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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, FEBRUARY 26, 2014**

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# JOURNAL OF THE SENATE

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FORTY-FIFTH CALENDAR DAY  
TWENTY-SEVENTH SESSION DAY

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

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Brad Dittmer of the Centerville Assembly of God Church in Centerville, Iowa. He was the guest of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Millie Varley.

The Journal of Tuesday, February 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 February 25, 2014, **passed** the following bills in which the concurrence of the Senate is asked:

[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.

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

[House File 2253](#), a bill for an act relating to commission of a criminal offense involving a victim fifteen years of age or younger, and providing penalties.

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

[House File 2254](#), a bill for an act relating to the offenses of prostitution and pimping and minors, human trafficking, and providing penalties.

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

[House File 2273](#), a bill for an act relating to certain state and local government activities related to vehicle registrations and levee and drainage districts.

Read first time and attached to companion [Senate File 2265](#).

[House File 2274](#), a bill for an act concerning notice of fees imposed and collected by state agencies.

Read first time and referred to committee on **State Government**.

[House File 2275](#), a bill for an act establishing asset, income, and identity verification requirements for medical assistance applicants and recipients.

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

[House File 2278](#), a bill for an act restricting disclosures of specified information by regional transit districts, and providing a penalty.

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

[House File 2296](#), a bill for an act relating to disposition of unclaimed property provisions applicable to gift certificates.

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

[House File 2325](#), a bill for an act relating to certain corporations organized prior to July 1, 1971, by eliminating requirements relating to publication.

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

[House File 2326](#), a bill for an act relating to payments from the indigent defense fund by the state public defender, including effective date provisions, and providing penalties.

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

[House File 2344](#), a bill for an act relating to drainage or levee districts by providing for mergers, the liability of trustees, bidding requirements, the annexation of land, and authorizing the imposition of assessments upon affected landowners.

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

#### BILLS REFERRED TO COMMITTEES

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the committee on Ways and Means:

[S.F. 2265](#) and attached [H.F. 2273](#)

[S.F. 2281](#)

[S.F. 2308](#)

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the committee on Appropriations:

[S.F. 2261](#)

[S.F. 2268](#)

[S.F. 2270](#)

[S.F. 2292](#)

[S.F. 2317](#)

[S.F. 2318](#)

[S.F. 2324](#)

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:38 a.m. until the fall of the gavel.

#### RECONVENED

The Senate reconvened at 10:34 a.m., President Pro Tempore Sodders presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ernst, until she arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2090, 2259, 2257, 2255, 2252, and 2251.

**Senate File 2090**

On motion of Senator Mathis, **Senate File 2090**, a bill for an act establishing a lyme disease task force, was taken up for consideration.

Senator Mathis 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. 2090**), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ernst

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

### [Senate File 2259](#)

On motion of Senator Petersen, [Senate File 2259](#), a bill for an act modifying provisions applicable to personal information security breach notification requirements, and making penalties applicable, was taken up for consideration.

Senator Petersen offered amendment [S-5018](#), filed by her on February 25, 2014, to pages 1 and 4 of the bill, and moved its adoption.

Amendment [S-5018](#) was adopted by a voice vote.

Senator Petersen 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. 2259](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ernst

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

**[Senate File 2257](#)**

On motion of Senator Quirmbach, **[Senate File 2257](#)**, a bill for an act relating to programs and accounts administered by the college student aid commission, was taken up for consideration.

Senator Quirmbach 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. 2257](#)**), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ernst

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

### Senate File 2255

On motion of Senator Mathis, [Senate File 2255](#), a bill for an act designating registered architects and licensed professional engineers employees of the state for specified purposes under the Iowa tort claims Act, was taken up for consideration.

Senator Mathis 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. 2255](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ernst

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

### Senate File 2252

On motion of Senator Mathis, [Senate File 2252](#), a bill for an act establishing a task force related to breast density education and notification, was taken up for consideration.

Senator Mathis 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. 2252](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ernst

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dix, until he returns, on request of Senator Whitver.

#### [Senate File 2251](#)

On motion of Senator Mathis, [Senate File 2251](#), a bill for an act relating to the state child care assistance program eligibility and application provisions, was taken up for consideration.

