

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JANUARY 28, 2015

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JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 28, 2015

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Dr. Simon Estes, an internationally renowned opera singer from Centerville, Iowa, who sang “God Bless America”. He was the guest of Senators Jochum and Quirmbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sally Ropes.

The Journal of Tuesday, January 27, 2015, 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 January 27, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 80](#), a bill for an act relating to school district funding by establishing the state percent of growth, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Read first time and referred to committee on **Education**.

[House File 81](#), a bill for an act establishing the categorical state percent of growth and including effective date provisions.

Read first time and referred to committee on **Education**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:17 a.m. until 9:00 a.m., Thursday, January 29, 2015.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT ON AGING

Long-term Care Ombudsman's Report, pursuant to Iowa Code section 231.42(2)(d). Report received on January 27, 2015.

AUDITOR OF STATE

Independent Auditor's Report on Iowa Judicial Retirement System, pursuant to Iowa Code section 11.2. Report received on January 19, 2015.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Medical Malpractice Insurance Annual Report, pursuant to Iowa Code section 505.27. Report received on January 22, 2015.

DEPARTMENT OF CULTURAL AFFAIRS

Rebuild Iowa Infrastructure Fund Status Report, pursuant to Iowa Code section 8.57. Report received on January 21, 2015.

DEPARTMENT OF EDUCATION

Child Development Coordinating Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on January 26, 2015.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14(21)(c). Report received on January 27, 2015.

Early ACCESS Council Governor's Report, pursuant to Iowa Code section 34CFR, section 303.604c. Report received on January 20, 2015.

Enrich Iowa Program Report-Library Services Division, pursuant to Iowa Code section 256.57. Report received on January 23, 2015.

DEPARTMENT OF JUSTICE

Attorney General Settlements or Judgments Report, pursuant to Iowa Code section 13.2. Report received on January 20, 2015.

Victim Assistance Grant Program Report, pursuant to Iowa Code section 13.32. Report received on January 20, 2015.

IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7(1)(h). Report received on January 27, 2015.

DEPARTMENT OF NATURAL RESOURCES

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134(14). Report received on January 26, 2015.

Environmental Protection Commission Annual Report, pursuant to Iowa Code section 455B.105(5). Report received on January 22, 2015.

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16(7)(c). Report received on January 26, 2015.

State Preserves Report, pursuant to Iowa Code section 465C.8(11). Report received on January 22, 2015.

BOARD OF PHARMACY

Implementation of [SF 303](#) Division VI Licensed Professions, Occupations, and Veterans Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 35. Report received on January 22, 2015.

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on January 22, 2015.

Licensed Professions, Occupations, and Military Spouses Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 36. Report received on January 22, 2015.

PROFESSIONAL LICENSING AND REGULATION BUREAU

Implementation of [SF 303](#) Division VI Licensed Professions, Occupations, and Veterans Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 35. Report received on January 21, 2015.

BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment Report, pursuant to Iowa Code section 19B.5. Report received on January 23, 2015.

DEPARTMENT OF REVENUE

Health Insurance for Dependent Children Report, pursuant to Iowa Code section 422.12(m)(3). Report received on January 27, 2015.

IOWA STUDENT LOAN

Year in Review Report, pursuant to Iowa Code section 7C.13. Report received on January 19, 2015.

DEPARTMENT OF TRANSPORTATION

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3(5). Report received on January 28, 2015.

Passenger Rail Service Revolving Fund Report, pursuant to Iowa Code section 327J.3(1). Report received on January 28, 2015.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 28, 2015, 1:05 p.m.

Members Present: Schoenjahn, Vice Chair; Sinclair, Ranking Member; Behn, Bowman, Dvorsky, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun.

Members Absent: Quirnbach, Chair (excused).

Committee Business: Presentations by Sara Dougherty, Grant Ganzer, Joe Guinta, and Simon Estes.

Adjourned: 1:45 p.m.

ETHICS

Convened: Wednesday, January 28, 2015, 11:05 a.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Schultz, Ranking Member; Behn, Seng, and Zaun.

Members Absent: None.

Committee Business: Approved SSBs 1070 and 1071.

Adjourned: 11:15 a.m.

HUMAN RESOURCES

Convened: Wednesday, January 28, 2015, 3:05 p.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: None.

Committee Business: Discussed the health care workforce.

Adjourned: 3:50 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, January 28, 2015, 2:30 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver.

Members Absent: None.

Committee Business: Discussed [SR 1](#), [SR 3](#), and [SCR 1](#).

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

[Senate File 87](#), by Allen, a bill for an act relating to the vehicle registration duties of county treasurers.

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

[Senate File 88](#), by Zaun, a bill for an act providing for the distribution of fines collected under a city or county automated traffic law enforcement program to local nonprofit organizations.

