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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, APRIL 22, 2015**

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Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE SENATE

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ONE HUNDRED FIRST CALENDAR DAY  
SIXTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 22, 2015

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Nathan Gann of Rhythm Church in Mason City, Iowa. He was the guest of Senator Ragan.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nathan Paulsen.

The Journal of Tuesday, April 21, 2015, was approved.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 32](#).

### [Senate Resolution 32](#)

On motion of Senator Quirnbach, [Senate Resolution 32](#), a resolution recognizing and congratulating Kyven Gadson on his outstanding achievements in college wrestling and as a student-athlete at Iowa State University, was taken up for consideration.

Senator Quirnbach moved the adoption of [Senate Resolution 32](#), which motion prevailed by a voice vote.

### SPECIAL GUESTS

Senator Quirmbach introduced to the Senate chamber NCAA wrestling champion, Kyven Gadson. He was accompanied by his mother, aunt, and ISU Head Wrestling Coach, Kevin Jackson.

The Senate rose and expressed its welcome.

### 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 April 21, 2015, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 75](#), a bill for an act relating to the use of blue and white lighting devices and reflectors during snow and ice treatment and removal, making penalties applicable, and including sunset date provisions.

[Senate File 487](#), a bill for an act regulating the sale of portable electronics insurance, including requiring licensure, providing for fees and penalties, and including effective date provisions.

ALSO: That the House has on April 21, 2015, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 548](#), a bill for an act requiring the Iowa utilities board to adopt administrative rules relating to the safety of distributed electric generation facilities.

[House File 585](#), a bill for an act establishing an address confidentiality program in the office of the secretary of state for a victim of domestic abuse, domestic abuse assault, sexual abuse, stalking, and human trafficking and providing for a fee and including effective date provisions.

ALSO: That the House has on April 21, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 624](#), a bill for an act increasing the number of years that a taxpayer may claim a custom farming contract tax credit under a contract executed by the holder of agricultural land and a qualified beginning farmer, and including effective date and retroactive applicability provisions.

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

[House File 632](#), 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.

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

[House File 634](#), a bill for an act providing for the department of agriculture and land stewardship's administration of certain functions, including by eliminating past dates relating to a determination of Iowa-foaled horse and to the rehabilitation and conservation of land affected by coal mining, providing for payment by the department for the examination of certain articles, allowing the department to adopt by reference certain federal publications affecting milk and milk products, modifying the definition of biobutanol, eliminating departmental duties and fees relating to weights and measures, providing for purchased-grain fees paid into the Iowa grain indemnity fund, and changing the name of the division of soil and water conservation and the name of its appointed administrative official.

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

[House File 637](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

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

[House File 638](#), a bill for an act concerning the reporting and payment of wine gallonage sales and taxes.

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

[House File 641](#), a bill for an act relating to and providing for the coordination and facilitation of broadband access in targeted areas of the state, including property tax incentives for broadband infrastructure installation, a broadband grant program and fund, and including applicability provisions.

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

[House File 643](#), a bill for an act relating to the study of a hub and spoke recycling program and providing for an allocation of moneys from the groundwater protection fund.

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

ALSO: That the House has on April 21, 2015, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 366](#), a bill for an act relating to the reexamination, recalculation, and offset of disability retirement benefits for beneficiaries under the public safety peace officers' retirement, accident, and disability system. ([S-3132](#))

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:33 a.m. until 1:30 p.m.

#### AFTERNOON SESSION

The Senate reconvened at 1:32 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 April 22, 2015, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 488](#), a bill for an act relating to air quality, by providing for the establishment, imposition, and collection of fees, the creation or administration of funds and programs, making appropriations, and including effective date provisions.

ALSO: That the House has on April 22, 2015, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 397](#), a bill for an act defining occasional work for purposes of the state child labor law.

[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.

ALSO: That the House has on April 22, 2015, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

[House File 229](#), a bill for an act relating to the regulation of free offers and buying club memberships. ([S-3133](#))

ALSO: That the House has on April 22, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 644](#), a bill for an act modifying provisions applicable to the renewable energy tax credit, and including effective date and retroactive applicability provisions.

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

[House File 645](#), a bill for an act modifying provisions applicable to the renewable energy tax credit, and including effective date and retroactive applicability provisions.

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

[House File 646](#), a bill for an act relating to the use of revenues resulting from the physical plant and equipment levy and including applicability provisions.

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

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:34 p.m. until 9:00 a.m., Thursday, April 23, 2015.

#### APPENDIX

##### CERTIFICATES OF RECOGNITION

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

Clark Geddes, Osceola—For celebrating his 87<sup>th</sup> birthday. Senator Sinclair.

Spencer Peterson, Boone—For achieving the rank of Eagle Scout, Troop 197. Senator Behn.

Lauralee Staley, Oskaloosa—For celebrating her 90<sup>th</sup> birthday. Senator Rozenboom.

