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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, FEBRUARY 11, 2015**

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# JOURNAL OF THE SENATE

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THIRTY-FIRST CALENDAR DAY  
TWENTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 11, 2015

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

Prayer was offered by the Honorable Mark Costello, member of the Senate from Mills County, Imogene, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kenten Kingsbury.

The Journal of Tuesday, February 10, 2015, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Adam Gregg, the governor's appointee to be the State Public Defender. He was the guest of Senators Schneider and Sodders and the committee on Judiciary.

## BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 188](#) be referred from the Regular Calendar to the committee on **Appropriations**.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:26 a.m. until 9:00 a.m., Thursday, February 12, 2015.

## 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 JUSTICE

Attorney General's Annual Report of the Mortgage Servicing Settlement Fund, pursuant to 2012 Iowa Acts, [HF 2465](#), section 7, chapter 4(a). Report received on February 10, 2015.

### CERTIFICATE OF RECOGNITION

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

Marie Crow, Oxford—For celebrating her 100<sup>th</sup> birthday. Senator Kinney.

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** Wednesday, February 11, 2015, 1:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed [SSB 1058](#). Presentations by Judy Stoffel, Student Access Program Developer at Kirkwood Community College; Mialisa Wright, Pathway Navigator at Kirkwood Community College; Heather Wright, Pathway Navigator at North Iowa Area Community College; Chrystina Davis, Student, NIACC, PACE client in Mason City; and Shemaa Albayati, an Adult Basic Education student from West Des Moines, IA.

**Adjourned:** 2:05 p.m.

#### JUDICIARY

**Convened:** Tuesday, February 10, 2015, 4:05 p.m.

**Members Present:** Soddors, Chair; Hogg, Vice Chair; Schneider, Ranking Member; Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun.

**Members Absent:** None.

**Committee Business:** Passed [SF 20](#) and SSBs 1007, 1010, 1079, and 1121.

**Adjourned:** 4:35 p.m.

#### STATE GOVERNMENT

**Convened:** Wednesday, February 11, 2015, 2:05 p.m.

**Recessed:** 2:10 p.m.

**Reconvened:** 2:20 p.m.

**Members Present:** Danielson, Chair; Courtney, Vice Chair; Bertrand, Ranking Member; Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Schoenjahn, Schultz, and Whitver.

**Members Absent:** Petersen (excused).

**Committee Business:** Passed [SSB 1135](#). Governor's appointees.

**Adjourned:** 2:50 p.m.

#### ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Tuesday, January 20, 2015, 1:05 p.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen and Guth.

**Members Absent:** None.

**Committee Business:** LSA review.

**Adjourned:** 1:30 p.m.

#### ALSO:

**Convened:** Thursday, January 22, 2015, 10:05 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; and Allen.

**Members Absent:** Guth (excused).

**Committee Business:** Budget review.

**Adjourned:** 11:20 a.m.

**ALSO:**

**Convened:** Tuesday, January 27, 2015, 10:10 a.m.

**Members Present:** Brase, Chair; Zumbach, Ranking Member; Allen and Guth.

**Members Absent:** Danielson, Vice Chair (excused).

**Committee Business:** Presentation by Paul Pate, Secretary of State; Libby Jacobs, Director of the Iowa Utilities Board; and Jo Ann Johnson, Superintendent of Credit Unions.

**Adjourned:** 11:20 a.m.

**ALSO:**

**Convened:** Thursday, January 29, 2015, 10:10 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen and Guth.

**Members Absent:** None.

**Committee Business:** Presentations by James Schipper, Superintendent of Iowa Banking Division; Shauna Shields, Bureau Chief of the Iowa Division of Banking; Steve Larson, Director of the Iowa Alcoholic Beverages Division; and Nick Gerhart, Commissioner of the Iowa Insurance Division.

**Adjourned:** 11:20 a.m.

**ALSO:**

**Convened:** Tuesday, February 3, 2015, 10:05 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen and Guth.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:30 a.m.

**ALSO:**

**Convened:** Tuesday, February 10, 2015, 10:00 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen and Guth.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:20 a.m.

#### JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

**Convened:** Wednesday, February 11, 2015, 10:05 a.m.

**Members Present:** Courtney, Chair; Hogg, Vice Chair; Garrett, Ranking Member; Chelgren and Taylor.

**Members Absent:** None.

**Committee Business:** Budget presentation.

**Adjourned:** 11:15 a.m.

#### INTRODUCTION OF RESOLUTION

[Senate Resolution 8](#), by Bisignano, a resolution designating February 12, 2015, as Black History Day at the Iowa State Capitol for recognition and celebration by educational and historical groups throughout the state.

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

#### INTRODUCTION OF BILLS

[Senate File 208](#), by Horn and Bertrand, a bill for an act concerning local ordinances regulating access to wine, beer, and liquor control licensed establishments by any person nineteen years of age or older.

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

[Senate File 209](#), by Anderson, a bill for an act concerning printed government materials.

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

[Senate File 210](#), by Anderson, a bill for an act extending placement in service requirements applicable to the renewable energy tax credit.

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

[Senate File 211](#), by Zaun, Shipley, Feenstra, Chelgren, Behn, Whitver, Rozenboom, Sinclair, and Schultz, a bill for an act creating an exemption from the computation of the state individual income tax of net capital gains from the sale of an equity investment in a qualified Iowa business and including retroactive applicability provisions.

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

[Senate File 212](#), by Zaun, Feenstra, Sinclair, and Schultz, a bill for an act providing for an annual transfer of revenue from the general fund of the state to the road use tax fund.

