

PROOF

STATE OF IOWA

Senate Journal

MONDAY, JANUARY 27, 2014

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JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 27, 2014

The Senate met in regular session at 1:05 p.m., President Jochum presiding.

Prayer was offered by Pastor Gayle Wilcox of the Lovely Lane United Methodist Church in Cedar Rapids, Iowa. She was the guest of Senator Mathis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kassi Decuir.

The Journal of Thursday, January 23, 2014, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chelgren, Greiner, and Segebart, until they arrive, on request of Senator Dix.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:15 p.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:31 p.m., President Jochum presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 303](#).

[Senate File 303](#)

On motion of Senator Quirnbach, [Senate File 303](#), a bill for an act exempting federal retirement pay of a resident received for military service from the state individual income tax and including retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirnbach offered amendment [S-5001](#), filed by the committee on Ways and Means on January 23, 2014, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5001](#) was adopted by a voice vote.

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?" ([S.F. 303](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Bertrand Chelgren Greiner Segebart

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:47 p.m. until 9:00 a.m., Tuesday, January 28, 2014.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT ON AGING

Long-term Care Ombudsman's 2013 Report, pursuant to Iowa Code section 231.42(2)(d). Report received on January 27, 2014.

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Mortgage Servicing Settlement Fund 2013 Report, pursuant to 2012 Iowa Acts, Chapter 1138, section 7. Report received on January 24, 2014.

OFFICE OF THE GOVERNOR

Reprieves, Commutations, Pardons, and Remission of Fines CY 2013 Report, pursuant to Iowa Code section 7A.5. Report received on January 27, 2014.

LEGISLATIVE SERVICES AGENCY

All Terrain and Off Road Utility Vehicle Study Committee Final Report, pursuant to Iowa Code section 2.42. Report received on January 24, 2014.

DEPARTMENT OF PUBLIC HEALTH

Statewide Health Care Delivery Infrastructure and Resources Strategic Plan for 2014, pursuant to Iowa Code section 135.164(4). Report received on January 24, 2014.

IOWA PUBLIC INFORMATION BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on January 27, 2014.

Judicial Review Report, pursuant to Iowa Code section 625.29(7). Report received on January 27, 2014.

Vertical Infrastructure Report, pursuant to Iowa Code section 8.57B. Report received on January 27, 2014.

DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund FY 2013 Report, pursuant to Iowa Code section 307.20(1). Report received on January 27, 2014.

Midwest Regional Rail Passenger Initiative 2014 Report, pursuant to Iowa Code section 327J.3. Report received on January 27, 2014.

Passenger Rail Service Revolving Fund 2014 Report, pursuant to Iowa Code section 327J.3(1). Report received on January 27, 2014.

Use of Recycled Products FY 2013 Report, pursuant to Iowa Code section 307.21(3). Report received on January 27, 2014.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2013, pursuant to Iowa Code section 8D.10, were received from the following agencies:

DEPARTMENT OF CORRECTIONS – Report received on January 27, 2014.

IOWA PUBLIC INFORMATION BOARD – Report received on January 27, 2014.

CERTIFICATE OF RECOGNITION

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

Andrea Scott, Muscatine – For her excellence in mentoring and dedication to Big Brothers/Big Sisters. Senator Brase.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, January 23, 2014, 2:05 p.m.

Members Present: McCoy, Chair; Anderson, Ranking Member; Beall, Bolkcom, Breitbach, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Petersen, Vice Chair; Bertrand, Chapman, and Hatch (all excused).

Committee Business: Presentation by David Lyons with CoOpportunity Health Insurance.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Monday, January 27, 2014, 2:55 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, and Wilhelm.

Members Absent: Zaun (excused).

Committee Business: [SF 2018](#).

Adjourned: 3:05 p.m.

WAYS AND MEANS

Convened: Thursday, January 23, 2014, 3:10 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Quirnbach, Schneider, and Smith.

Members Absent: Bertrand and Petersen (both excused).

Committee Business: Consideration of [SF 303](#) and amendments.

Adjourned: 3:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 16, 2014, 11:35 a.m.

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

Members Absent: Ernst (excused).

Committee Business: Organizational meeting.

Adjourned: 11:40 a.m.

ALSO:

Convened: Thursday, January 23, 2014, 10:05 a.m.

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

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, January 23, 2014, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 23, 2014, 10:05 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Garrett, Ranking Member; and Chelgren.

Members Absent: Taylor (excused).

Committee Business: Organizational meeting.

Adjourned: 11:25 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2001](#), by Beall, a joint resolution urging the United States government to renew its commitment to

farmers, lower fuel prices, and the environment by supporting a robust and sustainable renewable fuel standard, and including effective date provisions.

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

[Senate Resolution 102](#), by Beall and Kapucian, a resolution honoring the over 200 years of peace, prosperity, and kinship between the peoples of Canada and the United States, and recognizing February 4, 2014, as Canada Day at the Iowa Capitol.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 2055](#), by Beall, a bill for an act relating to financing work within drainage or levee districts.

