

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 21, 2014

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JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 21, 2014

The Senate met in regular session at 1:04 p.m., President Jochum presiding.

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Alex Cook.

The Journal of Friday, April 18, 2014, was approved.

The Senate stood at ease at 1:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:19 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 2014, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

[House File 2458](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, making related statutory changes, providing for eminent domain procedures, and including effective and applicability date provisions.

SENATE INSISTS

[House File 2458](#)

Senator Black called up for consideration [House File 2458](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, making related statutory changes, providing for eminent domain procedures, and including effective and applicability date provisions, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [House File 2458](#) on the part of the Senate: Senators Black, Chair; Dearden, Wilhelm, Rozenboom, and Chapman.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2458](#) be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn and Segebart, 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 [House File 2456](#).

House File 2456

On motion of Senator Hogg, [House File 2456](#), a bill for an act relating to the approval and imposition of the facilities property tax levy and the equipment replacement and program sharing property tax levy for a merged area and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment [S-5154](#), filed by the committee on Ways and Means on April 15, 2014, to pages 1 and 3–6 of the bill, and moved its adoption.

Amendment [S-5154](#) was adopted by a voice vote.

Senator Hogg 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. 2456](#)), the vote was:

Yeas, 44:

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

Nays, 4:

Chapman	Garrett	Schneider	Zaun
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Absent, 2:

Behn	Segebart
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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 [House File 2456](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2453](#).

[House File 2453](#)

On motion of Senator Dotzler, [House File 2453](#), a bill for an act relating to the administration of the historic preservation and cultural and entertainment district tax credit program by the department of cultural affairs, providing for fees, and including applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dotzler offered amendment [S-5165](#), filed by the committee on Ways and Means on April 17, 2014, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-5165](#) was adopted by a voice vote.

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. 2453](#)), the vote was:

Yeas, 48:

Anderson	Danielson	Hatch	Rozenboom
Beall	Dearden	Hogg	Schneider
Bertrand	Dix	Horn	Schoenjahn
Black	Dotzler	Houser	Seng
Boettger	Dvorsky	Jochum	Sinclair
Bolkcom	Ernst	Johnson	Smith
Bowman	Feenstra	Kapucian	Sodders
Brase	Garrett	Mathis	Taylor
Breitbach	Greiner	McCoy	Whitver

Chapman	Gronstal	Petersen	Wilhelm
Chelgren	Guth	Quirnbach	Zaun
Courtney	Hart	Ragan	Zumbach

Nays, none.

Absent, 2:

Behn 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 [House File 2453](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2463](#).

[House File 2463](#)

On motion of Senator Hatch, [House File 2463](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Chelgren asked and received unanimous consent that action on [House File 2463](#) be **deferred**.

The Senate stood at ease at 2:53 p.m. until the fall of the gavel.

The Senate resumed session at 3:29 p.m., President Jochum presiding.

The Senate stood at ease at 3:30 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:58 p.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 2342](#)

Senator Gronstal called up for consideration [Senate File 2342](#), 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, amended by the House in House amendment [S-5156](#), filed April 16, 2014.

Senator McCoy offered amendment [S-5168](#), filed by him from the floor to page 4 of House amendment [S-5156](#), and moved its adoption.

Amendment [S-5168](#) to House amendment [S-5156](#) was adopted by a voice vote.

Senator Mathis moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Mathis moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2342](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Dix	Houser	Smith
Bertrand	Ernst	Johnson	Whitver
Boettger	Feenstra	Kapucian	Zaun
Breitbach	Garrett	Rozenboom	Zumbach
Chapman	Greiner	Schneider	
Chelgren	Guth	Sinclair	

Absent, 2:

Behn 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 2342](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2355](#).

[Senate File 2355](#)

On motion of Senator Bowman, [Senate File 2355](#), a bill for an act relating to matters under the purview of the department of transportation, establishing a fee, and including effective date provisions, was taken up for consideration.

Senator Brase offered amendment [S-5167](#), filed by him from the floor to pages 7, 8, and 11 of the bill, and moved its adoption.

