

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 10, 2013

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JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 2013

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

Prayer was offered by Dr. Richard Torgerson, president of Luther College in Decorah, Iowa. He was the guest of Senator Breitbach.

Nationally acclaimed Nordic Choir, directed by Dr. Allen Hightower, sang the "Star Spangled Banner".

The Journal of Tuesday, April 9, 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 9, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 224](#), a bill for an act relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards. ([S-3143](#))

[Senate File 272](#), a bill for an act relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands. ([S-3141](#))

[Senate File 358](#), a bill for an act concerning title to real estate. ([S-3142](#))

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

[Senate File 186](#), a bill for an act relating to funds transfers under the uniform commercial code, and including effective date provisions.

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

[Senate File 340](#), a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

[Senate File 343](#), a bill for an act authorizing tribal governments to establish a force of reserve peace officers.

[Senate File 355](#), a bill for an act relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

[Senate File 362](#), a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

[Senate File 388](#), a bill for an act relating to sponsor projects under the water resource restoration sponsor program.

[Senate File 389](#), a bill for an act relating to hunter safety and ethics education course requirements.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:18 a.m. until 1:50 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

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

Dr. Richard Allen Hays, Jr., Cedar Falls – For his retirement after 34 years as the founder and director of University of Northern Iowa's Masters of Public Policy Program. Senator Danielson.

Peter Jacobsen, Treynor – For achieving the rank of Eagle Scout. Senator Houser.

Colonel Tamra Rank, Clarinda – For her retirement upon completion of 30 honorable years of service to the United States Air Force, her state, and her nation. Senator Ernst.

REPORTS OF COMMITTEE MEETINGS**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

Convened: Wednesday, April 10, 2013, 10:05 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirnbach and Sinclair.

Members Absent: None.

Committee Business: Discussed amendment to [HF 604](#).

Adjourned: 10:30 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, April 10, 2013, 10:10 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom and Johnson.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

[Senate File 438](#), by committee on Appropriations, a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

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

[Senate File 439](#), by committee on Appropriations, a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

[House File 603](#)

APPROPRIATIONS: Mathis, Chair; Dvorsky and Whitver

[House File 613](#)

APPROPRIATIONS: Danielson, Chair; Ernst and Ragan

[House File 619](#)

TRANSPORTATION: Bowman, Chair; Behn and Brase

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 438](#) (formerly [SF 426](#)), a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 438](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 439](#) (formerly [SF 437](#)), a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Black and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 439](#), and they were attached to the committee report.

RECONVENED

The Senate reconvened at 1:53 p.m., President Jochum presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House chamber, in accordance with [House Concurrent Resolution 6](#), in columns of two led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION PIONEER LAWMAKERS

Sixty-second Biennial Session
House Chamber

In accordance with [House Concurrent Resolution 6](#), duly adopted, the joint convention was called to order at 1:59 p.m., President Jochum presiding.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of eight be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote, and the President appointed as such committee Senators Dvorsky, Courtney, Boettger, and Behn, on the part of the Senate and Representatives Dolecheck, Linda Miller, Anderson, and Ourth on the part of the House.

The joint convention stood at ease at 2:05 p.m.

The joint convention resumed at 2:06 p.m.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Jochum presented the Honorable Steven J. Soddors, President Pro Tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Jochum presented the Honorable Kraig Paulsen, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Jochum presented the Honorable Jim Lykam, member of the House and President of the Pioneer Lawmakers Association, who responded to the welcome.

Representative Lykam announced the following 1993 class of Pioneer Lawmakers: Gary Blodgett, Dan Boddicker, Bob Brunkhorst, Mike Cataldo, Steven W. Churchill, Dwight Dinkla, Jack Drake, Joseph L. Ertl, Ed Fallon, Bill Fink, Randall J. Giannetto, John M. Greig, Sandra H. Greiner, Betty Grundberg, Mark Henderson, Hubert M. Houser, Pam Jochum, Patty Judge, Ralph F. Klemme, Keith A. Kreiman, Richard L. Larkin, Chuck Larson, O. Gene Maddox, Mona Martin, Matt McCoy, James A. Meyer, Michael Moreland, Norman Mundie, Linda Nelson, Michael O'Brien, Christopher Rants, Tom Vilsack, Keith W. Weigel, Jerry J. Welter, and William G. Witt.

