

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 17, 2015

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JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 17, 2015

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

Prayer was offered by Margaret Guth who sang “I’d Rather Have Jesus”. She is the wife and secretary of Senator Guth.

PLEDGE OF ALLEGIANCE

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

The Journal of Monday, February 16, 2015, was approved.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 226](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:19 a.m. until 9:00 a.m., Wednesday, February 18, 2015.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Nathan Patrick Olson, Sioux City—For achieving the rank of Eagle Scout, Troop 111. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Tuesday, February 17, 2015, 1:05 p.m.

Members Present: Hart, Chair; Sodders, Vice Chair; Chelgren, Ranking Member; Anderson, Bisignano, Bowman, Breitbart, Chapman, Guth, Mathis, Schneider, Taylor, and Wilhelm.

Members Absent: Danielson and Dotzler (both excused).

Committee Business: Presentation by Mark Petri, Iowa Energy Center.

Adjourned: 1:55 p.m.

HUMAN RESOURCES

Convened: Monday, February 16, 2015, 3:10 p.m.

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

Members Absent: Chelgren and Jochum (both excused).

Committee Business: Presentations about the benefits of medical cannabis.

Adjourned: 4:00 p.m.

JUDICIARY

Convened: Tuesday, February 17, 2015, 3:05 p.m.

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

Members Absent: None.

Committee Business: Passed, as amended, SSBs 1025, 1091, 1113, and 1163.

Adjourned: 3:30 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 17, 2015, 1:00 p.m.

Members Present: Dearden, Chair; Brase, Vice Chair; Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Shipley, and Zumbach.

Members Absent: Rozenboom, Ranking Member; and Seng (both excused).

Committee Business: Presentation by Joe Larscheid, chief of the Iowa DNR's Fisheries Bureau.

Adjourned: 1:30 p.m.

WAYS AND MEANS

Convened: Monday, February 16, 2015, 4:00 p.m.

Members Present: Bolkcom, Chair; Breitbach, Dotzler, Hogg, Jochum, Quirmbach, and Smith.

Members Absent: Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, McCoy, Petersen, Schultz, and Seng (all excused).

Committee Business: Presentations about the benefits of medical cannabis.

Adjourned: 5:00 p.m.

ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 17, 2015, 10:10 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Schneider, Ranking Member; and Smith.

Members Absent: Bisignano (excused).

Committee Business: Presentation by ISU Economic Development Center.

Adjourned: 11:15 a.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 17, 2015, 10:15 a.m.

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

Members Absent: None.

Committee Business: Attorney General Tom Miller gave an overview of the Iowa Department of Justice. Acting Commissioner of the Department of Public Safety, Roxann Ryan gave an overview of the department with additional input from Colonel Robert Garrison, Chief of the Iowa State Patrol.

Adjourned: 11:30 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 10](#), by Bolkcom, Dvorsky, Hart, Hogg, Taylor, Bisignano, and Danielson, a resolution affirming Iowa's commitment to net neutrality.

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

[Senate Resolution 11](#), by Whitver and Chelgren, a resolution requesting the legislative council to establish an interim study committee to study elimination of the income tax in Iowa.

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

INTRODUCTION OF BILLS

[Senate File 241](#), by Johnson, a bill for an act relating to lighted lamps on bicycles.

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

[Senate File 242](#), by Bolkcom, a bill for an act relating to solar energy purchase requirements applicable to certain electric utilities.

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

[Senate File 243](#), by Bolkcom, a bill for an act removing the exemption for farm houses from county building codes and county zoning regulations.

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

[Senate File 244](#), by Jochum, a bill for an act allowing taxpayers to transfer certain tax credits to qualifying beginning farmers, and including effective date and retroactive and other applicability provisions.

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

[Senate File 245](#), by committee on Education, a bill for an act modifying the supplementary weighting for limited English proficient students and including effective date and applicability provisions.

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

[Senate File 246](#), by committee on Education, a bill for an act relating to the state preschool program for four-year-old children by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

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

[Senate File 247](#), by committee on Education, a bill for an act establishing a low-income program supplement for school districts to provide programs serving low-income pupils.

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

[Senate File 248](#), by Feenstra, a bill for an act excluding from the utility replacement tax the consumption of natural gas by certain persons and including effective date and retroactive applicability provisions.

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

[Senate File 249](#), by Whitver and Chelgren, a bill for an act reducing the individual 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 250](#), by Soddors, a bill for an act relating to indemnification of peace officers.

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

[Senate File 251](#), by Hart, a bill for an act relating to retail motor fuel sites, by requiring standards and practices to assist disabled individuals obtaining motor fuel, providing for enforcement by the department of agriculture and land stewardship, providing for a tax credit, and including effective and applicability date provisions.

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

[Senate File 252](#), by Bertrand, a bill for an act providing education savings grants for pupils attending a nonpublic school or receiving competent private instruction, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

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

[Senate File 253](#), by Whitver and Dearden, a bill for an act relating to academic eligibility of English as a second language students to participate in high school interscholastic athletic contests and competitions.

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

[Senate File 254](#), by Whitver and Dearden, a bill for an act relating to academic ineligibility to participate in high school interscholastic athletic contests and competitions.

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

[Senate File 255](#), by Jochum, Sinclair, McCoy, Quirmbach, Dvorsky, Dotzler, Bolkcom, Petersen, and Horn, a bill for an act extending the period of time for collecting sales tax for deposit in the secure an advanced vision for education fund.

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

[Senate File 256](#), by Bolkcom, a bill for an act providing for the application of manure originating from an animal feeding operation, and making penalties applicable.