Senator Mathis 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. 2251](#)), the vote was:

Yeas, 48:

Anderson	Courtney	Hogg	Schneider
Beall	Danielson	Horn	Schoenjahn
Behn	Dearden	Houser	Segebart

Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Sinclair
Boettger	Feenstra	Kapucian	Smith
Bolkcom	Garrett	Mathis	Sodders
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirnbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Chelgren	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Dix Ernst

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 2090, 2251, 2252, 2255, 2257, and 2259** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 11:31 a.m. until 1:30 p.m.

#### APPENDIX—1

#### 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:

#### DEPARTMENT OF EDUCATION

Compact Education Report, pursuant to Iowa Code section 272B.1(3)(j). Report received on February 26, 2014.

## AGENCY ICN REPORT

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

ECONOMIC DEVELOPMENT AUTHORITY – Report received on February 21, 2014.

## CERTIFICATE OF RECOGNITION

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

Bill Chapman, Wilton – For 58 years of service as a volunteer firefighter/EMS. Senator Dvorsky.

## REPORT OF COMMITTEE MEETING

### RULES AND ADMINISTRATION

**Convened:** Wednesday, February 26, 2014, 10:30 a.m.

**Members Present:** Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Courtney, Dearden, Dvorsky, Ragan, Rozenboom, Sodders, and Whitver.

**Members Absent:** Ernst (excused).

**Committee Business:** Passed [SR 106](#).

**Adjourned:** 10:35 a.m.

## INTRODUCTION OF BILL

[Senate File 2327](#), by Smith, a bill for an act relating to consumer fraud perpetrated upon an older person, and providing a penalty.

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

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2229](#)  
(Reassigned)

APPROPRIATIONS: Dvorsky, Chair; Chapman and Schoenjahn

[Senate File 2256](#)

WAYS AND MEANS: Dotzler, Chair; Bertrand and Black

[Senate File 2326](#)

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Feenstra

[House File 2181](#)

TRANSPORTATION: Bowman, Chair; Breitbach and Taylor

[House File 2296](#)

COMMERCE: Beall, Chair; Anderson and Wilhelm

## FINAL COMMITTEE REPORT OF BILL ACTION

### RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 106](#), a resolution recognizing February 28, 2014, as Rare Disease Day in Iowa.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, Soddors, and Whitver. Nays, none. Absent, 1: Ernst.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## RECONVENED

The Senate reconvened at 1:37 p.m., President Pro Tempore Soddors presiding.

## 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 February 25, 2014, appointed the conference committee to [House File 381](#), a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races, and the Conference Committee members on the part of the House are: the representative from Linn, Representative Stanerson, Chair; the representative from Des Moines, Representative Cohoon; the representative from Polk, Representative Hunter; the representative from Dickinson; Representative Smith, J.; and the representative from Mahaska, Representative Vander Linden.

ALSO: That the House has on February 26, 2014, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2289](#), a bill for an act relating to the use of unmanned aerial vehicles, and providing penalties.

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

[House File 2333](#), a bill for an act relating to unclaimed life insurance death benefits, providing penalties, and including effective date provisions.

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

#### QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent, and a quorum present.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kapucian, until he returns, on request of Senator Chelgren.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2240 and 2226.

#### [Senate File 2240](#)

On motion of Senator Garrett, [Senate File 2240](#), a bill for an act relating to nonsubstantive code corrections, was taken up for consideration.

Senator Garrett offered amendment [S-5014](#), filed by the committee on Judiciary on February 25, 2014, to pages 25–26 and 68–72 of the bill, and moved its adoption.

Amendment [S-5014](#) was adopted by a voice vote.

Senator Garrett 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. 2240](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Kapucian

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

### [Senate File 2226](#)

On motion of Senator Quirmbach, [Senate File 2226](#), a bill for an act establishing a low-income program supplement for school districts to provide programs serving low-income pupils, was taken up for consideration.

