

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 25, 2015

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JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 25, 2015

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

Prayer was offered by Pastor Rick Admiraal of the New Life Prison Community at the Newton Correctional Facility in Newton, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Matthew Voss.

The Journal of Tuesday, March 24, 2015, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Rod Roberts, the governor's appointee to be Director of the Department of Inspections and Appeals. He was the guest of Senators Bertrand and Danielson and the committee on State Government.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 17](#).

[Senate Resolution 17](#)

On motion of Senator Taylor, [Senate Resolution 17](#), a resolution congratulating Mikaela Foecke for her success on and off the volleyball court, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved the adoption of [Senate Resolution 17](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Taylor introduced to the Senate chamber Mikaela Foecke and her family.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:17 a.m. until 2:45 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:53 p.m., President Pro Tempore Soddors 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 25, 2015, **passed** the following bill in which the concurrence of the House was asked:

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

ALSO: That the House has on March 25, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 455](#), a bill for an act requiring the submission of a corporate governance annual disclosure to the commissioner of insurance by certain insurers or insurance groups, and including penalties and applicability date provisions.

Read first time and attached to **companion** [Senate File 349](#).

[House File 493](#), a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations.

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

[House File 501](#), a bill for an act relating to the operation of a rescue vehicle when responding to an emergency.

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

[House File 504](#), a bill for an act relating to electronic delivery and posting of insurance notices and documents.

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

[House File 550](#), a bill for an act requiring publication on the internet of contact information for elective public officers.

Read first time and attached to **similar** [Senate File 443](#).

The Senate stood at ease at 2:54 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:45 p.m., President Pro Tempore Sodders presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 227](#)

Senator Gronstal called up for consideration [Senate File 227](#), a bill for an act relating to the school start date and eliminating waiver and penalty provisions, amended by the House in House amendment [S-3068](#), filed March 24, 2015.

Senator Quirnbach moved that the Senate concur in the House amendment and requested a “no” vote.

A nonrecord roll call was requested.

The ayes were 29, nays 21.

The motion prevailed and the Senate concurred in the House amendment.

Senator Quirnbach 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 227](#)), the vote was:

Yeas, 28:

Allen	Costello	Guth	Schultz
Anderson	Danielson	Johnson	Segebart
Behn	Dearden	Kapucian	Seng
Bertrand	Dix	Kraayenbrink	Shiple
Breitbach	Dotzler	McCoy	Sinclair
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Gronstal	Schneider	Zumbach

Nays, 22:

Bisignano	Feenstra	Mathis	Sodders
Bolkcom	Hart	Petersen	Taylor
Bowman	Hogg	Quirnbach	Wilhelm
Brase	Horn	Ragan	Zaun
Courtney	Jochum	Schoenjahn	
Dvorsky	Kinney	Smith	

Absent, none.

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 477](#).

[Senate File 477](#)

On motion of Senator Hogg, [Senate File 477](#), 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, 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. 477](#)), the vote was:

Yeas, 37:

Allen	Dotzler	Kinney	ShIPLEY
Anderson	Dvorsky	Kraayenbrink	SINCLAIR
Bertrand	Feenstra	Mathis	SMITH
Bolkcom	Garrett	McCoy	SODDERS
Bowman	Gronstal	Petersen	Taylor
Brase	Hart	Quirnbach	Wilhelm
Breitbach	Hogg	Ragan	Zumbach
Chapman	Horn	Rozenboom	
Courtney	Jochum	Schoenjahn	
Danielson	Kapucian	Seng	

Nays, 13:

Behn	Dearden	Schneider	Zaun
Bisignano	Dix	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson	Whitver	

Absent, none.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 125, 328, 346, 349, and 459.

[Senate File 125](#)

On motion of Senator Schoenjahn, [Senate File 125](#), a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce, was taken up for consideration.

Senator Schoenjahn offered amendment [S-3061](#), filed by Senators Schoenjahn and Dvorsky on March 19, 2015, to pages 1 and 3 of the bill, and moved its adoption.

Amendment [S-3061](#) was adopted by a voice vote.

Senator Schoenjahn 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. 125](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

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

[Senate File 328](#)

On motion of Senator Courtney, [Senate File 328](#), a bill for an act related to absentee ballot deadlines, was taken up for consideration.

Senator Chelgren asked and received unanimous consent that action on [Senate File 328](#) be **deferred**.

[Senate File 346](#)

On motion of Senator McCoy, [Senate File 346](#), a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce and including effective date provisions, was taken up for consideration.

Senator McCoy offered amendment [S-3070](#), filed by him from the floor to pages 1-2, 5, 15, and 19 of the bill.

(Amendment [S-3070](#) and [Senate File 346](#) were deferred.)

The Senate stood at ease at 4:09 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:26 p.m., President Pro Tempore Sodders presiding.

