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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, MARCH 11, 2015**

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# JOURNAL OF THE SENATE

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FIFTY-NINTH CALENDAR DAY  
THIRTY-SIXTH SESSION DAY

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

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor John Taylor of the Rock of Ages Baptist Church in Dubuque, Iowa. He was the guest of Senator Jochum.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Austin Allaire.

The Journal of Tuesday, March 10, 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 March 10, 2015, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 130](#), a bill for an act making changes to certain limitations within the national guard educational assistance program.

[Senate File 150](#), a bill for an act increasing the criminal penalty for a sexually violent predator who escapes or attempts to escape from custody.

ALSO: That the House has on March 10, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 288](#), a bill for an act allowing the taking of catfish by bow and arrow and providing penalties.

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

[House File 308](#), a bill for an act relating to private employer alcohol testing policies.

Read first time and referred to committee on **Labor and Business Relations**.

[House File 352](#), a bill for an act requiring the budget submissions of state agencies to utilize a zero-base approach.

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

[House File 381](#), a bill for an act relating to the Iowa health information network, and including effective date provisions.

Read first time and attached to **companion** [Senate File 229](#).

[House File 448](#), a bill for an act relating to confidential communications between an emergency medical care provider and a patient.

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

[House File 509](#), a bill for an act concerning government accountability, relating to state employee bonuses, personnel records and settlement agreements and disciplinary actions, and including effective date and retroactive applicability provisions.

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

## BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

<a href="#">S.F. 403</a> to Appropriations	<a href="#">S.F. 436</a> to Rules and Administration
<a href="#">S.F. 411</a> to Appropriations	<a href="#">S.F. 439</a> to Ways and Means
<a href="#">S.F. 423</a> to Ways and Means	<a href="#">S.F. 442</a> to Ways and Means
<a href="#">S.F. 430</a> to Appropriations	S.F.445 to Appropriations
<a href="#">S.F. 433</a> to Ways and Means	<a href="#">S.F. 461</a> to Ways and Means

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:18 a.m., President Jochum presiding.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 10:19 a.m. until 3:00 p.m.

## APPENDIX—1

### CERTIFICATES OF RECOGNITION

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

Iowa Central Wrestling Team of Fort Dodge—For being named 2015 National Champions. Senator Kraayenbrink.

Nancy Hayes, Davenport—For being named 2015 Athena Honoree. Senator Smith.

Virginia Ward, Mason City—For celebrating her 90<sup>th</sup> birthday. Senator Ragan.

## REPORT OF COMMITTEE MEETING

### RULES AND ADMINISTRATION

**Convened:** Monday, March 9, 2015, 4:35 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:** Governor's appointees.

**Adjourned:** 4:40 p.m.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 16](#), by Chelgren, a resolution condemning the terrorist acts of al Qaeda and the Islamic State of Iraq and Syria.

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

## INTRODUCTION OF BILL

[Senate File 467](#), by Bolkcom, a bill for an act relating to criminal asset forfeiture and providing penalties and including applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 419](#)

LABOR AND BUSINESS RELATIONS: Bisignano, Chair; Bertrand and Dearden

[House File 247](#)

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Garrett

[House File 287](#)

TRANSPORTATION: Dearden, Chair; Horn and Kraayenbrink

[House File 288](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Bolkcom and Rozenboom

## FINAL COMMITTEE REPORT OF BILL ACTION

## RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 15](#), a resolution designating March 2015 as Iowa Women's History Month.

**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.

## RECONVENED

The Senate reconvened at 3:07 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 March 11, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 447](#), a bill for an act requiring wireless communications service providers to provide call locations in circumstances of emergency, making penalties applicable, and including effective date provisions.

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

[House File 468](#), a bill for an act relating to the appointment of mental health advocates.

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

[House File 496](#), a bill for an act establishing certain privileges claimed for or by military victim advocates.

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

[House File 506](#), a bill for an act related to absentee ballot deadlines.

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

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 333](#).

### Senate File 333

On motion of Senator Hogg, [Senate File 333](#), a bill for an act relating to the acceptance of eligible patients into state mental health institutes and including effective date provisions, was taken up for consideration.

Senator Dix asked and received unanimous consent that action on [Senate File 333](#) be **deferred**.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Dix.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 299 and 402.

### Senate File 299

On motion of Senator Hogg, [Senate File 299](#), a bill for an act relating to the membership of the board of directors of a judicial district department of correctional services, was taken up for consideration.

