

PROOF

STATE OF IOWA

Senate Journal

FRIDAY, APRIL 25, 2014

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JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 25, 2014

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, April 24, 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 April 24, 2014, **adopted** the conference committee report **and passed** [House File 2450](#), a bill for an act relating to appropriations to the justice system and including effective date provisions.

ALSO: That the House has on April 24, 2014, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on April 24, 2014, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2340](#), a bill for an act modifying provisions applicable to the solar energy system tax credit, and including effective date and retroactive applicability provisions. ([S-5179](#))

The Senate stood at ease at 9:13 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:05 p.m., President Jochum presiding.

QUORUM CALL

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

The vote revealed 46 present, 4 absent, and a quorum present.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2340](#)

Senator Gronstal called up for consideration [Senate File 2340](#), a bill for an act modifying provisions applicable to the solar energy system tax credit, and including effective date and retroactive applicability provisions, amended by the House in House amendment [S-5179](#), filed April 25, 2014.

Senator Hogg moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Johnson and Segebart, until they arrive, on request of Senator Dix.

[Senate File 2337](#)

Senator Gronstal called up for consideration [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, amended by the House in House amendment [S-5175](#), filed April 23, 2014.

Senator Petersen offered amendment [S-5181](#), filed by her from the floor to page 1 of House amendment [S-5175](#), and moved its adoption.

Amendment [S-5181](#) to House amendment [S-5175](#) was adopted by a voice vote.

Senator Petersen 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 Petersen 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. 2337](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Johnson Segebart

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

SENATE INSISTS

[Senate File 2342](#)

Senator Mathis 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, further amended by the Senate, and moved that the Senate insist on its amendment.

A nonrecord roll call was requested.

The ayes were 26, nays 22, absent 2.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2337, 2340, and 2342** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT CONSIDERED

[House File 2450](#)

Senator Gronstal called up the conference committee report on [House File 2450](#), a bill for an act relating to appropriations to the justice system and including effective date provisions, filed on April 24, 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 Courtney 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. 2450](#)), the vote was:

Yeas, 28:

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

Nays, 20:

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

Absent, 2:

Johnson	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.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2359](#).

[Senate File 2359](#)

On motion of Senator Dotzler, [Senate File 2359](#), 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, 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. 2359](#)), the vote was:

Yeas, 48:

Anderson	Courtney	Hart	Rozenboom
Beall	Danielson	Hatch	Schneider
Behn	Dearden	Hogg	Schoenjahn
Bertrand	Dix	Horn	Seng
Black	Dotzler	Houser	Sinclair
Boettger	Dvorsky	Jochum	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.

Absent, 2:

Johnson 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 2359](#) and [House File 2450](#) 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 2448](#).

[House File 2448](#)

On motion of Senator Dotzler, [House File 2448](#), a bill for an act relating to the administration of programs by the economic development authority by modifying the high quality jobs program,

creating a workforce housing tax incentives program and making penalties applicable, and repealing the enterprise zone program, and including effective date and retroactive and other applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler offered amendment [S-5177](#), filed by him on April 23, 2014, to pages 11 and 17 of the bill, and moved its adoption.

Amendment [S-5177](#) 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. 2448](#)), the vote was:

Yeas, 47:

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

Nays, none.

Present, 1:

Chelgren

Absent, 2:

Johnson Segebart

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2358](#).

[Senate File 2358](#)

On motion of Senator Petersen, [Senate File 2358](#), a bill for an act concerning government accountability and employment practices, making penalties and remedies applicable, and including effective date provisions, was taken up for consideration.

Senator Garrett offered amendment [S-5180](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment be adopted?" ([S.F. 2358](#)), the vote was:

Yeas, 22:

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

Nays, 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	

Absent, 2:

Johnson	Segebart
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Amendment [S-5180](#) lost.

Senator Whitver offered amendment [S-5183](#), filed by him from the floor to pages 1 and 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment be adopted?" ([S.F. 2358](#)), the vote was:

Yeas, 22:

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

Nays, 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	

Absent, 2:

Johnson	Segebart
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Amendment [S-5183](#) lost.

Senator Garrett offered amendment [S-5182](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment be adopted?" ([S.F. 2358](#)), the vote was:

Yeas, 22:

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

Nays, 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	

Absent, 2:

Johnson Segebart

Amendment [S-5182](#) lost.

Senator Feenstra offered amendment [S-5184](#), filed by Senators Feenstra and Anderson from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment be adopted?" ([S.F. 2358](#)), the vote was:

Yeas, 23:

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

Nays, 25:

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

Absent, 2:

Johnson Segebart

Amendment [S-5184](#) lost.