Honorary members of the 2013 class were the following: Mary Braun, Wes Ehrecke, Jim Henter, Brian Johnson, Sharon Presnall, Joe Romano, Julie Smith, Sandy Smitherman, Frank Stork, and Scott Weiser.

Representative Lykam presented Kathie Obradovich, political columnist for the Des Moines Register, who addressed the joint convention:

Thank you, Rep. Lykam, Mr. Speaker, Madame President and congratulations to the Pioneer lawmakers class of 1993.

You know, I always wondered what it would be like to stand in this spot and speak to all of you people. It's a little scary. After this, I may never sit over there on the west press bench during Condition of the State and make fun of the governor. (Actually, that's probably only half-true. I usually sit on the east side now.)

I'm not much of a historian and my memories of last week are fairly hazy, let alone 20 years ago. So I did some research to refresh my memory and found that the blockbuster movie in 1993 was "Jurassic Park." I thought I'd mention that in case we don't already feel like dinosaurs.

Like many of you, I also came to the Iowa Statehouse for my first session in 1993. Unlike you folks, though, I arrived a month late. The Lee Enterprises newspapers had decided to reconstitute their Des Moines Bureau, which had been dark for a few years. By the time they hired me for the job and I made it to Des Moines, it was February. So much for newspapers being a deadline business.

I was kind of worried about missing so much of the legislative session, so when I arrived I asked Mike Glover, that grizzled veteran from the Associated Press, what I had missed. Nothing, he said. They spent the whole first month arguing about allowable growth. That's great, I said. Meanwhile, I'm writing down on my to-do list: "Find out what allowable growth is." Rep. Art Ollie explained it to me. He really boiled it down in layman's terms—it only took about four hours to explain. It made sense at the time. It's not his fault that I still don't understand it.) That year I also learned the meaning of "non-germane" and "GAAP accounting." I found out that a Pioneer lawmaker didn't necessarily come to Des Moines in a covered wagon.

There is some good news for current legislators: Back in 1993, they eventually finished the allowable growth debate. I guess there's still hope for this year. A lot of other things about 1993 may seem familiar. Terry Branstad was governor. The Legislature was divided, with Republicans in control of the House, Democrats in control of the Senate. There was talk of a death penalty debate, but nothing came of it that year. There was a proposal to put spending limits in the constitution. One of the governor's priorities was cutting property taxes paid by businesses. Medicaid was a concern. The governor referred to the cost of health insurance for poor Iowans as the "Pac-Man of the state budget." One of the hottest political questions at the start of that year: Will Gov. Branstad run for re-election? Some things never change.

Some things were different. Lawmakers that year came into session about \$400 million in the hole, and much of their work revolved around getting back in the black. Probably the most memorable accomplishment that year was welfare reform—again, done with a divided Legislature. The Capitol building was under renovation, and it still needed a lot of work. Back then, the golden dome was mostly green, and the rest of the place was dingy and shabby. These days, there's plenty of green in the state treasury and the dome is gold again.

A little story about the regilding of the dome, replacing the gold leaf. In 1998 or 1999, I can't remember which year; the scaffolding went all the way to the spire on top of the dome. They had a media tour so reporters could climb up there and take pictures. I'm a little afraid of heights, but I climbed up there with Mark Moran, who used to work for WOI public radio. I didn't tell him, I kind of thinking I'd just go up as far as Mark did, and then get the heck back inside. But Mark didn't stop, so we ended up all the way at the top. And the view was spectacular. It was totally worth the climb. But when it came time to climb back down, I was a little nervous. I told Mark to go ahead and I'd follow him.

"You go ahead," he said. "The only reason I climbed all the way up here was because you did."

Many other things have changed since 1993. Most of the people on press row have changed—although even after all of these years I still get mistaken for Kay Henderson from Radio Iowa. The House and Senate didn't get any bigger during the renovation, but there's room for a lot more people in here today. Iowans don't have to read the newspaper or listen to the radio or show up in person to find out what's going on the Legislature. Debate is carried live on the Internet. Iowans can read the bills online, follow the amendments and send legislators emails at their desks to comment on them. That's a change for the better. I hope legislators today will continue working to make it easier for Iowans to participate in their government.