Senator Hogg 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. 299](#)), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schneider
Bisignano	Dotzler	Kinney	Schoenjahn
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Courtney	Hogg	Quirnbach	Wilhelm
Danielson	Horn	Ragan	

Nays, 22:

Anderson	Costello	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schultz	Zumbach
Chapman	Guth	Segebart	
Chelgren	Johnson	Shipley	

Absent, 1:

Zaun

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

### Senate File 402

On motion of Senator Taylor, Senate File 402, a bill for an act relating to the state mental health institutes at Clarinda and Mount Pleasant, was taken up for consideration.

(Senate File 402 was deferred.)

The Senate stood at ease at 3:25 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:49 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 402, previously deferred.

Senator Chelgren asked and received unanimous consent that action on Senate File 402 be **deferred**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that Senate File 299 be **immediately messaged** to the House.



## BUSINESS PENDING

[Senate File 333](#)

The Senate resumed consideration of [Senate File 333](#), a bill for an act relating to the acceptance of eligible patients into state mental health institutes and including effective date provisions, previously deferred.

Senator Johnson offered amendment [S-3034](#), filed by Senator Johnson, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3034](#) be adopted?" ([S.F. 333](#)), the vote was:

Yeas, 22:

Anderson	Dix	Kraayenbrink	Smith
Behn	Feenstra	Rozenboom	Whitver
Bertrand	Garrett	Schneider	Zaun
Breitbach	Guth	Schultz	Zumbach
Chapman	Johnson	Segebart	
Chelgren	Kapucian	Sinclair	

Nays, 28:

Allen	Danielson	Horn	Ragan
Bisignano	Dearden	Jochum	Schoenjahn
Bolkcom	Dotzler	Kinney	Seng
Bowman	Dvorsky	Mathis	Shipley
Brase	Gronstal	McCoy	Sodders
Costello	Hart	Petersen	Taylor
Courtney	Hogg	Quirnbach	Wilhelm

Absent, none.

Amendment [S-3034](#) lost.

Senator Hogg 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. 333](#)), the vote was:

Yeas, 32:

Allen	Danielson	Jochum	Segebart
Bisignano	Dearden	Kinney	Seng
Bolkcom	Dotzler	Mathis	Shipley
Bowman	Dvorsky	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Chelgren	Hart	Quirnbach	Taylor
Costello	Hogg	Ragan	Wilhelm
Courtney	Horn	Schoenjahn	Zaun

Nays, 18:

Anderson	Dix	Kapucian	Sinclair
Behn	Feenstra	Kraayenbrink	Whitver
Bertrand	Garrett	Rozenboom	Zumbach
Breitbach	Guth	Schneider	
Chapman	Johnson	Schultz	

Absent, none.

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

#### BUSINESS PENDING

#### [Senate File 402](#)

The Senate resumed consideration of [Senate File 402](#), a bill for an act relating to the state mental health institutes at Clarinda and Mount Pleasant, previously deferred.

Senator Johnson offered amendment [S-3035](#), filed by Senator Johnson, et al., from the floor, striking and replacing everything after the enacting clause of the bill.

(Amendment [S-3035](#) and [Senate File 402](#) were deferred.)

The Senate stood at ease at 4:29 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 6:37 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 402](#) and amendment [S-3035](#), previously deferred.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Behn, until he returns, on request of Senator Dix; and Senator McCoy, until he returns, on request of Senator Gronstal.

Senator Johnson moved the adoption of amendment [S-3035](#).

A record roll call was requested.

On the question "Shall amendment [S-3035](#) be adopted?" ([S.F. 402](#)), the vote was:

Yeas, 21:

Anderson	Feenstra	Rozenboom	Whitver
Bertrand	Garrett	Schneider	Zaun
Breitbach	Guth	Schultz	Zumbach
Chapman	Johnson	Segebart	
Chelgren	Kapucian	Sinclair	
Dix	Kraayenbrink	Smith	

Nays, 27:

Allen	Danielson	Horn	Schoenjahn
Bisignano	Dearden	Jochum	Seng
Bolkcom	Dotzler	Kinney	Shiple
Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	Petersen	Taylor
Costello	Hart	Quirnbach	Wilhelm
Courtney	Hogg	Ragan	

Absent, 2:

Behn	McCoy
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Amendment [S-3035](#) lost.