##### REPORTS OF COMMITTEE MEETINGS

###### APPROPRIATIONS

**Convened:** Wednesday, April 22, 2015, 10:35 a.m.

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

**Members Absent:** Chapman, Ranking Member; and Zumbach (both excused).

**Committee Business:** Discussed [SF 411](#) and SSBs 1277 and 1279.

**Adjourned:** 12:00 p.m.

**GOVERNMENT OVERSIGHT**

**Convened:** Wednesday, April 22, 2015, 2:35 p.m.

**Members Present:** Hogg, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Kinney and Whitver.

**Members Absent:** None.

**Committee Business:** Presentations MHI closures.

**Adjourned:** 3:45 p.m.

**RULES AND ADMINISTRATION**

**Convened:** Wednesday, April 22, 2015, 1:55 p.m.

**Members Present:** Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Courtney, Dvorsky, and Soddors.

**Members Absent:** Chapman, Dearden, Guth, Ragan, and Whitver (all excused).

**Committee Business:** Passed [SR 34](#).

**Adjourned:** 2:00 p.m.

**TRANSPORTATION**

**Convened:** Wednesday, April 22, 2015, 2:00 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbart, Danielson, Feenstra, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith.

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

**Committee Business:** Passed [HF 635](#).

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

**ADMINISTRATION AND REGULATION APPROPRIATIONS  
SUBCOMMITTEE**

**Convened:** Wednesday, April 22, 2015, 9:15 a.m.

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

**Members Absent:** Zumbach, Ranking Member (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 9:55 a.m.

**ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, April 21, 2015, 3:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Budget bill drafts.

**Adjourned:** 3:25 p.m.

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, April 22, 2015, 9:15 a.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 9:55 a.m.

**INTRODUCTION OF RESOLUTIONS**

[Senate Resolution 34](#), by Horn and Johnson, a resolution honoring Iowa's community colleges on the 50th anniversary of the enactment of [Senate File 550](#).

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

[Senate Resolution 35](#), by committee on Rules and Administration, a resolution honoring Iowa's community colleges on the 50th anniversary of the enactment of [Senate File 550](#).

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

**INTRODUCTION OF BILLS**

[Senate File 492](#), by committee on Appropriations, a bill for an act creating a disaster case management grant fund and program.

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

[Senate File 493](#), by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing effective date and applicability provisions.

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

[Senate File 494](#), by committee on Appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

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

#### STUDY BILLS RECEIVED

[SSB 1282](#)      **Appropriations**

Relating to family support programs and provisions including those relating to child support and establishment of paternity.

[SSB 1283](#)      **Appropriations**

Relating to appropriations to the judicial branch.

[SSB 1284](#)      **Appropriations**

Relating to appropriations to the justice system, and including effective date provisions.

[SSB 1285](#)      **Ways and Means**

Relating to county funding of mental health and disabilities services and including effective date and applicability provisions.

[SSB 1286](#)      **Appropriations**

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

## SUBCOMMITTEE ASSIGNMENTS

[SSB 1282](#)

APPROPRIATIONS: Mathis, Chair; Ragan and Segebart

[SSB 1283](#)

APPROPRIATIONS: Courtney, Chair; Dvorsky and Garrett

[SSB 1284](#)

APPROPRIATIONS: Courtney, Chair; Dvorsky and Garrett

[SSB 1285](#)

WAYS AND MEANS: Hogg, Chair; Bolkcom and Breitbach

[SSB 1286](#)

APPROPRIATIONS: Brase, Chair; Dvorsky and Zumbach

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** \*[SENATE FILE 492](#) (formerly [SF 411](#)), a bill for an act creating a disaster case management grant fund and program.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 19: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, and Wilhelm. Nays, none. Absent, 2: Chapman and Zumbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 492](#), and they were attached to the committee report.

## ALSO:

**Bill Title:** \*[SENATE FILE 493 \(SSB 1277\)](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing effective date and applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 6: Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, and Segebart. Absent, 2: Chapman and Zumbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 493](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 494 \(SSB 1279\)](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, and Wilhelm. Nays, 4: Garrett, Kraayenbrink, Schneider, and Segebart. Absent, 2: Chapman and Zumbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 494](#), and they were attached to the committee report.

**RULES AND ADMINISTRATION**

**Bill Title:** [SENATE RESOLUTION 35](#) (formerly [SR 34](#)), a resolution honoring Iowa's community colleges on the 50th anniversary of the enactment of [Senate File 550](#).

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Gronstal, Jochum, Dix, Courtney, Dvorsky, and Soddors. Nays, none. Absent, 5: Chapman, Dearden, Guth, Ragan, and Whitver.

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

**TRANSPORTATION**

**Bill Title:** [HOUSE FILE 635](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3134](#).

**Final Vote:** Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith. Nays, none. Absent, 1: Dearden.

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

AMENDMENTS FILED

<a href="#">S-3132</a>	<a href="#">S.F. 366</a>	House
<a href="#">S-3133</a>	<a href="#">H.F. 229</a>	House
<a href="#">S-3134</a>	<a href="#">H.F. 635</a>	Transportation