

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 13, 2014

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JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 13, 2014

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by Pastor Jim Mead of the New Covenant Church in Knoxville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kyra Cooper.

The Journal of Wednesday, February 12, 2014, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:07 a.m. until 1:00 p.m., Monday, February 17, 2014.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Jack C. Porter, Des Moines – For his 20 years of service to the State of Iowa.
Senator Hatch.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, February 13, 2014, 1:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbart, Chapman, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Hatch and Mathis (both excused).

Committee Business: Approved SSBs 3087, 3093, and 3109.

Adjourned: 1:20 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 12, 2014, 3:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Jochum, Mathis, Quirnbach, Segebart, and Whitver.

Members Absent: Ernst and Hatch (both excused).

Committee Business: Approved SSBs 3014 and 3055.

Adjourned: 3:15 p.m.

JUDICIARY

Convened: Thursday, February 13, 2014, 2:10 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Sodders, Taylor, and Zaun.

Members Absent: Whitver (excused).

Committee Business: Passed [SF 2025](#); approved SSBs 3026, 3076, 3079, and 3157.

Adjourned: 2:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 13, 2014, 3:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbart, Hogg, Johnson, Ragan, Schoenjahn, and Seng.

Members Absent: Rozenboom and Zumbach (both excused).

Committee Business: Passed [SF 2013](#); approved SSBs 3003 and 3004; governor's appointee.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 12, 2014, 2:05 p.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Smith, Ranking Member; Anderson, Bertrand, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Schneider, and Soddors.

Members Absent: None.

Committee Business: Passed [SF 127](#), as amended; approved SSBs 3056, as amended, and 3151.

Adjourned: 2:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 13, 2014, 11:25 a.m.

Members Present: Black, Chair; and Rozenboom, Ranking Member.

Members Absent: Dearden, Vice Chair; Greiner, and Wilhelm (all excused).

Committee Business: Presentation.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 13, 2014, 10:05 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; and Quirnbach.

Members Absent: Sinclair (excused).

Committee Business: Presentations.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 13, 2014, 10:20 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Organizational meeting.

Adjourned: 11:45 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 106](#), by Beall, Bolkcom, Anderson, Dvorsky, Dotzler, Bowman, Petersen, Taylor, Courtney, Gronstal, Bertrand, Behn, Breitbach, Sinclair, Johnson, Schneider, Segebart, Greiner, Feenstra, Rozenboom, Garrett, Houser, Zumbach, Whitver, Smith, Zaun, Mathis, Schoenjahn, Ragan, and Brase, a resolution recognizing February 28, 2014, as Rare Disease Day in Iowa.

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

INTRODUCTION OF BILLS

[Senate File 2178](#), by Bolkcom, a bill for an act prohibiting the slaughter and use of equines as food products to be used for human consumption, providing for penalties, and including effective date provisions.

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

[Senate File 2179](#), by Bolkcom, a bill for an act relating to the sale or transfer of firearms, providing penalties, and including applicability provisions.

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

[Senate File 2180](#), by committee on Economic Growth, a bill for an act relating to the administration of certain economic development programs by the economic development authority and including effective date and retroactive applicability provisions.

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

[Senate File 2181](#), by Ernst, a bill for an act relating to the academic and assessment standards requirements for students enrolled in school districts and accredited nonpublic schools.

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

[Senate File 2182](#), by Breitbach, a bill for an act relating to the performance of background checks for certified nurse aide training program students.

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

[Senate File 2183](#), by Hatch and McCoy, a bill for an act relating to the excess reserves of certain companies or corporations issuing individual and group health insurance policies or medical service contracts in this state.

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

[Senate File 2184](#), by committee on Labor and Business Relations, a bill for an act providing for the use of an electronic filing and notice system by the public employment relations board.

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

[Senate File 2185](#), by committee on State Government, a bill for an act concerning the determination of native horses for purposes of pari-mutuel wagering.

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

[Senate File 2186](#), by committee on Judiciary, a bill for an act relating to privileged communications between certain peer support group counselors and officers.

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

[Senate File 2187](#), by committee on Judiciary, a bill for an act requiring the Iowa law enforcement academy to develop training standards for the use of electronic weapons, including stun guns and tasers, by law enforcement agencies throughout the state.

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

[Senate File 2188](#), by committee on Judiciary, a bill for an act relating to serving a subpoena on a peace officer or correctional officer.

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

[Senate File 2189](#), by committee on Judiciary, a bill for an act requiring the department of transportation to display, under certain circumstances, the descriptive information of a cognitively impaired missing person on the dynamic message signs of the department.

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

[Senate File 2190](#), by committee on Judiciary, a bill for an act requiring rulemaking for the use of restraints against a pregnant inmate or detainee, and including effective date provisions.

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

[Senate File 2191](#), by committee on Agriculture, a bill for an act relating to financing work within drainage or levee districts.

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

[Senate File 2192](#), by committee on Transportation, a bill for an act relating to the definition of motorized bicycle.

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

[Senate File 2193](#), by committee on Human Resources, a bill for an act relating to the admission or retention of participants in an adult day services program.

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

[Senate File 2194](#), by Jochum, a bill for an act creating an Iowa woman-owned business tax credit available against the individual and corporate income tax, providing for penalties, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 3175](#) **Judiciary**

Requiring recording of claims involving mineral rights in real estate owned by another person and providing for loss of mineral rights if a claim is not timely recorded.

[SSB 3176](#) **Judiciary**

Relating to transfer of guardianship in child in need of assistance proceedings.

[SSB 3177](#) **Judiciary**

Relating to the testing of a person's blood, breath, or urine in an operating-while-intoxicated case.

[SSB 3178](#) **Veterans Affairs**

Relating to the home ownership assistance program for military members.