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

[Senate File 89](#), by Zaun, a bill for an act relating to the disposition of fines collected under city and county automated traffic law enforcement programs and providing for the deposit of certain revenues into the road use tax fund.

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

[Senate File 90](#), by Zaun, a bill for an act providing for a waiver of tuition and mandatory fees at regents universities for Iowa national guard members who are residents of Iowa.

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

[Senate File 91](#), by Zaun, Sinclair, Whitver, Chapman, and Chelgren, a bill for an act relating to abortions including prohibiting late-term abortions with certain exceptions, providing penalties, and including an effective date provision.

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

[Senate File 92](#), by Zaun, a bill for an act exempting from the individual income tax the wages of individuals who provide services to disabled individuals and including effective date and applicability provisions.

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

[Senate File 93](#), by Zaun, a bill for an act providing a property assessment adjustment for certain property of persons who have attained the age of sixty-five, providing a penalty, and including retroactive and other applicability provisions.

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

[Senate File 94](#), by Petersen, a bill for an act regarding disposal of yard waste in landfills operating a methane collection system.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 95](#), by Chapman and Anderson, a bill for an act relating to state financing involving the state general fund expenditure limitation by revising calculation requirements for the limitation, increasing reserve fund balances, creating a safety net fund, creating an Iowa personal income tax rate reduction fund, making transfers, and providing for related state personal income tax rate reductions, and including effective date and applicability provisions.

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

[Senate File 96](#), by Zaun, a bill for an act providing for the licensure of operators authorized to purchase, use, and explode fireworks, and including penalties.

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

[Senate File 97](#), by Zaun, a bill for an act repealing the Iowa plumber, mechanical professional, and contractor licensing Act.

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

[Senate File 98](#), by Zaun and Feenstra, a bill for an act imposing a moratorium on the issuance of licenses for gambling games and including effective date and retroactive applicability provisions.

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

[Senate File 99](#), by Zaun, a bill for an act relating to the grounds for termination of parental rights.

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

[Senate File 100](#), by Zaun, a bill for an act relating to the use of revenues from automated traffic law enforcement programs and establishing an uninsured, hit-and-run, and underinsured motor vehicle coverage trust fund.

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

[Senate File 101](#), by Zaun, a bill for an act relating to the compensation of vendors of automated traffic law enforcement systems used by a city or county.

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

[Senate File 102](#), by Zaun, a bill for an act abolishing county compensation boards.

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

[Senate File 103](#), by Anderson, a bill for an act relating to the disabled veteran homestead tax credit by modifying eligibility criteria and including effective date and applicability provisions.

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

[Senate File 104](#), by Anderson, a bill for an act reducing the individual and corporate income tax rates and including effective date and applicability provisions.

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

[Senate File 105](#), by Anderson, a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

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

[Senate File 106](#), by Bolkcom, Ragan, Dotzler, Mathis, Quirnbach, Hart, Jochum, Gronstal, Courtney, Dearden, Horn, Taylor, Petersen, Bisignano, Dvorsky, McCoy, and Brase, a bill for an act relating to the reimbursement under the Medicaid home and community-based services waiver for the elderly.

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

[Senate File 107](#), by Petersen, a bill for an act modifying the periods of time to bring civil and criminal actions relating to the sexual abuse of minors, and including effective date and retroactive applicability provisions.

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

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2](#), by Dearden, a joint resolution designating the regal fritillary as the official state butterfly of the State of Iowa.

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

[Senate Joint Resolution 3](#), by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide home rule for school districts.

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

[Senate Joint Resolution 4](#), by Zaun, a joint resolution expressing the Iowa General Assembly's refusal to recognize or support any statutes, presidential directives, or other regulations and proclamations which conflict with the Second Amendment of the Constitution of the United States and which are expressly preempted by the rulings of the United States Supreme Court.

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

[Senate Concurrent Resolution 2](#), by Zaun, Whitver, Sinclair, Feenstra, Chelgren, Chapman, and Schneider, a concurrent resolution urging the members of the Congress of the United States to propose a balanced budget amendment to the Constitution of the United States for submission to the states for ratification.

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

[Senate Concurrent Resolution 3](#), by Zaun, Whitver, Sinclair, Feenstra, Chelgren, and Chapman, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on the states by the federal government.

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

[Senate Concurrent Resolution 4](#), by committee on Ethics, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-sixth General Assembly.

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

[Senate Resolution 3](#), by Dix, a resolution honoring the quasiquicentennial anniversary of Ellsworth Community College.

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

[Senate Resolution 4](#), by committee on Ethics, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-sixth General Assembly.

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

STUDY BILLS RECEIVED

SSB 1102 Human Resources

Relating to the Iowa health information network, and including effective date provisions.

SSB 1103 Ways and Means

Exempting from the sales tax the sales price of certain items directly and primarily used in the production of electricity.

SSB 1104 Ways and Means

Increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and including effective date and retroactive applicability provisions.