Over the years, people often have asked me how I could stand to spend so much time with so many politicians. And I admit there were times over the years when I wished I could be somewhere else. Like during debates on allowable growth. There are only so many times one can listen to a legislator say, "I'll be brief," and then demonstrate that he or she didn't know the meaning of the word. I always liked those accidental speeches that started, "I didn't mean to speak on this bill."

But when people have asked me about it, I usually told them I loved being at the Statehouse, mostly because of the people. To be sure, there have been a lot of characters. I remember one representative who used to sit right over there by the press bench. He was a casual sort of fellow and liked to take his shoes off during debate. I remember another gentleman who was just too honest for his own good. I was sitting here one day next to a reporter for an eastern Iowa paper when one of her local legislators came up to deliver his press release that he was running for re-election. She got out her notebook and started to interview him on the spot: "What's your biggest accomplishment?" He said, "Well, I haven't done much yet." He wasn't re-elected.

For the most part, though, I've found the vast majority of legislators, staff and yes, dear, even the lobbyists are brighter than average, ambitious, hard-working and motivated by an interest in helping people. Who wouldn't want to spend time with people like that?

One of my predecessors at the Register, Jim Flansberg, put it this way back in 1993:

"If you put all 150 Iowa legislators into a blender, the amalgamation that came out would startle you. It would be a person a lot better educated, a lot smarter and more savvy than the average citizen, a person capable of succeeding in virtually any endeavor, but one who's decided to do something about or to or for government."

I think if I had a blender that big, I'd rather make a giant margarita. But to each his own.

In that same column, Flansberg had this to say:

"A Legislature's duty is impossible. It can't achieve the ideal. It convenes in optimism and adjourns in pessimism. That's because its principal job is to accommodate the competing and conflicting interests that it represents."

“If a Legislature does the best possible job, finds a compromise between those competing interests, most members will still find themselves denounced for compromising. We’ve made a bad word out of the very thing that lawmakers are hired to do.”

That was 20 years ago, folks, and I’d submit the problem is far worse today. People tend to get caught up in their differences and forget about the many things they have in common. But as I think back over two decades of legislators, the things that stand out in my memory have nothing to do with whether they were a D or an R. Maybe this isn’t true for you, but I’m far more likely to remember kindness, a passion for fairness, the ability to admit mistakes and a really wicked sense of humor.

Ultimately, the people who really make a difference in this beautiful building are the ones who understand how to bring people together. Accomplishing great things in the Legislature is kind of like climbing up the outside of the Capitol dome. We will go far higher together than we’d ever dare to go alone.

Thank you and congratulations to the class of 1993.

Representative Upmeyer moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

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 10, 2013, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 384](#), a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

ALSO: That the House has on April 10, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 538](#), a bill for an act authorizing alternate members of the board of parole.

ALSO: That the House has on April 10, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 617, a bill for an act relating to the licensure of ambulatory surgical centers, providing for fees to be considered repayment receipts, providing penalties, and including effective date provisions.

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

SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable John P. Kibbie, former member of the Senate from Palo Alto County; the Honorable William Dieleman, former member of the Senate from Marion County; and the Honorable H. Kay Hedge, former member of the Senate from Mahaska County.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 436 and 435.

Senate File 436

On motion of Senator Dotzler, **Senate File 436**, a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Dotzler 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. 436](#)), 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.

SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable Maggie Tinsman, former member of the Senate from Scott County; and the Honorable Sue Yenger, former member of the Senate from Wapello County.

The Senate rose and expressed its welcome.

[Senate File 435](#)

On motion of Senator Black, [Senate File 435](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Seng offered amendment [S-3145](#), filed by Senators Seng, Black, and Dvorsky from the floor to page 15 of the bill, and moved its adoption.

Amendment [S-3145](#) was adopted by a voice vote.

Senator Black 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. 435](#)), 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.

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 484](#).

[House File 484](#)

On motion of Senator McCoy, [House File 484](#), a bill for an act relating to boiler inspections and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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. 484](#)), 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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 435** and **436** and [House File 484](#) 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 457 and 381.

[House File 457](#)

On motion of Senator Hart, [House File 457](#), a bill for an act providing for the leasing of agricultural land by the department of natural resources to beginning farmers, with report of committee recommending passage, was taken up for consideration.

Senator Hart 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. 457](#)), 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 381](#)

On motion of Senator Danielson, [House File 381](#), a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment [S-3117](#), filed by the committee on State Government on April 3, 2013, to page 1 and amending the title page of the bill.