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

[Senate File 2056](#), by Beall, a bill for an act relating to whole grade sharing incentives for school districts.

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

[Senate File 2057](#), by Beall, a bill for an act providing for a study of the housing of sex offenders and other hard-to-place individuals in need of a nursing facility level of care, making an appropriation, and including effective date provisions.

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

[Senate File 2058](#), by Beall, a bill for an act concerning the definition of off-road utility vehicle for purposes of regulation by the department of natural resources.

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

[Senate File 2059](#), by Beall, a bill for an act relating to the definition of motorized bicycle.

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

[Senate File 2060](#), by Petersen, a bill for an act relating to the issuance of lifetime hunting licenses to Iowa residents.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 2061](#), by Johnson, a bill for an act requiring immediate parental notification for reported incidents of harassment or bullying in school.

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

[Senate File 2062](#), by Johnson, a bill for an act relating to dropout prevention programs by modifying certain definitions, modifying the purposes for which dropout prevention funding may be used, and including applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 3108](#) **State Government**

Relating to fantasy sports contests.

[SSB 3109](#) **Commerce**

Relating to matters under the purview of the credit union division of the department of commerce.

SSB 3110 **Transportation**

Relating to matters under the purview of the department of transportation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2017**

WAYS AND MEANS: Black, Chair; Behn and Bolkcom

Senate File 2026

WAYS AND MEANS: Bolkcom, Chair; Bertrand and Petersen

Senate File 2032

WAYS AND MEANS: Hogg, Chair; Schneider and Seng

Senate File 2038

HUMAN RESOURCES: Dotzler, Chair; Johnson and Quirmbach

Senate File 2039

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Anderson and Dotzler

Senate File 2042

WAYS AND MEANS: Dotzler, Chair; Behn and McCoy

Senate File 2043

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Feenstra

Senate File 2044

EDUCATION: Dvorsky, Chair; Hogg and Sinclair

Senate File 2045

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Chapman and Horn

Senate File 2047

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Breitbach

[Senate File 2048](#)

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Smith

[SSB 3108](#)

STATE GOVERNMENT: Danielson, Chair; Bertrand and Horn

[SSB 3109](#)

COMMERCE: Bolkcom, Chair; Chapman and Schoenjahn

[SSB 3110](#)

TRANSPORTATION: Bowman, Chair; Danielson and Kapucian

FINAL COMMITTEE REPORT OF BILL ACTION

EDUCATION

Bill Title: [SENATE FILE 2018](#), a bill for an act concerning school instructional days and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, and Wilhelm. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on January 27, 2014, to investigate the appointment and reappointment of the following appointees:

COMMERCE

As members of the Utilities Board:

Sheila Tipton – McCoy, Chair; Anderson and Petersen
Nick Wagner – McCoy, Chair; Anderson and Hatch

ECONOMIC GROWTH

As a member of the Economic Development Authority:

Linda Crookham-Hansen – Taylor, Chair; Schneider and Wilhelm

EDUCATION

As the Director of the Department of Education:

Brad Buck – Wilhelm, Chair; Beall and Ernst

As members of the State Board of Regents:

Milt Dakovich – Dvorsky, Chair; Ernst and Mathis

Larry McKibben – Dvorsky, Chair; Ernst and Mathis

JUDICIARY

As a member of the Board of Corrections:

Lawrence Kudej – Dvorsky, Chair; Hogg and Schneider

As a member of the Board of Parole:

Charles Larson, Sr. – Hogg, Chair; Courtney and Schneider

As members of the Board of Parole – Alternate:

Nancy Boyd – Parole – Hogg, Chair; Courtney and Schneider

W. Ray Richardson – Hogg, Chair; Courtney and Schneider

Jacklyn Romp – Hogg, Chair; Courtney and Schneider

LOCAL GOVERNMENT

As a member of the Mental Health Risk Pool Board:

Patrick Schmitz – Brase, Chair; Hart and Sinclair

NATURAL RESOURCES AND ENVIRONMENT

As a member of the Environmental Protection Commission:

Chad Ingels – Black, Chair; Bolkcom and Rozenboom

STATE GOVERNMENT

As a member of the Electrical Examining Board:

Jeffrey Quigle – Bowman, Chair; Dearden and Smith

As a member of the Board of Podiatry:

K. Linda Bratkiewicz – Sodders, Chair; Chapman and Jochum

TRANSPORTATION

As the Commissioner of Public Safety:

Larry Noble – Bowman, Chair; Danielson and Kapucian

VETERANS AFFAIRS

As the Executive Director of the Commission of Veterans Affairs:

Col. Robert King – Beall, Chair; and Ragan

As the Commandant of the Iowa Veterans Home:

Brig. Gen. Jodi Tymeson – Beall, Chair; and Ragan