Senator Quirmbach 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. 2226](#)), the vote was:

Yeas, 28:

Beall	Courtney	Hatch	Quirmbach
Bertrand	Danielson	Hogg	Ragan
Black	Dearden	Horn	Schoenjahn

Bolkcom	Dotzler	Jochum	Seng
Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Chelgren	Hart	Petersen	Wilhelm

Nays, 21:

Anderson	Ernst	Johnson	Whitver
Behn	Feenstra	Rozenboom	Zaun
Boettger	Garrett	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	
Dix	Houser	Smith	

Absent, 1:

Kapucian

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 2226** and **2240** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:01 p.m. until 9:00 a.m., Thursday, February 27, 2014.

#### APPENDIX—2

#### 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:

##### CHIEF INFORMATION OFFICER

Information Technology Coordination and Management Report, pursuant to Iowa Code section 8B.13. Report received on February 26, 2014.

##### DEPARTMENT OF VETERAN AFFAIRS

Goals and Objectives 2013 Annual Report, pursuant to Iowa Code section 7E.3. Report received on February 26, 2014.

## REPORTS OF COMMITTEE MEETINGS

## HUMAN RESOURCES

**Convened:** Wednesday, February 26, 2014, 3:00 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed [HF 2159](#).

**Adjourned:** 3:05 p.m.

## LABOR AND BUSINESS RELATIONS

**Convened:** Wednesday, February 26, 2014, 4:00 p.m.

**Members Present:** Horn, Chair; Dearden, Vice Chair; Anderson, Brase, Chapman, Dotzler, Hatch, Seng, and Soddors.

**Members Absent:** Houser, Ranking Member; and Dix (both excused).

**Committee Business:** Passed [HF 2199](#).

**Adjourned:** 4:05 p.m.

## INTRODUCTION OF BILL

[Senate File 2328](#), by committee on Economic Growth, a bill for an act providing for the reorganization of the Code provisions relating to the Iowa finance authority, revising and eliminating programs, including the beginning farm loan program, providing for existing tax credits, providing for the powers and duties of the authority, and including effective date provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2265](#)

WAYS AND MEANS: Seng, Chair; Quirmbach and Smith

[Senate File 2281](#)

WAYS AND MEANS: Dotzler, Chair; Bertrand and Bolkcom



[Senate File 2308](#)

WAYS AND MEANS: Dotzler, Chair; Feenstra and Hogg

[Senate File 2327](#)

JUDICIARY: Hogg, Chair; Courtney and Schneider

[House File 2273](#)

WAYS AND MEANS: Seng, Chair; Quirnbach and Smith

[House File 2289](#)

JUDICIARY: Taylor, Chair; Hogg and Schneider

## FINAL COMMITTEE REPORTS OF BILL ACTION

### ECONOMIC GROWTH

**Bill Title:** \*[SENATE FILE 2328 \(SSB 3141\)](#), a bill for an act providing for the reorganization of the Code provisions relating to the Iowa finance authority, revising and eliminating programs, including the beginning farm loan program, providing for existing tax credits, providing for the powers and duties of the authority, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Bowman, Chelgren, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 2: Bertrand and Behn.

**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 2328](#), and they were attached to the committee report.

### HUMAN RESOURCES

**Bill Title:** [HOUSE FILE 2159](#), a bill for an act relating to Miller trusts and including applicability provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**LABOR AND BUSINESS RELATIONS**

**Bill Title:** [HOUSE FILE 2199](#), a bill for an act relating to conformity with federal law concerning the voluntary shared work program under the state unemployment insurance law and including applicability provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Horn, Dearden, Anderson, Brase, Chapman, Dotzler, Hatch, Seng, and Sodders. Nays, none. Absent, 2: Houser and Dix.

**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:

**JUDICIARY**

Sue Lerdal – Board of Parole

**GOVERNOR'S APPOINTEE PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

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

**JUDICIARY**

John Hodges – Board of Parole

**AMENDMENTS FILED**

<a href="#">S-5023</a>	<a href="#">S.F. 2234</a>	Jeff Danielson
<a href="#">S-5024</a>	<a href="#">S.F. 2322</a>	Joe Bolcom
<a href="#">S-5025</a>	<a href="#">S.F. 2288</a>	Chris Brase