

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 28, 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

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Stan Johnson of the Evangelical Free Church in Britt, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Detrick.

The Journal of Wednesday, February 27, 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 February 27, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 131](#), a bill for an act authorizing charitable giving payroll deductions for community college employees.

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

[House File 159](#), a bill for an act relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

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

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

Read first time and referred to committee on **Human Resources**.

[House File 198](#), a bill for an act relating to the inclusion of reasonable training costs in the direct costs considered reimbursable for Medicaid home and community-based services programs.

Read first time and referred to committee on **Human Resources**.

[House File 212](#), a bill for an act relating to conducting condemnation proceedings.

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

[House File 223](#), a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives.

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

[House File 246](#), a bill for an act relating to the technical administration of election and voter registration laws, including by making modifications to certain filing deadlines, preservation of certain records, elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:16 a.m. until 12:45 p.m., Monday, March 4, 2013.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

Convened: Thursday, February 28, 2013, 12:30 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Consideration of [SF 200](#), as amended, and SSBs 1083 and 1180, both as amended.

Adjourned: 12:50 p.m.

COMMERCE

Convened: Thursday, February 28, 2013, 1:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bolkcom, Breitbach, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Bertrand and Chapman (both excused).

Committee Business: Presentations.

Adjourned: 1:50 p.m.

ECONOMIC GROWTH

Convened: Thursday, February 28, 2013, 2:05 p.m.

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

Members Absent: Chelgren and Houser (both excused).

Committee Business: Approved SSBs 1025 and 1073, both as amended, and 1184.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 27, 2013, 2:05 p.m.

Recessed: 2:10 p.m.

Reconvened: 2:30 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 71](#), as amended.

Adjourned: 3:20 p.m.

JUDICIARY

Convened: Wednesday, February 27, 2013, 3:30 p.m.

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

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

Committee Business: Passed [SF 152](#). Approved [SSB 1033](#), as amended; and approved SSBs 1110 and 1151.

Adjourned: 3:40 p.m.

ALSO:

Convened: Thursday, February 28, 2013, 3:00 p.m.

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

Members Absent: Courtney, Vice Chair; Sorenson, and Whitver (all excused).

Committee Business: Passed [SF 133](#) and [HF 133](#). Approved [SSB 1188](#). Consideration of SSBs 1039 and 1198.

Adjourned: 3:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 28, 2013, 2:05 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None (excused).

Committee Business: Passed SFs 7 and 165, both as amended. Approved [SSB 1138](#).

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: Wednesday, February 27, 2013, 2:00 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: Presentations.

Adjourned: 2:55 p.m.

WAYS AND MEANS

Convened: Thursday, February 28, 2013, 11:35 a.m.

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

Members Absent: None.

Committee Business: Approved SSBs 1135 and 1137.

Adjourned: 12:00 p.m.

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

Convened: Thursday, February 28, 2013, 10:05 a.m.

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

Members Absent: Anderson (excused).

Committee Business: Consideration of Transportation Appropriations bill. Presentation.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 7](#), by Zaun, Whitver, Sinclair, Feenstra, Ernst, Greiner, Johnson, and Boettger, a joint resolution expressing the Iowa General Assembly's refusal to recognize or support any statutes, presidential directives, or other regulations and proclamations which conflict with the Second Amendment of the

Constitution of the United States and which are expressly preempted by the rulings of the United States Supreme Court.

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

INTRODUCTION OF BILLS

[Senate File 279](#), by Jochum, a bill for an act relating to school breakfast programs.

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

[Senate File 280](#), by Bolkcom, a bill for an act requiring new electrical installations on farms to be subject to inspection.

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

[Senate File 281](#), by Petersen, a bill for an act requiring the state building code commissioner to adopt standards and requirements for window fall prevention devices for windows installed in certain multifamily dwellings, hotels, and motels, making penalties applicable, and including effective date provisions.

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

[Senate File 282](#), by committee on Judiciary, a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

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

[Senate File 283](#), by McCoy, a bill for an act concerning the issuance of limited driver's licenses and nonoperator's identification cards to certain foreign nationals.

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

[Senate File 284](#), by Schoenjahn, a bill for an act relating to agreements between counties and certain cities for the provision of law enforcement services by limiting contribution and payment rates.

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

[Senate File 285](#), by Schoenjahn, a bill for an act relating to the operations of certain common interest communities.

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

[Senate File 286](#), by Schoenjahn, a bill for an act relating to insurance coverage for dental care services.

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

[Senate File 287](#), by Segebart, a bill for an act concerning the sale of wine by manufacturers of beer.

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

STUDY BILLS RECEIVED

[SSB 1220](#) **Judiciary**

Concerning title to real estate.

[SSB 1221](#) **State Government**

Relating to pari-mutuel wagering on horse racing and providing for fees and penalties.

[SSB 1222](#) **State Government**

Establishing an independent office of the chief information officer within the department of management, providing penalties, and including transition provisions.

SSB 1223 Natural Resources and Environment

Relating to hunter safety and ethics education course requirements.

SSB 1224 Transportation

Relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

SSB 1225 Commerce

Relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

SSB 1226 Education

Requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

SUBCOMMITTEE ASSIGNMENTS**Senate File 268**

WAYS AND MEANS: Hogg, Chair; Black and Feenstra

Senate File 273

TRANSPORTATION: Danielson, Chair; Breitbach and Dvorsky

Senate File 274

ECONOMIC GROWTH: Hatch, Chair; Schneider and Sadders

Senate File 277

EDUCATION: Quirnbach, Chair; Dvorsky and Ernst

[Senate File 283](#)

TRANSPORTATION: McCoy, Chair; Behn and Dvorsky

[House File 131](#)

STATE GOVERNMENT: Dearden, Chair; Anderson and Sadders

[House File 246](#)

STATE GOVERNMENT: Danielson, Chair; Jochum and Smith

[SSB 1220](#)

JUDICIARY: Hogg, Chair; Horn and Schneider

[SSB 1221](#)

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

[SSB 1222](#)

STATE GOVERNMENT: Danielson, Chair; Bowman and Feenstra

[SSB 1223](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

[SSB 1224](#)

TRANSPORTATION: Bowman, Chair; Danielson and Kapucian

[SSB 1225](#)

COMMERCE: McCoy, Chair; Anderson and Wilhelm

[SSB 1226](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Ernst

FINAL COMMITTEE REPORT OF BILL ACTION

JUDICIARY

Bill Title: [SENATE FILE 282](#) (formerly [SF 152](#)), a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirnbach, Soddors, Sorenson, Taylor, and Whitver. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 28, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 91](#) – Increasing civil penalties applicable to specified pipeline safety violations.

[Senate File 110](#) – Relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

AMENDMENT FILED

[S-3010](#) [S.F. 144](#) Amanda Ragan