

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MAY 2, 2013

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JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 2, 2013

The Senate met in regular session at 9:12 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dan Zumbach, member of the Senate from Delaware County, Ryan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Levi Price.

The Journal of Wednesday, May 1, 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 May 1, 2013, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 451](#), a bill for an act relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions.

ALSO: That the House has on May 1, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 446](#), a bill for an act 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. ([S-3217](#))

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:19 a.m., President Pro Tempore Sodders presiding.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Gronstal and Dix and President Jochum for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2013 Regular Session of the Eighty-fifth General Assembly were given to the following:

Michelle Aberle, Jennifer Brookhart, Elizabeth Detrick, Ashley Green, Jacob Ihnen, Brett Ofstein, Levi Price, Laura Prindle, Dalton Schmit, Grant Smith, William Thomas, Celia Ver Ploeg, Tucker Watters, and Hanna Zinn.

The Senate rose and expressed its appreciation.

President Jochum took the chair at 10:28 a.m.

HOUSE AMENDMENT CONSIDERED

[Senate File 446](#)

Senator Hatch called up for consideration [Senate File 446](#), a bill for an act 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, amended by the House in House amendment [S-3217](#), filed May 2, 2013.

Senator Hatch moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Chelgren, Feenstra, and Houser, until they arrive, on request of Senator Dix.

SENATE RECEDES

[House File 566](#)

Senator Taylor called up for consideration [House File 566](#), a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions, amended by the Senate, and moved that the Senate recedes from its amendment.

The motion prevailed by a voice vote and the Senate **receded** from its amendment.

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. 566](#)), the vote was:

Yeas, 46:

Anderson	Dearden	Jochum	Seng
Beall	Dix	Johnson	Sinclair
Bertrand	Dotzler	Kapucian	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Ernst	McCoy	Sorenson
Bolkcom	Greiner	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun

Chapman	Hatch	Schneider	Zumbach
Courtney	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 4:

Behn	Chelgren	Feenstra	Houser
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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 446](#) and [House File 566](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:37 a.m. until 10:00 a.m., Monday, May 6, 2013.

APPENDIX

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 627](#), a bill for an act establishing a property tax exemption for fairgrounds owned by a county or a fair and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 1, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 115](#) – Relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

[Senate File 202](#) – Relating to programs and services under the purview of the department of public health.

[Senate File 224](#) – Relating to the period of validity of driver's licenses and nonoperator's identification cards, the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards, and including effective date provisions.

[Senate File 358](#) – Concerning title to real estate.

[Senate File 368](#) – Relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act.

[Senate File 445](#) – Relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

AMENDMENT FILED

[S-3217](#) [S.F. 446](#) House