The Senate resumed consideration of [Senate File 346](#) and amendment [S-3070](#), previously deferred.

Senator McCoy moved the adoption of amendment [S-3070](#).

A record roll call was requested.

On the question "Shall amendment [S-3070](#) be adopted?" ([S.F. 346](#)), the vote was:

Yeas, 26:

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

Nays, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith

Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

Amendment [S-3070](#) was adopted.

Senator McCoy 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. 346](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

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

[Senate File 349](#)

On motion of Senator Petersen, [Senate File 349](#), a bill for an act requiring the submission of a corporate governance annual disclosure to the commissioner of insurance by certain insurers or insurance groups, and including penalties and applicability date provisions, was taken up for consideration.

Senator Petersen asked and received unanimous consent that [House File 455](#) be substituted for [Senate File 349](#).

House File 455

On motion of Senator Petersen, [House File 455](#), a bill for an act requiring the submission of a corporate governance annual disclosure to the commissioner of insurance by certain insurers or insurance groups, and including penalties and applicability date provisions, was taken up for consideration.

Senator Petersen 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. 455](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Petersen asked and received unanimous consent that [Senate File 349](#) be **withdrawn** from further consideration of the Senate.

[Senate File 459](#)

On motion of Senator Petersen, [Senate File 459](#), a bill for an act concerning employment of and merit system protection for administrative law judges, workers' compensation commissioners, and the administrator of the administrative hearings division of the department of inspections and appeals, was taken up for consideration.

Senator Petersen offered amendment [S-3066](#), filed by her on March 23, 2015, to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3066](#) was adopted by a voice vote.

Senator Petersen 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. 459](#)), the vote was:

Yeas, 26:

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

Nays, 24:

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

Absent, none.

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 125, 346, 459, and 477** and **[House File 455](#)** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:45 p.m. until 9:00 a.m., Thursday, March 26, 2015.

APPENDIX**CERTIFICATE OF RECOGNITION**

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

LaVerle Sniffin, Waterloo—For celebrating her 90th birthday. Senator Dotzler.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: Wednesday, March 25, 2015, 11:45 a.m.

Members Present: Seng, Chair; Ragan, Vice Chair; Zumbach, Ranking Member; Bowman, Brase, Hart, Kapucian, Kinney, Rozenboom, Shipley, and Sodders.

Members Absent: Anderson and Taylor (both excused).

Committee Business: Passed [HF 525](#). Governor's appointees.

Adjourned: 12:00 p.m.

EDUCATION

Convened: Wednesday, March 25, 2015, 1:10 p.m.

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

Members Absent: Schoenjahn, Vice Chair; Johnson and Wilhelm (all excused).

Committee Business: Governor's appointees. Presentations by Deputy Executive Director Luci Willits of Smarter Balanced Assessment Consortium and Director of the statewide testing programming for the Iowa Testing Programs, Catherine Welch.

Adjourned: 2:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 16, 2015, 3:05 p.m.

Members Present: Bisignano, Chair; Shipley, Ranking Member; Brase, Costello, Courtney, Dearden, Dotzler, Soddors, and Whitver.

Members Absent: Seng, Vice Chair; and Bertrand (both excused).

Committee Business: Governor's appointee.

Adjourned: 3:40 p.m.

ALSO:

Convened: Monday, March 23, 2015, 3:00 p.m.

Members Present: Bisignano, Chair; Seng, Vice Chair; Shipley, Ranking Member; Brase, Costello, Courtney, Dearden, Dotzler, and Whitver.

Members Absent: Bertrand and Soddors (both excused).

Committee Business: Governor's appointee.

Adjourned: 3:25 p.m.

ALSO:

Convened: Wednesday, March 25, 2015, 1:05 p.m.

Members Present: Bisignano, Chair; Seng, Vice Chair; Shipley, Ranking Member; Brase, Costello, Dearden, and Dotzler.

Members Absent: Bertrand, Courtney, Soddors, and Whitver (all excused).

Committee Business: Governor's appointee.

Adjourned: 1:10 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, March 25, 2015, 2:00 p.m.

Members Present: Taylor, Chair; Wilhelm, Vice Chair; Smith, Ranking Member; Allen, Bisignano, Brase, Breitbach, Guth, Hart, and Sinclair.

Members Absent: Quirnbach (excused).

Committee Business: Governor's appointees.

Adjourned: 2:15 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 25, 2015, 5:00 p.m.

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

Members Absent: Ragan (excused).

Committee Business: Passed [SR 21](#).

Adjourned: 5:05 p.m.

STATE GOVERNMENT

Convened: Wednesday, March 25, 2015, 2:10 p.m.

Members Present: Danielson, Chair; Courtney, Vice Chair; Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, McCoy, Petersen, Schultz, and Whitver.

