

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 26, 2014

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JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 26, 2014

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

Prayer was offered by Pastor Gary Axtell of Mark Baptist Church in Bloomfield, Iowa. He was the guest of Senators Chelgren and Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Alex Cook.

The Journal of Tuesday, March 25, 2014, 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 March 25, 2014, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2198](#), a bill for an act providing for the issuance of a paddlefish fishing license and tag and providing penalties.

[Senate File 2321](#), a bill for an act relating to jurisdiction over certain offenses committed by members of the state military forces, and establishing certain notification and reporting requirements.

ALSO: That the House has on March 25, 2014, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2118](#), a bill for an act relating to domestic abuse protective orders and pets or companion animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in a domestic abuse case. ([S-5093](#))

[Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties. ([S-5092](#))

[Senate File 2299](#), a bill for an act relating to Iowa's operating-while-intoxicated law and license revocations, temporary restricted licenses, and ignition interlock devices, and including applicability provisions. ([S-5091](#))

[Senate File 2319](#), a bill for an act relating to improving student literacy skills, including addressing dyslexia, and providing teacher assistance. ([S-5090](#))

[Senate File 2320](#), a bill for an act relating to providers of medical assistance program consumer-directed attendant care and consumer choices option services, including effective date and retroactive applicability provisions. ([S-5089](#))

ALSO: That the House has on March 25, 2014, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2446](#), a bill for an act exempting from the sales tax the sales price of a diesel fuel trailer or seed tender used primarily in agricultural production.

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

[House File 2447](#), a bill for an act relating to the registration and regulation of motorsports recreational vehicles, recreational vehicle operators, and recreational vehicle cargo, and including fees and penalties.

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

[House File 2449](#), a bill for an act relating to appropriations to the judicial branch.

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

SPECIAL GUESTS

President Jochum introduced to the Senate chamber pages from the 2013 Session; Dalton Schmit, Hanna Zinn, and Celia Ver Ploeg.

The Senate rose and expressed its welcome.

President Jochum introduced Randy Wallace to the Senate chamber. On March 27, 2014, Randy will be receiving the John C. Culver Award for Public Service to honor him for his outstanding service and unwavering commitment to making Iowa a better place.

The Senate rose and expressed its congratulations.

Senator Gronstal introduced to the Senate chamber the Honorable Staci Appel, former member of the Senate from Warren County, Ackworth, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:48 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:01 a.m., President Pro Tempore Soddors presiding.

RECESS

On motion of President Jochum, the Senate recessed at 11:02 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:15 p.m., President Pro Tempore Soddors presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2339](#).

[Senate File 2339](#)

On motion of Senator Dotzler, [Senate File 2339](#), a bill for an act relating to the administration of the redevelopment tax credits program by the economic development authority and including applicability provisions, was taken up for consideration.

Senator Dotzler offered amendment [S-5096](#), filed by him from the floor to pages 3 and 6 of the bill, and moved its adoption.

Amendment [S-5096](#) was adopted by a voice vote.

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. 2339](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2259](#)

Senator Gronstal called up for consideration [Senate File 2259](#), a bill for an act modifying provisions applicable to personal information security breach notification requirements, and making penalties applicable, amended by the House in House amendment [S-5081](#), filed March 19, 2014.

Senator Petersen moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Petersen moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2259](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2212](#)

Senator Gronstal called up for consideration [Senate File 2212](#), a bill for an act relating to land disposal of yard waste, amended by the House in House amendment [S-5082](#), filed March 19, 2014.

Senator Dearden moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dearden moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2212](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2211

Senator Gronstal called up for consideration [Senate File 2211](#), a bill for an act relating to the civil commitment of a sexually violent predator, amended by the House in House amendment [S-5085](#), filed March 20, 2014.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Hogg moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2211](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst Houser

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 2211, 2212, 2259, and 2339** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 220](#)

Senator Gronstal called up for consideration [Senate File 220](#), a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions, amended by the House in House amendment [S-5079](#), filed March 19, 2014.