Amendment [S-5167](#) was adopted by a voice vote.

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?" ([S.F. 2355](#)), the vote was:

Yeas, 42:

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

Nays, 6:

Black	Dearden	McCoy
Courtney	Hatch	Taylor

Absent, 2:

Behn	Segebart
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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 2355](#) be **immediately messaged** to the House.

The Senate stood at ease at 4:17 p.m. until the fall of the gavel.

The Senate resumed session at 5:42 p.m., President Jochum presiding.

BUSINESS PENDING

[House File 2463](#)

The Senate resumed consideration of [House File 2463](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, previously deferred.

Senator Hatch offered amendment [S-5166](#), filed by the committee on Appropriations on April 17, 2014, to pages 1, 3, 4, 8–13, 15–22, 24, 25, 29, 31, 32, 35, 36, 39, 40, 42–45, 49–52, 58–62, 66, 69–78, 90, and 33 of the bill.

Senator Hatch offered amendment [S-5169](#), filed by him from the floor to pages 2–4, 12–17, 19, 33, 37–39, 43, and 47 of amendment [S-5166](#).

Senator Hatch called for the following division of amendment [S-5169](#):

Division [S-5169A](#): Page 1, line 4 through page 3 line 37 and page 3 line 40 through page 4 line 41; and

Division [S-5169B](#): Page 3, lines 38–39.

Senator Hatch moved the adoption of division [S-5169A](#).

Division [S-5169A](#) was adopted by a voice vote.

Senator Hatch withdrew division [S-5169B](#).

Senator Hatch moved the adoption of amendment [S-5166](#), as amended.

Amendment [S-5166](#), as amended, was adopted by a voice vote.

With the adoption of amendment [S-5166](#), the Chair ruled amendment [S-5171](#), filed by Senator Chelgren, et al., from the floor, to pages 74–76 of the bill, out of order.

Senator Chapman withdrew amendment [S-5170](#), filed by him from the floor, to page 21 of the bill.

Senator Hatch 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. 2463](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders

Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Dix	Houser	Smith
Bertrand	Ernst	Johnson	Whitver
Boettger	Feenstra	Kapucian	Zaun
Breitbach	Garrett	Rozenboom	Zumbach
Chapman	Greiner	Schneider	
Chelgren	Guth	Sinclair	

Absent, 2:

Behn	Segebart
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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 [House File 2463](#) be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 2014, appointed the conference committee to [House File 2458](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, making related statutory changes, providing for eminent domain procedures, and including effective and applicability date provisions, and the Conference Committee members on the part of the House are: the representative from Cass, Representative Drake, Chair; the representative from Fayette, Representative Bearinger; the representative from Cedar, Representative Kaufmann; the representative from Washington; Representative Klein; and the representative from Scott, Representative Wood.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:12 p.m. until 9:00 a.m., Tuesday, April 22, 2014.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Ron Washburn, Lawton – For 40 years of dedicated service to the customers of Western Iowa Telephone Association. Senator Anderson.

STUDY BILL RECEIVED

[SSB 3221](#) **Government Oversight**

Concerning government accountability and employment practices, making penalties and remedies applicable, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2354](#)

WAYS AND MEANS: Dotzler, Chair; Feenstra and McCoy

[House File 2454](#)

(Reassigned)

WAYS AND MEANS: Seng, Chair; Behn and Black

[House File 2464](#)

WAYS AND MEANS: Dotzler, Chair; Black and Feenstra

[House File 2468](#)

WAYS AND MEANS: Petersen, Chair; Feenstra and Seng

[SSB 3221](#)

GOVERNMENT OVERSIGHT: Petersen, Chair; Garrett and McCoy

AMENDMENTS FILED

S-5167	S.F. 2355	Chris Brase
S-5168	S.F. 2342	Matt McCoy
S-5169	H.F. 2463	Jack Hatch
S-5170	H.F. 2463	Jake Chapman

[S-5171](#)

[H.F. 2463](#)

Mark Chelgren
Brad Zaun
Joni K. Ernst
Nancy J. Boettger