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

[Senate File 257](#), by committee on Transportation, a bill for an act relating to transportation funding by limiting the term of indebtedness for certain county projects, modifying certain permit fees, modifying the rate of the excise taxes on motor fuel and certain special fuel, establishing a fuel distribution percentage formula for certain special fuel used in motor vehicles, requiring legislative review of the fuel distribution percentage formulas, extending the repeal date of the access Iowa highway plan, and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 1184](#) **Judiciary**

Relating to the mechanics' notice and lien registry.

SSB 1185 Judiciary

Relating to the commission of a class “A” felony by a person under 18 years of age, providing penalties, and including effective date and applicability provisions.

SSB 1186 Judiciary

Relating to the compilation of a presentence investigation report in a criminal proceeding.

SSB 1187 Commerce

Providing for a dramshop liability study.

SSB 1188 Economic Growth

Providing for benefit corporations, and providing for fees.

SSB 1189 Natural Resources and Environment

Relating to the control of disease in wildlife and including penalty provisions.

SSB 1190 Natural Resources and Environment

Relating to evidence of financial responsibility required to be furnished by certain pesticide applicators to the department of agriculture and land stewardship, and including effective date provisions.

SSB 1191 Natural Resources and Environment

Providing for the application of manure originating from animal feeding operations, and making penalties applicable.

SSB 1192 Ways and Means

Increasing the cumulative value of solar energy tax credits which may be claimed annually, and including effective date and retroactive applicability provisions.

SSB 1193 Ways and Means

Modifying provisions applicable to the renewable energy tax credit.

SSB 1194 Ways and Means

Exempting from the state individual income tax the earnings from a burial trust fund, and including retroactive applicability provisions.

SSB 1195 Ways and Means

Relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, including reporting requirements and permit fees.

SUBCOMMITTEE ASSIGNMENTS**Senate File 55**

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Garrett

Senate File 74

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Garrett

Senate File 95

APPROPRIATIONS: Dvorsky, Chair; Chapman and Danielson

Senate File 140

APPROPRIATIONS: Hogg, Chair; Ragan and Segebart

Senate File 153

APPROPRIATIONS: Dvorsky, Chair; Kraayenbrink and McCoy

Senate File 188

APPROPRIATIONS: Dvorsky, Chair; Courtney and Kraayenbrink

Senate File 207

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Johnson

Senate File 208

COMMERCE: Bolkcom, Chair; Bertrand and Petersen

[Senate File 238](#)

JUDICIARY: Sodders, Chair; Garrett and Kinney

[Senate File 239](#)

JUDICIARY: Horn, Chair; Garrett and Hogg

[House File 124](#)

WAYS AND MEANS: Quirnbach, Chair; Hogg and Smith

[SSB 1182](#)

(Reassigned)

HUMAN RESOURCES: Jochum, Chair; Chelgren and Dotzler

[SSB 1184](#)

JUDICIARY: Hogg, Chair; Shipley and Taylor

[SSB 1185](#)

JUDICIARY: Hogg, Chair; Horn and Schneider

[SSB 1186](#)

JUDICIARY: Sodders, Chair; Quirnbach and Schneider

[SSB 1187](#)

COMMERCE: Allen, Chair; Smith and Sodders

[SSB 1188](#)

ECONOMIC GROWTH: Danielson, Chair; Chelgren and Hart

[SSB 1189](#)

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

[SSB 1190](#)

NATURAL RESOURCES AND ENVIRONMENT: Kinney, Chair; Ragan and Zumbach

[SSB 1191](#)

NATURAL RESOURCES AND ENVIRONMENT: Bolcom, Chair; Petersen and Rozenboom

[SSB 1192](#)

WAYS AND MEANS: Bolkcom, Chair; Breitbach and Hogg

[SSB 1193](#)

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

[SSB 1194](#)

WAYS AND MEANS: McCoy, Chair; Feenstra and Petersen

[SSB 1195](#)

WAYS AND MEANS: Petersen, Chair; Behn and Quirmbach

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: [SENATE FILE 245](#) (formerly [SF 77](#)), a bill for an act modifying the supplementary weighting for limited English proficient students and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, Wilhelm, and Zaun. Nays, 5: Sinclair, Behn, Johnson, Kraayenbrink, and Schultz. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 246](#) ([SSB 1101](#)), a bill for an act relating to the state preschool program for four-year-old children by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 5: Sinclair, Behn, Johnson, Schultz, and Zaun. Absent, 1. Kraayenbrink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 247 \(SSB 1099\)](#), a bill for an act establishing a low-income program supplement for school districts to provide programs serving low-income pupils.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 6: Sinclair, Behn, Johnson, Kraayenbrink, Schultz, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 6](#), a resolution supporting an enhanced trade relationship between Iowa and Cuba.

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.

ALSO:

Bill Title: [SENATE RESOLUTION 9](#), a resolution congratulating the Drake Law School on the 150th anniversary of its founding and celebrating Drake Law School Day.

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.

TRANSPORTATION

Bill Title: [*SENATE FILE 257 \(SSB 1168\)](#), a bill for an act relating to transportation funding by limiting the term of indebtedness for certain county projects, modifying certain permit fees, modifying the rate of the excise taxes on motor fuel and certain special fuel, establishing a fuel distribution percentage formula for certain special fuel used in motor vehicles, requiring legislative review of the fuel distribution percentage formulas, extending the repeal date of the access Iowa highway plan, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bowman, Dvorsky, Kapucian, Breitbart, Dearden, Horn, Kraayenbrink, McCoy, and Quirnbach. Nays, 3: Brase, Feenstra, and Smith. Absent, 1: Danielson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 257](#), and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 17, 2015, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 126](#) – Updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

AMENDMENT FILED

[S-3004](#) [S.F. 206](#) Dick L. Dearden