

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JUNE 3, 2015

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JOURNAL OF THE SENATE

ONE HUNDRED FORTY-THIRD CALENDAR DAY
EIGHTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, June 3, 2015

The Senate met in regular session at 12:05 p.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Bray.

The Journal of Tuesday, June 2, 2015, 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 June 2, 2015, **adopted** the conference committee report **and passed** [Senate File 496](#), a bill for an act relating to appropriations to the judicial branch.

ALSO: That the House has on June 2, 2015, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 550](#), a bill for an act requiring publication on the internet of contact information for elective public officers.

ALSO: That the House has on June 2, 2015, **adopted** the conference committee report **and passed** [House File 658](#), 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, providing for related matters, and providing effective date and retroactive and other applicability provisions.

The Senate stood at ease at 12:11 p.m. until the fall of the gavel.

The Senate resumed session at 1:22 p.m., President Jochum presiding.

SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Leonard Boswell, former United States Congressman.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 5](#).

[Senate Concurrent Resolution 5](#)

On motion of Senator Sodders, [Senate Concurrent Resolution 5](#), a concurrent resolution requesting the Congress of the United States to repeal the federal Act of June 30, 1948, that conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement, with report of committee recommending passage, was taken up for consideration.

Senator Schneider moved the adoption of [Senate Concurrent Resolution 5](#), which motion prevailed by a voice vote.

CONFERENCE COMMITTEE REPORT RECEIVED

[Senate File 497](#)

A conference committee report, signed by the following Senate and House members, was filed June 3, 2015, on [Senate File 497](#), a bill for an act relating to appropriations to the justice system, and including effective date provisions:

On the part of the Senate:

THOMAS G. COURTNEY, Chair
ROBERT M. HOGG
RICH TAYLOR

On the part of the House:

GARY WORTHAN, Chair
DARREL BRANHAGEN
CHRIS HAGENOW

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 497

Senator Gronstal called up the conference committee report on Senate File 497, a bill for an act relating to appropriations to the justice system, and including effective date provisions, filed on June 3, 2015, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Courtney 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. 497), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

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 Concurrent Resolution 5](#) and [Senate File 497](#) be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED

[House File 658](#)

A conference committee report, signed by the following Senate and House members, was filed June 3, 2015, on [House File 658](#), 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, providing for related matters, and providing effective date and retroactive and other applicability provisions:

On the part of the Senate:

BRIAN SCHOENJAHN, Chair
WALLY E. HORN
HERMAN C. QUIRMBACH

On the part of the House:

CECIL DOLECHECK, Chair
GREG FORRISTALL
ZACH NUNN

CONFERENCE COMMITTEE REPORT CONSIDERED

[House File 658](#)

Senator Gronstal called up the conference committee report on [House File 658](#), 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, providing for related matters, and providing effective date and retroactive and other applicability provisions, filed on June 3, 2015, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, 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. 658](#)), the vote was:

Yeas, 28:

Allen	Danielson	Horn	Quirmbach
Bertrand	Dearden	Jochum	Ragan
Bisignano	Dotzler	Kapucian	Schoenjahn
Bolkcom	Dvorsky	Kinney	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hogg	Petersen	Wilhelm

Nays, 22:

Anderson	Dix	Rozenboom	Smith
Behn	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Johnson	Shipley	
Costello	Kraayenbrink	Sinclair	

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 [House File 658](#) be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 603](#), a bill for an act exempting from the sales tax the sales price for the use of self-pay washers and dryers.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 603 and 624 and [Senate File 512](#).

[House File 603](#)

On motion of Senator Allen, [House File 603](#), a bill for an act exempting from the sales tax the sales price for the use of self-pay washers and dryers, with report of committee recommending passage, was taken up for consideration.

Senator Allen 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. 603](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

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

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 624](#). a bill for an act increasing the number of years that a taxpayer may claim a custom farming contract tax credit under a contract executed by the holder of agricultural land and a qualified beginning farmer, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

[House File 624](#)

On motion of Senator Allen, [House File 624](#), a bill for an act increasing the number of years that a taxpayer may claim a custom farming contract tax credit under a contract executed by the holder of agricultural land and a qualified beginning farmer, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Allen 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. 624](#)), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, 1:

Dearden

Absent, none.

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

INTRODUCTION OF BILL

[Senate File 512](#), by committee on Ways and Means, a bill for an act relating to state revenue and finance laws by exempting certain all-terrain vehicles and off-road utility vehicles from the sales and use tax, modifying the flood mitigation program, and providing an individual income tax exemption for certain payments made to nonresident utility workers, and including effective date and retroactive applicability provisions.

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

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [SENATE FILE 512 \(SSB 1291\)](#). a bill for an act relating to state revenue and finance laws by exempting certain all-terrain vehicles and off-road utility vehicles from the sales and use tax, modifying the flood mitigation program, and providing an individual income tax exemption for certain payments made to nonresident utility workers, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

[Senate File 512](#)

On motion of Senator Bolkcom, [Senate File 512](#), a bill for an act relating to state revenue and finance laws by exempting certain all-terrain vehicles and off-road utility vehicles from the sales and use tax, modifying the flood mitigation program, and providing an individual income tax exemption for certain payments made to nonresident utility workers, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Bolkcom 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. 512](#)), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bertrand	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach
Courtney	Jochum	Schoenjahn	

Nays, 3:

Bisignano	Dearden	Taylor
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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 File 512](#) and **House Files 603** and **624** be **immediately messaged** to the House.

The Senate stood at ease at 2:08 p.m. until the fall of the gavel.