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

[Senate File 213](#), by Zaun, Behn, Schultz, Chelgren, Feenstra, Rozenboom, and Sinclair, a bill for an act increasing the speed limit on the interstate road system.

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

[Senate File 214](#), by Zaun, Chelgren, Behn, Rozenboom, Sinclair, and Schultz, a bill for an act relating to unfunded federal mandates related to federal health care reforms and including effective date provisions.

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

[Senate File 215](#), by Zaun, Chelgren, Feenstra, Behn, Rozenboom, Sinclair, and Schultz, a bill for an act providing for the development of a mandatory defined contribution pension plan for certain public employees.

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

[Senate File 216](#), by Zaun, Feenstra, Chelgren, Behn, Whitver, Rozenboom, Sinclair, and Schultz, a bill for an act relating to the fiscal impact on cities of administrative rules adopted by the environmental protection commission.

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

[Senate File 217](#), by committee on Economic Growth, a bill for an act concerning Iowa finance authority duties regarding the title guaranty board and the shelter assistance fund.

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

[Senate File 218](#), by committee on Natural Resources and Environment, a bill for an act relating to the operation of a snowmobile within the right-of-way of an interstate highway or freeway and including penalty provisions.

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

[Senate File 219](#), by committee on Judiciary, a bill for an act relating to the possession of marijuana, and providing a penalty.

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

[Senate File 220](#), by committee on Judiciary, a bill for an act relating to expert witness fees.

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

[Senate File 221](#), by committee on Judiciary, a bill for an act providing access and communication through the Iowa communications network between local law enforcement agencies, E911 public safety answering points, and related facilities.

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

[Senate File 222](#), by committee on Judiciary, a bill for an act relating to the disposition of seized firearms or ammunition.

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

[Senate File 223](#), by committee on Judiciary, a bill for an act relating to support of the poor by certain relatives.

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

[Senate File 224](#), by committee on Natural Resources and Environment, a bill for an act regarding disposal of yard waste in landfills operating a methane collection system.

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

[Senate File 225](#), by McCoy, a bill for an act establishing employment protections for employees absent from work due to adoptions and making penalties applicable.

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

#### STUDY BILLS RECEIVED

[SSB 1172](#)      **State Government**

Relating to licensure of durable medical equipment providers, providing penalties, and including effective date and implementation provisions.

[SSB 1173](#)      **State Government**

Related to absentee ballot deadlines.

**SSB 1174 State Government**

Concerning financial incentives received under a master contract established by the department of administrative services.

**SSB 1175 Local Government**

Related to special exceptions and variances from city zoning regulations.

**SSB 1176 Judiciary**

Relating to privileged communications between a physician or health facility and a patient following an adverse health care incident.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 30**

(Reassigned)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Petersen and Shipley

**Senate File 161**

EDUCATION: Mathis, Chair; Hart and Johnson

**Senate File 177**

APPROPRIATIONS: Danielson, Chair; Chapman and Dvorsky

**Senate File 181**

EDUCATION: Dvorsky, Chair; Quirnbach and Schultz

**Senate File 182**

EDUCATION: Quirnbach, Chair; Dvorsky and Sinclair

**Senate File 184**

JUDICIARY: Hogg, Chair; Schneider and Soddors

**Senate File 185**

JUDICIARY: Horn, Chair; Hogg and Zaun

[Senate File 190](#)

JUDICIARY: Horn, Chair; Garrett and Sadders

[Senate File 191](#)

EDUCATION: Hogg, Chair; Sinclair and Wilhelm

[Senate File 194](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Johnson

[Senate File 204](#)

EDUCATION: Mathis, Chair; Kraayenbrink and Schoenjahn

[SSB 1172](#)

STATE GOVERNMENT: Danielson, Chair; Schoenjahn and Schultz

[SSB 1173](#)

STATE GOVERNMENT: Courtney, Chair; Dearden and Johnson

[SSB 1174](#)

STATE GOVERNMENT: Schoenjahn, Chair; Johnson and Petersen

[SSB 1175](#)

LOCAL GOVERNMENT: Allen, Chair; Brase and Guth

[SSB 1176](#)

JUDICIARY: Quirnbach, Chair; Bisignano and Schneider

## FINAL COMMITTEE REPORTS OF BILL ACTION

### ECONOMIC GROWTH

**Bill Title:** [SENATE FILE 217 \(SSB 1117\)](#), a bill for an act concerning Iowa finance authority duties regarding the title guaranty board and the shelter assistance fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Hart, Sadders, Chelgren, Bisignano, Breitbach, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm. Nays, none. Absent, 3: Anderson, Bowman, and Chapman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Bill Title:** [SENATE FILE 219 \(SSB 1121\)](#), a bill for an act relating to the possession of marijuana, and providing a penalty.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, 1: Kinney. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 220 \(SSB 1079\)](#), a bill for an act relating to expert witness fees.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 221](#) (formerly [SF 20](#)), a bill for an act providing access and communication through the Iowa communications network between local law enforcement agencies, E911 public safety answering points, and related facilities.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 222 \(SSB 1010\)](#), a bill for an act relating to the disposition of seized firearms or ammunition.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 223 \(SSB 1007\)](#), a bill for an act relating to support of the poor by certain relatives.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**NATURAL RESOURCES AND ENVIRONMENT**

**Bill Title:** [SENATE FILE 218 \(SSB 1119\)](#), a bill for an act relating to the operation of a snowmobile within the right-of-way of an interstate highway or freeway and including penalty provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 224](#) (formerly [SF 94](#)), a bill for an act regarding disposal of yard waste in landfills operating a methane collection system.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.