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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 29, 2014**

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# JOURNAL OF THE SENATE

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ONE HUNDRED SEVENTH CALENDAR DAY  
SIXTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 29, 2014

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by the Honorable Amy Sinclair, member of the Senate from Wayne County, Allerton, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Zachary Parle.

The Journal of Monday, April 28, 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 28, 2014, **passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on April 28, 2014, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 383](#), a bill for an act relating to the sealing of juvenile delinquency records. ([S-5191](#))

The Senate stood at ease at 1:53 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:41 p.m., President Jochum presiding.

#### CONFERENCE COMMITTEE REPORT RECEIVED

#### [Senate File 2239](#)

A conference committee report, signed by the following Senate and House members, was filed April 29, 2014, on [Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties:

On the part of the Senate:

MARY JO WILHELM, Chair  
ROBERT E. DVORSKY  
DAVID JOHNSON  
AMANDA RAGAN  
ROBY SMITH

On the part of the House:

CHIP BALTIMORE, Chair  
LISA HEDDENS  
MEGAN HESS  
BOBBY KAUFMANN  
MARY WOLFE

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Ernst and Guth, until they arrive, on request of Senator Dix.

#### CONFERENCE COMMITTEE REPORT CONSIDERED

#### [Senate File 2239](#)

Senator Wilhelm called up the conference committee report on [Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties, filed on April 29, 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 Wilhelm 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. 2239](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Ernst                      Guth

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

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 383](#)

Senator Gronstal called up for consideration [Senate File 383](#), a bill for an act relating to the sealing of juvenile delinquency records, amended by the House in House amendment [S-5191](#), filed April 29, 2014.

Senator Dvorsky moved that the Senate concur in the House amendment.

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

Senator Dvorsky moved that the bill, as amended by the House 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. 383](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Guth

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

#### SPECIAL GUEST

Senator Black introduced to the Senate chamber the Honorable Mark Shearer, former member of the Senate from Washington County, Burlington, Iowa.

The Senate rose and expressed its welcome.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 383** and **2239** be **immediately messaged** to the House.

The Senate stood at ease at 3:53 p.m. until the fall of the gavel.

The Senate resumed session at 4:52 p.m., President Jochum presiding.

## 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 29, 2014, **adopted** the conference committee report **and passed** [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.

## CONFERENCE COMMITTEE REPORT RECEIVED

[House File 2463](#)

A conference committee report, signed by the following Senate and House members, was filed April 29, 2014, on [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:

On the part of the Senate:

JACK HATCH, Chair  
JOE BOLKCOM  
AMANDA RAGAN

On the part of the House:

DAVE HEATON, Chair  
JOHN FORBES  
JOEL FRY  
LISA HEDDENS  
LINDA MILLER

## CONFERENCE COMMITTEE REPORT CONSIDERED

[House File 2463](#)

Senator Hatch called up the conference committee report on [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, filed on April 29, 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 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 Senate stood at ease at 5:11 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:21 p.m., President Jochum presiding.

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, 24:

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

Absent, none.

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

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 5:22 p.m. until 7:30 p.m.

## RECONVENED

The Senate reconvened at 7:55 p.m., President Jochum presiding.

## 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 April 29, 2014, **adopted** the conference committee report **and passed** [Senate File 2239](#), a bill for an act relating to elder abuse and providing penalties.

ALSO: That the House has on April 29, 2014, **passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on April 29, 2014, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 2109](#), a bill for an act relating to vapor products and alternative nicotine products, and providing penalties.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2460](#).

[House File 2460](#)

On motion of Senator Dotzler, [House File 2460](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the economic development authority, the department of workforce development, the Iowa finance authority, the public employment relations board, and the state board of regents and regents institutions, and providing for other properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler offered amendment [S-5192](#), filed by him from the floor to pages 6, 7, 11, and 15–17 and amending the title page of the bill, and moved its adoption.

Amendment [S-5192](#) 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. 2460](#)), the vote was:

Yeas, 27:

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

Nays, 23:

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

Absent, none.

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 [House File 2460](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:09 p.m. until 10:00 a.m., Wednesday, April 30, 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:

## DEPARTMENT OF EDUCATION

Senior Year Plus STEM Course Enrollment April 24, 2014 Report, pursuant to Iowa Code section 261.E.3(3)(j). Report received on April 29, 2014.

## PRESENTATION OF VISITORS

Senator Beall welcomed the following visitors who were present in the northeast Senate gallery:

A delegation from Bauchi State, Nigeria; Alhaji Babayo O. Abubakar Liman, the Honorable Salisu Ahmed Barau, the Honorable Adoji Abdu Disina, the Honorable Ilyas Ibrahim Zwali, Justice Ibrahim Zango, and Justice Abdullahi Marafa. They were accompanied by Executive Director of IRIS, Inc. Del Christensen; Grandview President Kent Henning; Provost Mary Elizabeth Stivers; Professor Ahmadu Baba-Singhri; and Professor Amy Deibert.

## AMENDMENTS FILED

<a href="#"><u>S-5191</u></a>	<a href="#"><u>S.F. 383</u></a>	House
<a href="#"><u>S-5192</u></a>	<a href="#"><u>H.F. 2460</u></a>	William A. Dotzler, Jr.