Senator Beall moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Beall moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 220](#)), the vote was:

Yeas, 46:

Anderson	Dearden	Horn	Segebart
Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith

Boettger	Feenstra	Mathis	Sodders
Bolkcom	Garrett	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Courtney	Hatch	Schneider	
Danielson	Hogg	Schoenjahn	

Nays, 2:

Bertrand Chelgren

Absent, 2:

Ernst Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2230](#).

[House File 2230](#)

On motion of Senator Taylor, [House File 2230](#), a bill for an act relating to vehicle permit requirements for equipment used primarily for construction of permanent conservation practices on agricultural land, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment [S-5095](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5095](#) was adopted by a voice vote.

Senator Taylor offered amendment [S-5070](#), filed by him on March 17, 2014, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5070](#) was adopted by a voice vote.

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. 2230](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 220](#) and [House File 2230](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:59 p.m. until 9:00 a.m., Thursday, March 27, 2014.

APPENDIX**STUDY BILLS RECEIVED****SSB 3211 Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

SSB 3212 Appropriations

Relating to and making appropriations to the department of cultural affairs, the economic development authority, the department of workforce development, the Iowa finance authority, the public employment relations board, and the state board of regents and regents institutions, and providing for other properly related matters.

SUBCOMMITTEE ASSIGNMENTS**SSB 3211**

APPROPRIATIONS: Dvorsky, Chair; Chapman

SSB 3212

APPROPRIATIONS: Dotzler, Chair; Chapman and Dvorsky

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 2014, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2056 – Relating to whole grade sharing incentives for school districts.

Senate File 2104 – Relating to the regulation of insurance company holding systems and providing assessments and penalties.

Senate File 2120 – Relating to the use of professional titles or abbreviations by advanced registered nurse practitioners.

Senate File 2131 – Relating to standard valuation and standard forfeiture provisions for life insurance policies or contracts and including applicability provisions.

[Senate File 2169](#) – Relating to wills including witness testimony, distribution of property, and claims of personal representatives, and including retroactive and other applicability provisions.

[Senate File 2191](#) – Relating to financing work within drainage or levee districts.

[Senate File 2192](#) – Relating to the definition of motorized bicycle.

[Senate File 2200](#) – Relating to the Iowa business corporation Act by removing limitations imposed on shareholders making long-term arrangements affecting the affairs of the corporation, and by providing for the delivery of financial information to shareholders.

[Senate File 2228](#) – Allowing a person with a special minor's license to drive to a school for the purpose of participating in extracurricular activities conducted under a sharing agreement with the student's school of enrollment.

[Senate File 2240](#) – Relating to nonsubstantive code corrections.

[Senate File 2250](#) – Relating to the licensing of vehicle recyclers.

[Senate File 2255](#) – Designating registered architects and licensed professional engineers employees of the state for specified purposes under the Iowa tort claims Act.

[Senate File 2276](#) – Relating to adoption investigation and report requirements.

[Senate File 2290](#) – Relating to identification required for operation of a railroad train.

[Senate File 2313](#) – Relating to the removal of clerks of the district court.

[Senate File 2338](#) – Concerning the excise tax on compressed natural gas and liquefied natural gas used as special fuel.

AMENDMENTS FILED

S-5089	S.F. 2320	House
S-5090	S.F. 2319	House
S-5091	S.F. 2299	House
S-5092	S.F. 2239	House
S-5093	S.F. 2118	House
S-5094	S.F. 2130	Matt McCoy
S-5095	H.F. 2230	Rich Taylor
S-5096	S.F. 2339	William A. Dotzler, Jr.
S-5097	H.F. 2273	Dr. Joe M. Seng
S-5098	S.F. 2343	Robert M. Hogg
S-5099	H.F. 2289	Rich Taylor
		Charles Schneider