

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 23, 2014

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JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 23, 2014

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

Prayer was offered by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Clare Barcus.

The Journal of Tuesday, April 22, 2014, was approved.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:33 a.m., President Jochum presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 115](#).

[Senate Resolution 115](#)

On motion of Senator Gronstal, [Senate Resolution 115](#), a resolution honoring Senator Dennis H. Black for over three decades of service in the Iowa General Assembly, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Black.

Senator Gronstal moved the adoption of [Senate Resolution 115](#), which motion prevailed by a voice vote.

Senator Black addressed the Senate with brief remarks.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:28 p.m. until the completion of a meeting of the committee on Government Oversight.

RECONVENED

The Senate reconvened at 1:50 p.m., President Jochum presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 116](#).

[Senate Resolution 116](#)

On motion of Senator Behn, [Senate Resolution 116](#), a resolution honoring the public service of Senator Hubert Houser, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Black.

Senator Behn moved the adoption of [Senate Resolution 116](#), which motion prevailed by a voice vote.

Senator Houser addressed the Senate with brief remarks.

The Senate stood at ease at 2:26 p.m. until the fall of the gavel.

The Senate resumed session at 2:48 p.m., President Jochum 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 April 23, 2014, **passed** the following bill in which the concurrence of the House was asked:

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

ALSO: That the House has on April 23, 2014, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[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.

[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.

ALSO: That the House has on April 23, 2014, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2337](#), a bill for an act relating to the child and dependent care credit available against the individual income tax, and including retroactive applicability provisions. ([S-5175](#))

ALSO: That the House has on April 23, 2014, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2471](#), a bill for an act relating to the Iowa individual income tax checkoffs by modifying the Iowa election campaign income tax checkoff and providing for the future repeal of the checkoff, by creating an income tax checkoff for the reduction of food insecurity within this state and providing for the future repeal of the checkoff, by creating income tax checkoffs for the Iowa state fair foundation

fund and the veterans trust fund and volunteer fire fighter preparedness fund, making an appropriation, creating a study committee, and including effective date and retroactive applicability provisions.

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

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 119](#).

[Senate Resolution 119](#)

On motion of Senator Bolocom, [Senate Resolution 119](#), a resolution honoring Senator Jack Hatch for more than four decades of public service, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Hatch.

Senator Bolocom moved the adoption of [Senate Resolution 119](#), which motion prevailed by a voice vote.

Senator Hatch addressed the Senate with brief remarks.

RECESS

On motion of Senator Gronstal, the Senate recessed at 4:42 p.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 6:48 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Segebart, until he arrives, on request of Senator Dix.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2356](#) and House Files 2466, 2464, and 2446.

[Senate File 2356](#)

On motion of Senator Dotzler, [Senate File 2356](#), a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold and services furnished to a nonprofit food bank, 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. 2356](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Segebart

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

[House File 2466](#)

On motion of Senator Bolkcom, [House File 2466](#), a bill for an act relating to the assessment of certain housing rented or leased to low-income individuals and families and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom 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. 2466](#)), the vote was:

Yeas, 48:

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

Nays, none.

Present, 1:

Hatch

Absent, 1:

Segebart

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

[House File 2464](#)

On motion of Senator Dotzler, [House File 2464](#), a bill for an act providing for the rebate of state sales and use tax to the owner or operator of a raceway facility, and providing penalties, 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. 2464](#)), the vote was:

Yeas, 39:

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

Nays, 10:

Behn	Chelgren	Schneider	Zaun
Bowman	Guth	Smith	
Chapman	Quirmbach	Whitver	

Absent, 1:

Segebart

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

[House File 2446](#)

On motion of Senator Seng, [House File 2446](#), a bill for an act exempting from the sales tax the sales price of a diesel fuel trailer or seed tender used primarily in agricultural production, with report of committee recommending passage, was taken up for consideration.

Senator Seng 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. 2446](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Segebart

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2289](#).

[House File 2289](#)

On motion of Senator Taylor, [House File 2289](#), a bill for an act relating to the use of unmanned aerial vehicles, and providing penalties, placed on the Unfinished Business Calendar on March 20, 2014, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment [S-5063](#), filed by the committee on Judiciary on March 13, 2014, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Taylor asked and received unanimous consent to withdraw amendment [S-5099](#), filed by Senators Taylor and Schneider on March 26, 2014, to pages 1 and 2 and amending the title provisions of amendment [S-5063](#).