Members Absent: Bertrand, Ranking Member; Johnson and Schoenjahn (all excused).

Committee Business: Governor's appointee.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 21](#), by Dotzler, Hart, Kapucian, Schneider, and Sodders, a resolution reaffirming Iowa's commitment to its relationship with Taiwan and supporting Taiwan's efforts to participate in the international community.

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

[Senate Resolution 22](#), by Schneider, a resolution recognizing March as Fibromuscular Dysplasia Awareness Month in Iowa.

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

INTRODUCTION OF BILL

[Senate File 481](#), by Zaun, a bill for an act relating to state taxes by eliminating the individual income tax, increasing the sales and use tax rates, making conforming changes, and including effective date and applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate File 403](#)
(Reassigned)

APPROPRIATIONS: Dvorsky, Chair; Chapman, Courtney, Danielson, and Garrett

[House File 172](#)

JUDICIARY: Hogg, Chair; Horn and Schneider

[House File 227](#)

JUDICIARY: Sodders, Chair; Garrett and Kinney

[House File 394](#)

TRANSPORTATION: Danielson, Chair; Breitbach and Quirmbach

[House File 507](#)

LOCAL GOVERNMENT: Taylor, Chair; Bisignano and Breitbach

[House File 583](#)

AGRICULTURE: Seng, Chair; Hart and Rozenboom

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [HOUSE FILE 525](#), a bill for an act allowing a professional limited liability company or a partnership of veterinarians to provide veterinary care.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Seng, Ragan, Zumbach, Bowman, Brase, Hart, Kapucian, Kinney, Rozenboom, Shipley, and Sodders. Nays, none. Absent, 2: Anderson and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 21](#), a resolution reaffirming Iowa's commitment to its relationship with Taiwan and supporting Taiwan's efforts to participate in the international community.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Soddors, and Whitver. Nays, none. Absent, 1: Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which [Senate File 227](#) passed the Senate on March 25, 2015.

MICHAEL E. GRONSTAL

MADAM PRESIDENT, I move to reconsider the vote by which amendment [S-3068](#) to [Senate File 227](#) was adopted by the Senate on March 25, 2015.

MICHAEL E. GRONSTAL

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Sherman Lundy – State Soil Conservation Committee
Kevin Pope – State Soil Conservation Committee
Linda Querry – State Soil Conservation Committee

EDUCATION

Sigrid Lane – Early Childhood Iowa State Board
John Hartung – Iowa Higher Education Loan Authority

LOCAL GOVERNMENT

Barbara Brown – City Development Board
Jay Howe – City Development Board

Jane Heun – County Finance Committee
Russell Hopp – County Finance Committee
Grant Veeder – County Finance Committee

Linda Dunshee – Mental Health Risk Pool Board
Rick Larkin – Mental Health Risk Pool Board
Andrew Nielsen – Mental Health Risk Pool Board
Patrick Schmitz – Mental Health Risk Pool Board

Stewart Iverson – Chair of the Property Assessment Appeal Board

Karen Oberman – Property Assessment Appeal Board

STATE GOVERNMENT

Cheryl Critelli – Accountancy Examining Board
Robert Snodgrass – Accountancy Examining Board
Tommy Thompson – Accountancy Examining Board

Linda Alfson Schemmel – Architectural Examining Board
Bruce Bassler – Architectural Examining Board

Randy Lewis – Board of Trustees of the Iowa Cultural Trust
Tiffany Tauscheck – Board of Trustees of the Iowa Cultural Trust

Todd Cash – Electrical Examining Board

Bob George – Iowa Emergency Response Commission
Julie Waltz – Iowa Emergency Response Commission

Laura Sievers – Engineering and Land Surveying Examining Board
Lisa VanDenBerg – Engineering and Land Surveying Examining Board

David Creighton Sr. – Investment Board of the IPERS

Mary Romano – Board of Medicine
Kyle Ulveling – Board of Medicine
Charles Wadle – Board of Medicine

Mark Mentzer – Board of Optometry
Monique Root – Board of Optometry

Rachel Judisch – Board of Physical and Occupational Therapy

Terry Duggan – Real Estate Commission
Carol Haines – Real Estate Commission

Tim Peterson – Technology Advisory Council

Merlin Bartz – Vision Iowa Board
Cathy Reece – Vision Iowa Board
Emily Schirmer – Vision Iowa Board
Charese Yanney – Vision Iowa Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Mary Andringa – State Board of Regents
Patricia Cownie – State Board of Regents
Rachael Johnson – State Board of Regents

LABOR AND BUSINESS RELATIONS

Joseph S. Cortese II – Workers' Compensation Commissioner

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Stewart Iverson – Chair of the Property Assessment Appeal Board

TONY BISIGNANO

AMENDMENT FILED

[S-3070](#) [S.F. 346](#) Matt McCoy