSB 1132](#)

HUMAN RESOURCES: Dotzler, Chair; Boettger and Bolkcom

[SSB 1133](#)

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Ragan

[SSB 1134](#)

WAYS AND MEANS: Petersen, Chair; Bolkcom and Chapman

[SSB 1135](#)

WAYS AND MEANS: McCoy, Chair; Bolkcom and Feenstra

[SSB 1136](#)

WAYS AND MEANS: Hogg, Chair; Behn and Black

[SSB 1137](#)

WAYS AND MEANS: Dotzler, Chair; Feenstra and Seng

[SSB 1138](#)

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

[SSB 1139](#)

COMMERCE: McCoy, Chair; Anderson and Seng

[SSB 1140](#)

COMMERCE: Mathis, Chair; Chapman and Wilhelm

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH/REBUILD IOWA

Bill Title: *[SENATE FILE 170](#) (formerly [SF 15](#)), a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Soddors, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Taylor, and Wilhelm. Nays, 3: Behn, Schneider, and Whitver. Absent, 3: Chapman, Chelgren, and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth/Rebuild Iowa Committee on [Senate File 170](#), and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 4](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 5](#), a resolution relating to permanent rules of the senate for the eighty-fifth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE CONCURRENT RESOLUTION 5](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.