Senator Danielson offered amendment [S-3140](#), filed by on April 9, 2013, to page 1 of amendment [S-3117](#), and moved its adoption.

Amendment [S-3140](#) to [S-3117](#) was adopted by a voice vote.

Senator Danielson moved the adoption of amendment [S-3117](#), as amended.

Amendment [S-3117](#), as amended, was adopted by a voice vote.

Senator Danielson 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. 381](#)), 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, as amended, was agreed to.

SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Gene Fraise, former member of the Senate from Lee County.

The Senate rose and expressed its welcome.

UNFINISHED BUSINESS (Deferred April 9, 2013)

[House File 245](#)

The Senate resumed consideration of [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, deferred April 9, 2013.

Senator Danielson offered amendment [S-3138](#), filed by him on April 9, 2013, to pages 1–2 of the bill, and moved its adoption.

Amendment [S-3138](#) was adopted by a voice vote.

Senator Danielson 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. 245](#)), 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Smith.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 212](#).

House File 212

On motion of Senator Quirnbach, [House File 212](#), a bill for an act relating to conducting condemnation proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach 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. 212](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Sinclair

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 212, 245, 381, and 457** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:24 p.m. until 9:00 a.m., Thursday, April 11, 2013.

APPENDIX—2**REPORT OF COMMITTEE MEETING****ADMINISTRATION AND REGULATION APPROPRIATIONS
SUBCOMMITTEE**

Convened: Wednesday, April 10, 2013, 10:05 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase, and Ernst.

Members Absent: None.

Committee Business: Discussed [HF 603](#).

Adjourned: 10:35 a.m.

INTRODUCTION OF BILL

[Senate File 440](#), by committee on Appropriations, a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

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

STUDY BILL RECEIVED**[SSB 1251](#) Appropriations**

Relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

SUBCOMMITTEE ASSIGNMENT**[SSB 1251](#)**

APPROPRIATIONS: Hatch, Chair; Dvorsky and Segebart

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 440](#) (formerly [SF 415](#)), a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 440](#), and they were attached to the committee report.

AMENDMENTS FILED

S-3141	S.F. 272	House
S-3142	S.F. 358	House
S-3143	S.F. 224	House
S-3144	H.F. 355	Tod R. Bowman
S-3145	S.F. 435	Dr. Joe M. Seng Dennis H. Black Robert E. Dvorsky

JOINT MEMORIAL SERVICE

EIGHTY-FIFTH GENERAL ASSEMBLY
SENATE CHAMBER
WEDNESDAY, APRIL 10, 2013

PROGRAM

Senate President Pam Jochum, Presiding

Prelude.....Ombudsman Ruth Cooperrider
“It Is Well With My Soul”Memorial Choir
Invocation.....Senator Pam Jochum

MEMORIALS

Readers: Senator Daryl Beall, Representative Tom Sands,
Senator Steve Sodders, Representative Ruth Ann Gaines,
Senator Dick Dearden

Hon. Maurice Baringer (H) Hon. Diane Brandt (H) Hon. Barry Brauns (H)
Hon. John Brown (S/H) Hon. Clarence Carney (S) Hon. Dorothy Carpenter (H)
Hon. Don Gettings (S/H) Hon. John Jensen (S) Hon. Charles Korn (H)

“I Then Shall Live”.....Memorial Choir

MEMORIALS

Readers: Representative Josh Byrnes, Representative Todd Taylor,
Rep. Dawn Pettengill, Rep. Dean Fisher

Hon. Kenneth Logemann (H) Hon. Leo Miller (H) Hon. Carl Nielsen (H)
Hon. Doris Peick (H) Hon. Robert Rigler (S) Hon. Tom Riley (S/H)
Hon. Norman Roorda (H) Hon. John Soorholtz (S) Hon. James Spradling (H)

MEMORIALS

Readers: Representative Dave Heaton, Senator David Johnson,
Representative Greg Forristall, Senator Dick Dearden

Hon. Patricia Thompson-Woodworth (H) Hon. Philip Eugene Tyrrell (H)
Hon. Harlan Van Gerpen (H) Hon. Pat Ward (S)
Hon. Jewell O. Waugh (H) Hon. Dr. Roger F. Wendt (H)
Hon. James Wengert (H)