SSB 1105 Ways and Means

Reducing the aggregate tax credit limit for certain economic development authority programs.

SSB 1106 Ways and Means

Relating to the property tax exemption for property designated to be a native prairie or wetland and including effective date and retroactive applicability provisions.

SSB 1107 Commerce

Relating to the regulation of pharmacy benefits managers and including effective date provisions.

SSB 1108 Judiciary

Relating to the manufacturing, delivery, or possession with the intent to manufacture or deliver marijuana, including its counterfeit or simulated forms.

SSB 1109 Education

Relating to the legal age relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, and including effective date and applicability provisions.

SSB 1110 Judiciary

Relating to the expungement of not-guilty verdicts and dismissed criminal-charge records.

SSB 1111 Judiciary

Modifying the criminal offense of assault.

SSB 1112 Judiciary

Providing access and communication through the Iowa communications network for local emergency management offices.

SSB 1113 Judiciary

Relating to interpreters for persons who are limited English proficient, deaf, deaf-blind, or hard-of-hearing in certain legal proceedings and court-ordered programs.

SSB 1114 Economic Growth

Establishing a human capital enrichment advisory council and operations team.

SSB 1115 Economic Growth

Relating to the programs and duties of the economic development authority and including effective date and retroactive and other applicability provisions and other properly related matters.

SSB 1116 Economic Growth

Relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit, modifying the tax credit for investments in qualifying businesses and community-based seed capital funds, modifying the entrepreneur investment awards program, and including effective date and retroactive and other applicability provisions.

SSB 1117 Economic Growth

Concerning Iowa finance authority duties regarding the title guaranty board and the shelter assistance fund.

SUBCOMMITTEE ASSIGNMENTS**Senate File 63**

JUDICIARY: Horn, Chair; Sodders and Zaun

Senate File 73

LOCAL GOVERNMENT: Taylor, Chair; Brase and Sinclair

Senate File 76

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Feenstra

Senate File 77

EDUCATION: Mathis, Chair; Johnson and Schoenjahn

Senate File 79

EDUCATION: Dvorsky, Chair; Kraayenbrink and Wilhelm

Senate File 80

HUMAN RESOURCES: Jochum, Chair; Segebart and Wilhelm

Senate File 81

EDUCATION: Hart, Chair; Behn and Wilhelm

Senate File 83

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Feenstra

[Senate File 84](#)

JUDICIARY: Sodders, Chair; Garrett and Taylor

[Senate File 85](#)

JUDICIARY: Sodders, Chair; Kinney and Shipley

[Senate File 86](#)

TRANSPORTATION: Bowman, Chair; Breitbach and Quirnbach

[Senate File 87](#)

TRANSPORTATION: Brase, Chair; Danielson and Feenstra

[SSB 1102](#)

HUMAN RESOURCES: Wilhelm, Chair; Johnson and Ragan

[SSB 1103](#)

WAYS AND MEANS: Petersen, Chair; Bolkcom and Feenstra

[SSB 1104](#)

WAYS AND MEANS: Dotzler, Chair; Allen and Feenstra

[SSB 1105](#)

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirnbach

[SSB 1106](#)

WAYS AND MEANS: Hogg, Chair; Allen and Behn

[SSB 1107](#)

COMMERCE: McCoy, Chair; Anderson and Schoenjahn

[SSB 1108](#)

JUDICIARY: Sodders, Chair; Garrett, Hogg, Petersen, Schneider, and Whitver

[SSB 1109](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Schultz

[SSB 1110](#)

JUDICIARY: Taylor, Chair; Petersen and Shipley

[SSB 1111](#)

JUDICIARY: Petersen, Chair; Kinney and Schneider

[SSB 1112](#)

JUDICIARY: Sodders, Chair; Quirnbach and Schneider

[SSB 1113](#)

JUDICIARY: Petersen, Chair; Horn and Whitver

[SSB 1114](#)

ECONOMIC GROWTH: Bisignano, Chair; Anderson and Sodders

[SSB 1115](#)

ECONOMIC GROWTH: Wilhelm, Chair; Bowman and Guth

[SSB 1116](#)

ECONOMIC GROWTH: Hart, Chair; Chelgren and Dotzler

[SSB 1117](#)

ECONOMIC GROWTH: Taylor, Chair; Breitbach and Danielson

FINAL COMMITTEE REPORTS OF BILL ACTION

ETHICS

Bill Title: [SENATE CONCURRENT RESOLUTION 4 \(SSB 1071\)](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-sixth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Horn, Dearden, Schultz, Behn, Seng, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 4 \(SSB 1070\)](#), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-sixth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Horn, Dearden, Schultz, Behn, Seng, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 1](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-sixth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 1](#), a resolution relating to permanent rules of the senate for the eighty-sixth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 3](#), a resolution honoring the quasiquicentennial anniversary of Ellsworth Community College.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.