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. 2358](#)), 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	Chelgren	Guth	Smith
Behn	Dix	Houser	Whitver
Bertrand	Ernst	Kapucian	Zaun
Boettger	Feenstra	Rozenboom	Zumbach
Breitbach	Garrett	Schneider	
Chapman	Greiner	Sinclair	

Absent, 2:

Johnson	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 2358](#) and [House File 2448](#) be **immediately messaged** to the House.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [Senate File 2342](#) on the part of the Senate: Senators Mathis, Chair; Gronstal, McCoy, Whitver, and Boettger.

The Senate stood at ease at 2:46 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:25 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 25, 2014, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was 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.

ALSO: That the House has on April 25, 2014, **receded** from the House amendment **and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2340](#), a bill for an act modifying provisions applicable to the solar energy system tax credit, and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 25, 2014, appointed the conference committee to [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, and the Conference Committee members on the part of the House are: the representative from Dallas, Representative Watts, Chair; the representative from Polk, Representative Hunter; the representative from Jasper, Representative Kelley; the representative from Polk; Representative Landon; and the representative from Benton, Representative Pettengill.

ALSO: That the House has on April 25, 2014, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

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

[House File 2448](#), a bill for an act relating to the administration of programs by the economic development authority by modifying the high quality jobs program, creating a workforce housing tax incentives program and making penalties applicable, and repealing the enterprise zone program, and including effective date and retroactive and other applicability provisions.

ALSO: That the House has on April 25, 2014, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

[Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties.

ALSO: That the House has on April 25, 2014, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2318](#), a bill for an act relating to state and school antiharassment and antibullying policies, establishing an office of support and analysis for safe schools, establishing a school climate improvement grant program, providing for training on harassment and bullying prevention and response, making appropriations, and including effective date provisions. ([S-5187](#))

HOUSE AMENDMENT CONSIDERED

[Senate File 303](#)

Senator Gronstal called up for consideration [Senate File 303](#), a bill for an act exempting federal retirement pay received for military service from the state individual income tax and including retroactive applicability provisions, amended by the House in House amendment [S-5100](#), filed March 27, 2014.

Senator Danielson offered amendment [S-5188](#), filed by him from the floor to pages 12–16, 18, and 19 of House amendment [S-5100](#), and moved its adoption.

Amendment [S-5188](#) to House amendment [S-5100](#) was adopted by a voice vote.

Senator Quirnbach 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 Quirnbach 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. 303](#)), the vote was:

Yeas, 48:

Anderson	Courtney	Hart	Rozenboom
Beall	Danielson	Hatch	Schneider
Behn	Dearden	Hogg	Schoenjahn
Bertrand	Dix	Horn	Seng
Black	Dotzler	Houser	Sinclair
Boettger	Dvorsky	Jochum	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.

Absent, 2:

Johnson Segebart

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2459](#).

[House File 2459](#)

On motion of Senator Quirmbach, [House File 2459](#), a bill for an act relating to the individual income tax by creating a tax credit for reserve peace officers and by increasing the amount of the tax credit for volunteer fire fighter and volunteer emergency medical services personnel and including retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment [S-5172](#), filed by the committee on Ways and Means on April 22, 2014, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5172](#) was adopted by a voice vote.

Senator Quirnbach 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. 2459](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Johnson Segebart

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2362](#).

[Senate File 2362](#)

On motion of Senator Danielson, [Senate File 2362](#), a bill for an act 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, was taken up for consideration.

Senator Danielson withdrew amendment [S-5186](#), filed by him from the floor to pages 1–3, 6, 8, 12, and 14–16 of the bill.

Senator Danielson offered amendment [S-5189](#), filed by him from the floor to pages 1–3, 6, 8, 12, and 14–16 of the bill, and moved its adoption.

Amendment [S-5189](#) was adopted by a voice vote.

Senator Horn offered amendment [S-5185](#), filed by him from the floor to page 16 and amending the title page of the bill.

Senator Danielson raised the point of order that amendment [S-5185](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5185](#) out of order.

Senator Danielson 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. 2362](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Feenstra	Taylor
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Absent, 2:

Johnson	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 Files 303** and **2362** and [House File 2459](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:17 p.m. until 11:00 a.m., Monday, April 28, 2014.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 25, 2014, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2118](#) – Relating to domestic abuse protective orders and pets or companion animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in a domestic abuse case.

[Senate File 2195](#) – Modifying provisions applicable to telecommunications regulation under the authority of the utilities board of the utilities division of the department of commerce.

AMENDMENTS FILED

S-5179	S.F. 2340	House
S-5180	S.F. 2358	Julian B. Garrett
S-5181	S.F. 2337	Janet Petersen
S-5182	S.F. 2358	Julian B. Garrett
S-5183	S.F. 2358	Jack Whitver
S-5184	S.F. 2358	Randy Feenstra Bill Anderson
S-5185	S.F. 2362	Wally E. Horn
S-5186	S.F. 2362	Jeff Danielson
S-5187	S.F. 2318	House
S-5188	S.F. 303	Jeff Danielson
S-5189	S.F. 2362	Jeff Danielson