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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, APRIL 18, 2013**

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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.)

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# JOURNAL OF THE SENATE

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NINETY-FIFTH CALENDAR DAY  
FIFTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 18, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Pastor Doug Brady of the Living Word Fellowship in Knoxville, Iowa. He was the guest of Senator Sinclair.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Wednesday, April 17, 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 17, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions. (**S-3166**)

ALSO: That the House has on April 17, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 620**, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the

aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

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

[House File 634](#), a bill for an act relating to the policy administration of the tax and related laws and related programs by the department of revenue, including administration of income taxes, sales and use taxes, the orderly wind-up and eventual repeal of the Iowa fund of funds program, the replacement taxes task force, a study report related to administrative appeals processes for tax matters, the distribution of statewide school infrastructure funds, and including effective date and retroactive and other applicability provisions.

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

The Senate stood at ease at 9:27 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:30 a.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Houser and Zaun, until they arrive, on request of Senator Dix.

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 604](#).

#### [House File 604](#)

On motion of Senator Schoenjahn, [House File 604](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the

blind, the department of education, and the state board of regents, and providing for related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schoenjahn offered amendment [S-3155](#), filed by the committee on Appropriations on April 15, 2013, striking and replacing everything after the enacting clause of the bill.

Senator McCoy offered amendment [S-3168](#), filed by him from the floor to pages 25 and 26 of amendment [S-3155](#), and moved its adoption.

Amendment [S-3168](#) to amendment [S-3155](#) was adopted by a voice vote.

Senator Schoenjahn moved the adoption of amendment [S-3155](#), as amended.

A record roll call was requested.

On the question "Shall amendment [S-3155](#) be adopted as amended?" ([H.F. 604](#)), 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, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

Houser	Zaun
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Amendment [S-3155](#), as amended, was adopted.

Senator Schoenjahn 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. 604](#)), 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	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

Houser	Zaun
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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 [House File 604](#) be **immediately messaged** to the House.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bowman, until he returns, on request of Senator Gronstal.

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 446](#).

### Senate File 446

On motion of Senator Hatch, 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, was taken up for consideration.

Senator Hatch offered amendment S-3169, filed by him from the floor to pages 4–6, 8–20, 23–25, 27, 29, 31, 35, 37–41, 43, 47, 51, 53, 54, 56, 58, 60, 62–66, 68, 72–75, 77–80, 82, 90, 91, 102, 103, and 115 of the bill.

Senator Hatch offered amendment S-3171, filed by him from the floor to page 3 of amendment S-3169, and moved its adoption.

Amendment S-3171 to amendment S-3169 was adopted by a voice vote.

Senator Hatch moved the adoption of amendment S-3169, as amended.

Amendment S-3169, as amended, was adopted by a voice vote.

With the adoption of amendment S-3169, the Chair ruled amendment S-3167, filed by Senator Hatch from the floor to pages 8, 10–12, 16–19, 23–25, 27, 29, 31, 35, 37–41, 43, 47, 51, 53, 54, 56, 58, 60, 62–66, 68, 72, 73, 78–80, 82, 90, 91, 102, 103, and 115 of the bill, out of order.

Senator Sinclair offered amendment S-3172, filed by Senator Sinclair, et al., from the floor to page 31 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3172 be adopted?” (S.F. 446), the vote was:

Yeas, 23:

Anderson	Chelgren	Johnson	Sinclair
Behn	Dix	Kapucian	Smith
Bertrand	Ernst	Rozenboom	Sorenson
Boettger	Feenstra	Schneider	Whitver
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Seng	

Nays, 24:

Beall	Dearden	Hogg	Quirnbach
Black	Dotzler	Horn	Ragan
Bolkcom	Dvorsky	Jochum	Schoenjahn
Brase	Gronstal	Mathis	Sodders
Courtney	Hart	McCoy	Taylor
Danielson	Hatch	Petersen	Wilhelm

Absent, 3:

Bowman	Houser	Zaun
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Amendment [S-3172](#) lost.

Senator Chapman offered amendment [S-3170](#), filed by him from the floor to pages 58–59 of the bill, and moved its adoption.

Amendment [S-3170](#) lost by a voice vote.

Senator Hatch 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. 446](#)), 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, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

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

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:45 p.m. until 1:00 p.m., Monday, April 22, 2013.

## APPENDIX

## COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

## IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7(h). Report received on April 18, 2013.

## AMENDMENTS FILED

<a href="#">S-3166</a>	<a href="#">S.F. 295</a>	House
<a href="#">S-3167</a>	<a href="#">S.F. 446</a>	Jack Hatch
<a href="#">S-3168</a>	<a href="#">H.F. 604</a>	Matt McCoy
<a href="#">S-3169</a>	<a href="#">S.F. 446</a>	Jack Hatch
<a href="#">S-3170</a>	<a href="#">S.F. 446</a>	Jake Chapman
<a href="#">S-3171</a>	<a href="#">S.F. 446</a>	Jack Hatch
<a href="#">S-3172</a>	<a href="#">S.F. 446</a>	Amy Sinclair
		Joni K. Ernst
		Jack Whitver
		Sandra Greiner
		David Johnson
		Jerry Behn
		Mark Segebart
		Nancy J. Boettger
		Dan Zumbach
		Dr. Joe M. Seng
		Tim L. Kapucian



Michael Breitbart  
Mark Chelgren  
Bill Anderson  
Kent Sorenson  
Dennis Guth  
Charles Schneider  
Ken Rozenboom  
Randy Feenstra  
Roby Smith  
Jake Chapman