

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 13, 2014

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JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

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

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

Prayer was offered by Reverend Mark Stringer, pastor of the First Unitarian Church in Des Moines, Iowa. He was the guest of Senator Hatch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Will Seiler.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 110](#).

[Senate Resolution 110](#)

On motion of Senator Quirnbach, [Senate Resolution 110](#), a resolution recognizing March 2014 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach moved the adoption of [Senate Resolution 110](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

In celebration of Women's History Month, Senators Hart, Quirnbach, and Whitver welcomed student winners of the 30th Annual "Write Women Back into History" Essay Contest to the Senate chamber.

The contest is sponsored by the Iowa Commission on the Status of Women, the Iowa Department of Education, and the State Historical Society of Iowa.

Sixth and Seventh Grades:

First Place: Ellen Harrington of Cowles Montessori School in Windsor Heights

Second Place: Connor Fagen of PCM Middle School in Prairie City

Third Place: Emma McHargue of PCM Middle School in Prairie City

Eighth and Ninth Grades:

First Place: Nisha Barnhill of Merrill Middle School in Des Moines

Second Place: Ryan Weiss of Ames High School in Ames

Third Place: Lyndi Kiple of Sergeant Bluff-Luton High School in Sergeant Bluff

Best Essay on Women in Science, Technology, Engineering, and Math for Sixth and Seventh Grades:

First Place: Sidney McCrea of College Community School District

Best Essay on Women in Science, Technology, Engineering, and Math for Eighth and Ninth Grades:

First Place: Nisha Barnhill of Merrill Middle School in Des Moines

The Senate rose and expressed its welcome and congratulations.

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 12, 2014, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2250](#), a bill for an act relating to the licensing of vehicle recyclers.

ALSO: I am directed to inform your honorable body that the House has on March 12, 2014, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2385](#), a bill for an act relating to state agency decision making.

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

[House File 2390](#), a bill for an act relating to certain costs under the statewide preschool program for four-year-old children and including effective date and retroactive applicability provisions.

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

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

[S.F. 2130](#)

[S.F. 2148](#)

[S.F. 2167](#) and attached [H.F. 2365](#)

[S.F. 2198](#)

[S.F. 2269](#) and attached [H.F. 2271](#)

[S.F. 2272](#) and attached [H.F. 2438](#)

[S.F. 2287](#) and attached [H.F. 2395](#)

[S.F. 2298](#) and attached [H.F. 2421](#)

[S.F. 2318](#)

[S.F. 2325](#)

[S.F. 2337](#)

[S.F. 2338](#)

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2160 to Human Resources	S.F. 2264 to Local Government
S.F. 2183 to Commerce	S.F. 2267 to Local Government
S.F. 2186 to Judiciary	S.F. 2274 to Judiciary
S.F. 2188 to Judiciary	S.F. 2275 to Human Resources
S.F. 2203 to State Government	S.F. 2277 to State Government
S.F. 2207 to Judiciary	S.F. 2279 to State Government
S.F. 2227 to Human Resources	S.F. 2294 to State Government
S.F. 2231 to Human Resources	S.F. 2304 to State Government
S.F. 2234 to State Government	S.F. 2307 to Transportation
S.F. 2243 to Transportation	S.F. 2309 to Judiciary
S.F. 2253 to Commerce	S.F. 2314 to Judiciary
S.F. 2258 to Education	S.F. 2316 to Judiciary
S.F. 2260 to Labor and Business Relations	

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:31 a.m. until 1:00 p.m., Monday, March 17, 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:

AUDITOR OF STATE

Report of Recommendation to IDOT on Review of Selected General and Application Controls over the Vendor Payment System 3/11/13–4/12/13, pursuant to Iowa Code section 11.4. Report received on March 13, 2014.

Special Investigation of Grange Township 1/1/06–11/15/13, pursuant to Iowa Code section 11.6. Report received on March 13, 2014.

DEPARTMENT OF EDUCATION

FY 2013 State Library Report-Enrich Iowa Program Evaluation, pursuant to Iowa Code section 256.57(6). Report received on March 13, 2014.

LEGISLATIVE SERVICES AGENCY

Emergency Medical Services Study Committee Final Report, pursuant to Iowa Code section 2.42. Report received on March 13, 2014.

Public Retirement Systems Committee Final Report, pursuant to Iowa Code section 97D.4. Report received on March 13, 2014.

State Government Efficiency Review Committee Final Report, pursuant to Iowa Code section 2.69. Report received on March 13, 2014.

CERTIFICATE OF RECOGNITION

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

Michelle Mulherin, a member of the Oireachtas in the Irish Parliament, Ballina, Ireland – For being a distinguished guest of the people of Iowa, proclaiming her as an Honorary Iowan. International Relations Committee.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, March 13, 2014, 11:05 a.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Guth, Hart, Kapucian, and Soddors.

Members Absent: Greiner and Houser (both excused).