Senator Taylor offered amendment [S-5176](#), filed by Senators Taylor and Schneider from the floor to pages 1 and 2 and amending the title provisions of amendment [S-5063](#), and moved its adoption.

Amendment [S-5176](#) to amendment [S-5063](#) was adopted by a voice vote.

Senator Taylor moved the adoption of amendment [S-5063](#), as amended.

Amendment [S-5063](#), as amended, 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. 2289](#)), the vote was:

Yeas, 48:

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

Nays, 1:

Sodders

Absent, 1:

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 2356](#) and **House Files 2289, 2446, 2464, and 2466** be **immediately messaged** to the House.

The Senate stood at ease at 7:22 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 7:52 p.m., President Jochum presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

[Senate File 2347](#)

A conference committee report, signed by the following Senate and House members, was filed April 23, 2014, on [Senate File 2347](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters:

On the part of the Senate:

BRIAN SCHOENJAHN, Chair
NANCY J. BOETTGER
WALLY E. HORN
HERMAN C. QUIRMBACH

On the part of the House:

CECIL DOLECHECK, Chair
JAKE HIGHFILL
SHARON STECKMAN
ROB TAYLOR
CINDY WINCKLER

CONFERENCE COMMITTEE REPORT CONSIDERED

[Senate File 2347](#)

Senator Gronstal called up the conference committee report on [Senate File 2347](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, filed on April 23, 2014, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Schoenjahn 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. 2347](#)), the vote was:

Yeas, 28:

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

Nays, 21:

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

Absent, 1:

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 2347](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:01 p.m. until 9:00 a.m., Thursday, April 24, 2014.

APPENDIX**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:

IOWA LOTTERY AUTHORITY

FY 2014 Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on April 23, 2014.

REPORTS OF COMMITTEE MEETINGS**GOVERNMENT OVERSIGHT**

Convened: Wednesday, April 23, 2014, 1:05 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Consideration of [SSB 3221](#).

Adjourned: 1:30 p.m.

WAYS AND MEANS

Convened: Wednesday, April 23, 2014, 5:05 p.m.

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

Members Absent: Bertrand (excused).

Committee Business: Passed SFs 2254 and 2354; approved [SSB 3222](#).

Adjourned: 6:35 p.m.

INTRODUCTION OF BILLS

[Senate File 2357](#), by Gronstal, a bill for an act expanding the criminal offense of and related penalties for sexual exploitation to include persons issued a school coaching authorization.

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

[Senate File 2358](#), by committee on Government Oversight, a bill for an act concerning government accountability and employment practices, making penalties and remedies applicable, and including effective date provisions.

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

[Senate File 2359](#), by committee on Ways and Means, 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 Ways and Means calendar**.

[Senate File 2360](#), by committee on Ways and Means, a bill for an act creating the medical cannabidiol Act and providing penalties and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 3222](#) Ways and Means

Creating the medical cannabidiol Act and providing penalties and including effective date provisions.

[SSB 3223](#) Appropriations

Relating to pari-mutuel racetracks, including by providing for live dog racing at pari-mutuel dog racetracks, providing for alternative licensure for dog racetracks, and establishing fees, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2357](#)

JUDICIARY: Hogg, Chair; Horn and Schneider

[SSB 3222](#)

WAYS AND MEANS: Bolkcom, Chair; McCoy and Schneider

[SSB 3223](#)

APPROPRIATIONS: Danielson, Chair; Chapman, Dvorsky, McCoy, and Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: *[SENATE FILE 2358](#) ([SSB 3221](#)), a bill for an act concerning government accountability and employment practices, making penalties and remedies applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Petersen, Schoenjahn, and McCoy. Nays, 2: Garrett and Greiner. 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 Government Oversight Committee on [Senate File 2358](#), and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *[SENATE FILE 2359](#) (formerly [SF 2354](#)), 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, 14: Bolkcom, Seng, Feenstra, Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 1: Bertrand.

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 2359](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2360 \(SSB 3222\)](#), a bill for an act creating the medical cannabidiol Act and providing penalties and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolkcom, Seng, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, and Schneider. Nays, 4: Feenstra, Behn, Chapman, and Smith. Absent, 1: Bertrand.

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 2360](#), and they were attached to the committee report.

AMENDMENTS FILED

S-5174	H.F. 2109	Joe Bolkcom
S-5175	S.F. 2337	House
S-5176	H.F. 2289	Rich Taylor
		Charles Schneider
S-5177	H.F. 2448	William A. Dotzler, Jr.