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**STATE OF IOWA**

**Senate Journal**

**MONDAY, MARCH 24, 2014**

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# JOURNAL OF THE SENATE

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SEVENTY-FIRST CALENDAR DAY  
FORTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 24, 2014

The Senate met in regular session at 1:10 p.m., President Jochum presiding.

Prayer was offered by Pastor Thomas Ross of the Destiny Christian Church in Des Moines, Iowa. He was the guest of Senator Hatch.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooke Beatty.

The Journal of Thursday, March 20, 2014, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Stephen Larson, the governor's appointee to be the Administrator of the Alcoholic Beverages Division. He was the guest of Senators Danielson and Schneider and the committee on State Government.

The Secretary of the Senate introduced Brian Ohorilko, the governor's appointee to be the Administrator of the State Racing and Gaming Commission. He was the guest of Senators Danielson and Rozenboom and the committee on State Government.

## HOUSE MESSAGES RECEIVED

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 20, 2014, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2271](#), a bill for an act relating to the duties and authority of the college student aid commission relating to the registration of certain postsecondary schools, to interstate reciprocity agreements, and to registration fees collected by the commission.

[Senate File 2328](#), 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.

ALSO: That the House has on March 20, 2014, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[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.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:40 p.m. until 2:30 p.m.

## RECONVENED

The Senate reconvened at 3:26 p.m., President Jochum presiding.

The Senate stood at ease at 3:27 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:04 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Greiner, Houser, Kapucian, Segebart, and Zumbach, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2341](#).

[Senate File 2341](#)

On motion of Senator Dotzler, [Senate File 2341](#), a bill for an act relating to the rebate of sales tax imposed and collected at an automobile racetrack facility and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dotzler 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. 2341](#)), the vote was:

Yeas, 36:

Anderson	Danielson	Hart	Ragan
Beall	Dearden	Hatch	Rozenboom
Bertrand	Dix	Hogg	Schoenjahn
Black	Dotzler	Horn	Seng
Boettger	Dvorsky	Jochum	Sinclair
Bolkcom	Ernst	Johnson	Sodders
Brase	Feenstra	Mathis	Taylor
Breitbach	Garrett	McCoy	Wilhelm
Courtney	Gronstal	Petersen	Zaun

Nays, 9:

Behn	Chelgren	Schneider
Bowman	Guth	Smith
Chapman	Quirnbach	Whitver

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2278, 2181, 2159, 2132, and 159.

**House File 2278**

On motion of Senator Petersen, **House File 2278**, a bill for an act restricting disclosures of specified information by regional transit districts, and providing a penalty, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

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?" (**H.F. 2278**), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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

### [House File 2181](#)

On motion of Senator Bowman, [House File 2181](#), a bill for an act relating to the maximum weight of motor vehicles covered under the lemon law and including applicability provisions, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

Senator Bowman 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. 2181](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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

### [House File 2159](#)

On motion of Senator Dotzler, [House File 2159](#), a bill for an act relating to Miller trusts and including applicability provisions, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler 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. 2159](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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

### [House File 2132](#)

On motion of Senator Taylor, [House File 2132](#), a bill for an act establishing the Gideon fellowship program in the office of the state public defender, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

Senator Taylor 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. 2132](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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

### [House File 159](#)

On motion of Senator Taylor, [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, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment [S-5077](#), filed by him on March 18, 2014, to page 1 of the bill, and moved its adoption.

Amendment [S-5077](#) was adopted by a voice vote.



Senator Taylor 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. 159](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Greiner	Kapucian	Zumbach
Houser	Segebart	

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 2341](#) and **House Files 159, 2132, 2159, 2181, and 2278** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:48 p.m. until 9:00 a.m., Tuesday, March 25, 2014.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Isabel Perrin, Sioux City – For receiving the Girl Scout Gold award. Senator Anderson.

Drew West, Highland Community Schools – For becoming 2014 IHSAA Wrestling Champion, #106. Senator Greiner.

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** Monday, March 24, 2014, 1:30 p.m.

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Chapman, Ranking Member; Black, Bolkcom, Courtney, Dotzler, Garrett, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

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

**Committee Business:** Approved [SSB 3210](#).

**Adjourned:** 2:40 p.m.

#### WAYS AND MEANS

**Convened:** Monday, March 24, 2014, 2:50 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed SFs 2032 and 2333.

**Adjourned:** 3:15 p.m.

## INTRODUCTION OF BILLS

[Senate File 2342](#), by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date and retroactive applicability provisions.

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

[Senate File 2343](#), by committee on Ways and Means, a bill for an act relating to qualification requirements for the renewable energy tax credit.

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

[Senate File 2344](#), by committee on Ways and Means, a bill for an act relating to renewable fuels, by providing for biobutanol and biobutanol blended gasoline, modifying the rate of the E-15 plus gasoline promotion tax credit and extending provisions for a biodiesel production refund, and including effective date and retroactive applicability provisions.

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** \*[SENATE FILE 2342 \(SSB 3210\)](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Chapman, Garrett, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 1: Ernst.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2342](#), and they were attached to the committee report.

#### WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 2343](#) (formerly [SF 2032](#)), a bill for an act relating to qualification requirements for the renewable energy tax credit.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. 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 Ways and Means Committee on [Senate File 2343](#), and they were attached to the committee report.

#### ALSO:

**Bill Title:** \*[SENATE FILE 2344](#) (formerly [SF 2333](#)), a bill for an act relating to renewable fuels, by providing for biobutanol and biobutanol blended gasoline, modifying the rate of the E-15 plus gasoline promotion tax credit and extending provisions for a biodiesel production refund, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. 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 Ways and Means Committee on [Senate File 2344](#), and they were attached to the committee report.

### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2131](#), the following corrections were made:

1. Page 22, line 1, capitalized "Ten-Year" to match other reference in the bill.

MICHAEL E. MARSHALL  
Secretary of the Senate

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of March, 2014.

Senate Files 2056, 2104, 2120, 2131, 2169, 2191, 2192, 2200, 2228, 2240, 2250, 2255, 2276, 2290, 2313, and 2338.

MICHAEL E. MARSHALL  
Secretary of the Senate