[SSB 3179](#) **Natural Resources and Environment**

Relating to the regulation of snowmobiles, and making penalties applicable.

[SSB 3180](#) **Agriculture**

Relating to the disposal of companion animal remains, including by providing for the licensure of persons owning or operating companion animal cemeteries and crematoriums, establishing standards and fees, making an appropriation, and providing criminal penalties.

SSB 3181 Ways and Means

Relating to the child and dependent care credit available against the individual income tax, and including retroactive applicability provisions.

SSB 3182 State Government

Relating to the possession, sale, transfer, purchase, and use of fireworks and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2094**

COMMERCE: McCoy, Chair; Anderson and Schoenjahn

Senate File 2111

VETERANS AFFAIRS: Sodders, Chair; Hart and Rozenboom

Senate File 2137

STATE GOVERNMENT: Sodders, Chair; Bowman and Chapman

Senate File 2138

WAYS AND MEANS: Bolkcom, Chair; Chapman and Petersen

Senate File 2139

STATE GOVERNMENT: Danielson, Chair; Feenstra and Horn

Senate File 2141

JUDICIARY: Dvorsky, Chair; Boettger and Petersen

Senate File 2142

JUDICIARY: Sodders, Chair; Hogg and Whitver

Senate File 2146

JUDICIARY: Hogg, Chair; Dvorsky and Whitver

Senate File 2149

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Schneider

[Senate File 2150](#)

JUDICIARY: Hogg, Chair; Schneider and Sadders

[Senate File 2151](#)

JUDICIARY: Hogg, Chair; Courtney and Whitver

[Senate File 2152](#)

STATE GOVERNMENT: Horn, Chair; Danielson and Smith

[Senate File 2157](#)

JUDICIARY: Taylor, Chair; Hogg and Schneider

[Senate File 2158](#)

JUDICIARY: Hogg, Chair; Courtney and Whitver

[Senate File 2166](#)

COMMERCE: McCoy, Chair; Bolcom and Sinclair

[Senate File 2173](#)

EDUCATION: Mathis, Chair; Bowman and Sinclair

[Senate File 2174](#)

HUMAN RESOURCES: Quirnbach, Chair; Dotzler and Whitver

[Senate File 2175](#)

COMMERCE: McCoy, Chair; Anderson and Hatch

[Senate File 2176](#)

EDUCATION: Wilhelm, Chair; Schoenjahn and Zaun

[Senate File 2177](#)

LOCAL GOVERNMENT: Quirnbach, Chair; Guth and Hart

[Senate File 2183](#)

COMMERCE: Hatch, Chair; McCoy and Sinclair

[SSB 3140](#)

(Reassigned)

LOCAL GOVERNMENT: Brase, Chair; Guth and Taylor

[SSB 3175](#)

JUDICIARY: Hogg, Chair; Dvorsky and Garrett

[SSB 3176](#)

JUDICIARY: Petersen, Chair; Courtney and Garrett

[SSB 3177](#)

JUDICIARY: Soddors, Chair; Hogg and Whitver

[SSB 3178](#)

VETERANS AFFAIRS: Danielson, Chair; Ragan and Rozenboom

[SSB 3179](#)

NATURAL RESOURCES AND ENVIRONMENT: Brase, Chair; Johnson and Schoenjahn

[SSB 3180](#)

AGRICULTURE: Seng, Chair; Black and Zumbach

[SSB 3181](#)

WAYS AND MEANS: Petersen, Chair; Bolkcom and Smith

[SSB 3182](#)

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [SENATE FILE 2191](#) (formerly [SF 2055](#)), a bill for an act relating to financing work within drainage or levee districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Seng, Zumbach, Beall, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, 2: Taylor and Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: *[SENATE FILE 2180 \(SSB 3121\)](#), a bill for an act relating to the administration of certain economic development programs by the economic development authority and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Soddors, Bowman, Behn, Danielson, Dotzler, Hart, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 3: Bertrand, Chelgren, and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on [Senate File 2180](#), and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: [SENATE FILE 2193 \(SSB 3055\)](#), a bill for an act relating to the admission or retention of participants in an adult day services program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, 2: Ernst and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *[SENATE FILE 2186](#) (formerly [SF 2015](#)), a bill for an act relating to privileged communications between certain peer support group counselors and officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2186](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2187 \(SSB 3077\)](#), a bill for an act requiring the Iowa law enforcement academy to develop training standards for the use of electronic weapons, including stun guns and tasers, by law enforcement agencies throughout the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2187](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2188 \(SSB 3075\)](#), a bill for an act relating to serving a subpoena on a peace officer or correctional officer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2188](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2189](#) (formerly [SF 2041](#)), a bill for an act requiring the department of transportation to display, under certain circumstances, the descriptive information of a cognitively impaired missing person on the dynamic message signs of the department.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2189](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2190](#) (formerly [SF 2019](#)), a bill for an act requiring rulemaking for the use of restraints against a pregnant inmate or detainee, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2190](#), and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: [SENATE FILE 2184 \(SSB 3005\)](#), a bill for an act providing for the use of an electronic filing and notice system by the public employment relations board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Horn, Dearden, Houser, Anderson, Brase, Chapman, Dix, Dotzler, Seng, and Soddors. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [SENATE FILE 2185 \(SSB 3151\)](#), a bill for an act concerning the determination of native horses for purposes of pari-mutuel wagering.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Jochum, Smith, Anderson, Bertrand, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Schneider, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [SENATE FILE 2192](#) (formerly [SF 2059](#)), a bill for an act relating to the definition of motorized bicycle.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Feenstra, Taylor, and Zumbach. Nays, 1: Dvorsky. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

Chad Ingels – Environmental Protection Commission