Responsorial Reading.....Led by Senator Jochum

“Battle Hymn of the Republic”.....Memorial Choir

* Senate – (S) and House – (H)

IN MEMORIAM**SERVED IN THE SENATE**

Honorable Clarence Carney (Woodbury) 68th, 69th General Assemblies (1979–1982)

Honorable John Jensen (Bremer) 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, and 79th General Assemblies (1979–2002)

Honorable Robert Rigler (Chickasaw) 56th, 57th, 58th, 59th, 60th, 61st, 62nd, and 63rd General Assemblies (1955–1970)

Honorable John Soorholtz (Marshall) 70th, 71st, 72nd, 73rd, and 74th General Assemblies (1983–1992)

Honorable Petricia (Pat) Ward (Polk) 80th, 81st, 82nd, 83rd, and 84th General Assemblies (2004–2012)

SERVED IN THE SENATE AND THE HOUSE OF REPRESENTATIVES

Honorable John Brown (Palo Alto) 58th, 59th, and 60th General Assemblies (1959–1964).

Honorable Donald Gettings (Wapello) 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, and 77th General Assemblies (1977–1998)

Honorable Tom Riley (Linn) 59th, 60th, 61st, 62nd, 64th, and 65th General Assemblies (1961–1968 and 1971–1974).

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Maurice Baringer (Fayette) 59th, 60th, 61st, and 62nd General Assemblies (1961–1968)

Honorable Diane Brandt (Black Hawk) 66th, 67th, 68th, and 69th General Assemblies (1975–1982)

Honorable Barry Brauns (Muscatine) 75th, 76th, 77th, 78th, and 79th General Assemblies (1993–2002)

Honorable Dorothy Carpenter (Polk) 69th, 70th, 71st, 72nd, 73rd, 74th, and 75th General Assemblies (1981–1994)

Honorable Charles Korn (Harrison) 61st General Assembly (1965–1966)

Honorable Kenneth Logemann (Worth) 63rd and 64th General Assemblies (1969–1972).

Honorable Leo Miller (Woodbury) 70th General Assembly (1983–1984)

Honorable Carl Nielsen (Polk) 65th, 66th, and 67th General Assemblies (1973–1978)

Honorable Doris Peick (Linn) 70th and 71st General Assemblies (1983–1986)

Honorable Norman Roorda (Jasper) 62nd, 63rd, 64th, and 65th General Assemblies (1967–1974)

Honorable James Spradling (Sioux) 66th General Assembly (1975–1976)

Honorable Patricia Thompson-Woodworth (Polk) 67th and 68th General Assemblies (1977–1980)

Honorable Phillip Eugene Tyrrell (Iowa) 68th, 69th, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, and 79th General Assemblies (1979–1982 and 1987–2002)

Honorable Harlan Van Gerpen (Black Hawk) 70th General Assembly (1983–1984)

Honorable Jewell O. Waugh (Monona) 62nd, 63rd, and 64th General Assemblies (1967–1972)

Honorable Dr. Roger F. Wendt (Woodbury) 80th, 81st, 82nd, and 83rd General Assemblies (2003–2010)

Honorable James Wengert (Woodbury) 61st General Assembly (1965–1966)

Senate Memorial Committee/Hosts

Senator Wally Horn, Co-Chair
Senator David Johnson Co-Chair
Senator Nancy Boettger
Senator Tom Courtney
Senator Dick Dearden
Senator Bob Dvorsky
Senator Joni Ernst
Senator Dennis Guth

Hosts

Mr. Dave Boettger
Ms. Nancy Courtney
Ms. Phyllis Peterson
Representative Scott Ourth

Candlelighters

Representative Marti Anderson
Representative Mary Ann Hanusa
Representative Megan Hess
Representative Bruce Hunter
Representative Dan Kelley
Representative Sharon Steckman
Representative Todd Taylor

House Memorial Committee/Hosts

Representative Robert Bacon
Representative Jack Drake
Representative Dean Fisher
Representative Dan Kelley
Representative Vicki Lensing

Planning Co-Coordinator

Ms. Maureen Taylor, Senate
Ms. Meghan Van Wyk, House

Choir Director: Representative Robert Bacon
Accompanist: Ombudsman Ruth Cooperrider
Video photographer: Rory Calloway
Flowers Arranged by Doherty's Flowers
Refreshments provided by Capitol Cafeteria