Senator Taylor 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. 402](#)), the vote was:

Yeas, 29:

Allen	Dearden	Kinney	Smith
Bisignano	Dotzler	Mathis	Sodders
Bolkcom	Dvorsky	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Hart	Ragan	Zaun
Costello	Hogg	Schoenjahn	
Courtney	Horn	Seng	
Danielson	Jochum	Shipley	

Nays, 19:

Anderson	Dix	Kapucian	Segebart
Bertrand	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Rozenboom	Whitver
Chapman	Guth	Schneider	Zumbach
Chelgren	Johnson	Schultz	

Absent, 2:

Behn	McCoy
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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 333** and **402** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:53 p.m. until 9:00 a.m., Thursday, March 12, 2015.

**APPENDIX—2****CERTIFICATE OF RECOGNITION**

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

David Greene, Waterloo—For celebrating his 90<sup>th</sup> birthday. Senator Dotzler.

**REPORT OF COMMITTEE MEETING****APPROPRIATIONS**

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

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kraayenbrink, Mathis, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach.

**Members Absent:** Chapman, Ranking Member; Kapucian and McCoy (all excused).

**Committee Business:** Discussed SFs 245, 246, and 247.

**Adjourned:** 2:15 p.m.

**INTRODUCTION OF BILLS**

[Senate File 468](#), by Chelgren, a bill for an act relating to the individual and corporate income taxes by reducing individual and corporate tax rates and eliminating a deduction for federal income taxes paid, and including retroactive applicability provisions.

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

[Senate File 469](#), by Chelgren, a bill for an act providing a deduction from the individual income tax for the amount of interest paid on a qualified educational loan and including retroactive applicability provisions.

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

[Senate File 470](#), by Chelgren, a bill for an act modifying the tax brackets and tax rates imposed under the individual income tax and corporate income tax and including retroactive applicability provisions.

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

[Senate File 471](#), by committee on Appropriations, 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 Appropriations calendar**.

[Senate File 472](#), by committee on Appropriations, 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 Appropriations calendar**.

[Senate File 473](#), by committee on Appropriations, 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 Appropriations calendar**.

#### SUBCOMMITTEE ASSIGNMENTS

##### [Senate Joint Resolution 11](#)

JUDICIARY: Horn, Chair; Schneider and Sadders

##### [Senate File 390](#)

JUDICIARY: Horn, Chair; Schneider and Sadders

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** [SENATE FILE 471](#) (formerly [SF 247](#)), 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, 12: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, Ragan, Schoenjahn, and Wilhelm. Nays, 6: Garrett, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, 3: Chapman, Kapucian, and McCoy.

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

## ALSO:

**Bill Title:** [SENATE FILE 472](#) (formerly [SF 245](#)), 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, 12: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, Ragan, Schoenjahn, and Wilhelm. Nays, 6: Garrett, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, 3: Chapman, Kapucian, and McCoy.

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

## ALSO:

**Bill Title:** [SENATE FILE 473](#) (formerly [SF 246](#)), 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, 12: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, Ragan, Schoenjahn, and Wilhelm. Nays, 6: Garrett, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, 3: Chapman, Kapucian, and McCoy.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

<a href="#">S-3032</a>	<a href="#">S.F. 426</a>	Steven J. Soddors
<a href="#">S-3033</a>	<a href="#">S.F. 440</a>	Mary Jo Wilhelm

S-3034S.F. 333

David Johnson  
Jake Chapman  
Dennis Guth  
Tim L. Kapucian  
Julian B. Garrett  
Jerry Behn  
Amy Sinclair  
Ken Rozenboom  
Mark Segebart  
Rick Bertrand  
Tim Kraayenbrink  
Jack Whitver  
Randy Feenstra  
Mark Chelgren  
Tom Shipley  
Jason Schultz  
Brad Zaun  
Roby Smith  
Bill Dix  
Dan Zumbach  
Bill Anderson  
Michael Breitbach  
Charles Schneider

S-3035S.F. 402

David Johnson  
Jack Whitver  
Randy Feenstra  
Mark Chelgren  
Bill Dix  
Dan Zumbach  
Michael Breitbach  
Julian B. Garrett  
Jason Schultz  
Mark Segebart  
Roby Smith  
Amy Sinclair  
Tim L. Kapucian  
Ken Rozenboom  
Dennis Guth  
Jerry Behn  
Charles Schneider  
Brad Zaun



Bill Anderson  
Jake Chapman  
Rick Bertrand  
Tim Kraayenbrink

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

4th grade students from Studebaker Elementary in Des Moines, Iowa, accompanied by their teachers, Mr. Wenke, Miss Quick, and Mrs. Rawlins. Senator Bisignano.