Committee Business: Passed HF's 2344 and 2427; governor's appointees.

Adjourned: 11:25 a.m.

COMMERCE

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

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

Members Absent: Bertrand and Chapman (both excused).

Committee Business: Passed HF 514 and 2296; governor's appointees; presentation.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 12, 2014, 12:35 p.m.

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

Members Absent: Ernst (excused).

Committee Business: Passed HF 2109, 2378, 2379, and 2417; governor's appointees.

Adjourned: 5:15 p.m.

STATE GOVERNMENT

Convened: Thursday, March 13, 2014, 12:40 p.m.

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

Members Absent: Bertrand and Sodders (both excused).

Committee Business: Passed HF 2288, 2366, and 2370; governor's appointees.

Adjourned: 12:55 p.m.

WAYS AND MEANS

Convened: Thursday, March 13, 2014, 11:35 a.m.

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

Members Absent: Behn and Bertrand (both excused).

Committee Business: Passed [SF 2256](#) and [HF 2273](#); approved SSBs 3162 and 3201.

Adjourned: 12:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, March 11, 2014, 10:15 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom, and Johnson.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:35 a.m.

SUBCOMMITTEE ASSIGNMENT**House File 514**

(Reassigned)

COMMERCE: Wilhelm, Chair; Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, McCoy, Petersen, Schneider, Schoenjahn, Seng, and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: [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.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2427](#), a bill for an act relating to corn promotion, including special referendums, the assessment of a checkoff, and the creation of a task force, and making penalties applicable.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: [HOUSE FILE 514](#), a bill for an act relating to and requiring the return of stolen merchandise in the possession of a pawn shop owner or operator, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5064](#).

Final Vote: Ayes, 13: McCoy, Petersen, Anderson, Beall, Bolkcom, Breitbach, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, 2: Bertrand and Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2296](#), a bill for an act relating to disposition of unclaimed property provisions applicable to gift certificates.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5065](#).

Final Vote: Ayes, 13: McCoy, Petersen, Anderson, Beall, Bolkcom, Breitbach, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, 2: Bertrand and Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 2109](#), a bill for an act relating to vapor products and alternative nicotine products, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5061](#).

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2378](#), a bill for an act relating to the requirements for psychologist licensing.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2379](#), a bill for an act relating to crisis stabilization programs authorized by the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2417](#), a bill for an act relating to the redesign of mental health and disabilities services administered by regions comprised of counties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirnbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [HOUSE FILE 159](#), a bill for an act relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

Recommendation: DO PASS.

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.

ALSO:

Bill Title: [HOUSE FILE 475](#), a bill for an act relating to the issuance of a search warrant to authorize the placement, tracking, monitoring, and removal of a global positioning device.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5062](#).

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.

ALSO:

Bill Title: [HOUSE FILE 2279](#), a bill for an act relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

Recommendation: WITHOUT RECOMMENDATION.

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.

ALSO:

Bill Title: [HOUSE FILE 2289](#), a bill for an act relating to the use of unmanned aerial vehicles, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5063](#).

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Boettger, Dvorsky, Garrett, Horn, Petersen, Quirnbach, Taylor, Whitver, and Zaun. Nays, none. Present, 1: Soddors. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2325](#), a bill for an act relating to certain corporations organized prior to July 1, 1971, by eliminating requirements relating to publication.

Recommendation: DO PASS.

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.

ALSO:

Bill Title: [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.

Recommendation: DO PASS.

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.

ALSO:

Bill Title: [HOUSE FILE 2368](#), a bill for an act modifying security freeze provisions and extending security freeze protection to specified individuals designated as protected consumers, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

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.

ALSO:

Bill Title: [HOUSE FILE 2387](#), a bill for an act providing for notice of garnishment and levy to a judgment debtor.

Recommendation: DO PASS.

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.

ALSO:

Bill Title: [HOUSE FILE 2423](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective and applicability dates.

Recommendation: DO PASS.

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.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 2288](#), a bill for an act relating to reporting and other requirements concerning the department of administrative services and other state agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Danielson, Jochum, Smith, Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, and Schneider. Nays, 1: Petersen. Absent, 2: Bertrand and Soddors.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2370](#), a bill for an act relating to the supervision of orthotist or prosthetist assistants.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Danielson, Jochum, Smith, Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, and Schneider. Nays, None. Absent, 2: Bertrand and Soddors.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [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.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 2: Behn and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Lori Goetzinger – Iowa Grain Indemnity Fund Board
Debra Keller – Iowa Grain Indemnity Fund Board

COMMERCE

Kelly Dolan Lange – Iowa Telecommunications and Technology Commission

AMENDMENTS FILED

S-5061	H.F. 2109	Human Resources
S-5062	H.F. 475	Judiciary
S-5063	H.F. 2289	Judiciary
S-5064	H.F. 514	Commerce
S-5065	H.F. 2296	Commerce
S-5066	S.F. 2272	Pam Jochum