The Senate resumed session at 2:35 p.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:36 p.m. until 7:00 p.m.

RECONVENED

The Senate reconvened at 7:06 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on June 3, 2015, **adopted** the conference committee report **and passed** [Senate File 497](#), a bill for an act relating to appropriations to the justice system, and including effective date provisions.

The Senate stood at ease at 7:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:17 p.m., President Jochum presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

[Senate File 505](#)

A conference committee report, signed by the following Senate and House members, was filed June 3, 2015, on [Senate File 505](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions:

On the part of the Senate:

AMANDA RAGAN, Chair
JOE BOLKCOM
ROBERT E. DVORSKY
DAVID JOHNSON
MARK SEGEBART

On the part of the House:

DAVE HEATON, Chair
JOHN FORBES
JOEL FRY
LINDA MILLER

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 505

Senator Gronstal called up the conference committee report on Senate File 505, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, filed on June 3, 2015, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Ragan 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. 505), the vote was:

Yeas, 33:

Allen	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Feenstra	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Hart	Quirnbach	Taylor
Costello	Hogg	Ragan	Wilhelm
Courtney	Horn	Rozenboom	
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Segebart	

Nays, 17:

Anderson	Chelgren	Kraayenbrink	Zaun
Behn	Dix	Schneider	Zumbach
Bertrand	Garrett	Schultz	
Breitbach	Guth	Shipley	
Chapman	Kapucian	Whitver	

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 File 505](#) be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 645](#), a bill for an act modifying provisions applicable to the renewable energy tax credit, and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3215](#).

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 645](#).

[House File 645](#)

On motion of Senator Hogg, [House File 645](#), a bill for an act modifying provisions applicable to the renewable energy tax credit, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment [S-3215](#), filed by the committee on Ways and Means from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Hogg offered amendment [S-3221](#), filed by him from the floor to pages 3–5 of amendment [S-3215](#), and moved its adoption.

Amendment [S-3221](#) to amendment [S-3215](#) was adopted by a voice vote.

Senator Feenstra offered amendment [S-3220](#), filed by him from the floor to pages 3 and 5 of amendment [S-3215](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3220](#) to amendment [S-3215](#) be adopted?” ([H.F. 645](#)), the vote was:

Yeas, 23:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Costello	Kapucian	Shipley	

Nays, 27:

Allen	Danielson	Horn	Ragan
Bisignano	Dearden	Jochum	Schoenjahn
Bolkcom	Dotzler	Kinney	Seng
Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Chelgren	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	

Absent, none.

Amendment [S-3220](#) to amendment [S-3215](#) lost.

Senator Hogg moved the adoption of amendment [S-3215](#), as amended.

Amendment [S-3215](#), as amended, was adopted by a voice vote.

Senator Hogg 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. 645](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley

Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 645](#) be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on June 3, 2015, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 5](#), a concurrent resolution requesting the Congress of the United States to repeal the federal Act of June 30, 1948, that conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:45 p.m. until 10:00 a.m., Thursday, June 4, 2015.

APPENDIX**REPORT OF COMMITTEE MEETING****WAYS AND MEANS**

Convened: Wednesday, June 03, 2015, 11:05 a.m.

Recessed: 11:10 a.m.

Reconvened: 11:25 a.m.

Members Present: Bolckcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schultz, Seng, and Smith.

Members Absent: McCoy (excused).

Committee Business: Passed [SSB 1291](#); passed HFs 603 and 624; and passed [HF 645](#), as amended.

Adjourned: 11:40 a.m.

CONFERENCE COMMITTEE REPORT RECEIVED**[Senate File 499](#)**

A conference committee report, signed by the following Senate and House members, was filed June 3, 2015, on [Senate File 499](#), a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, modifying programs and duties of the economic development authority, providing for other properly related matters, and including effective date and retroactive and other applicability provisions:

On the part of the Senate:

WILLIAM A. DOTZLER, JR., Chair
TONY BISIGNANO
RITA HART

On the part of the House:

DAVE DEYOE, Chair
TERRY BAXTER
MARY ANN HANUSA

CONFERENCE COMMITTEE REPORT RECEIVED
([House File 635](#))

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on [House File 635](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and including effective date provisions, respectfully make the following report:

1. That the conference committee is unable to agree.

On the part of the Senate:

JEFF DANIELSON, Chair
TOD R. BOWMAN
MICHAEL E. BREITBACH
TIM L. KAPUCIAN
JANET PETERSEN

On the part of the House:

BRIAN MOORE, Chair
BRIAN BEST
JIM LYKAM
SALLY STUTSMAN
GUY VANDER LINDEN

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on June 3, 2015, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 500](#) – Relating to family support programs and provisions including those relating to child support and establishment of paternity.

AMENDMENTS FILED

S-3209	H.F. 614	David Johnson
S-3210	H.F. 614	David Johnson
S-3211	H.F. 614	David Johnson
S-3212	H.F. 614	David Johnson
S-3213	H.F. 614	David Johnson
S-3214	H.F. 614	David Johnson
S-3215	H.F. 645	Ways and Means
S-3216	H.F. 614	Tony Bisignano
S-3217	H.F. 614	Tony Bisignano

<u>S-3218</u>	<u>H.F. 614</u>	Tony Bisignano
<u>S-3219</u>	<u>H.F. 614</u>	Tony Bisignano
<u>S-3220</u>	<u>H.F. 645</u>	Randy Feenstra
<u>S-3221</u>	<u>H.F. 645</u>	Robert M. Hogg