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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, MARCH 2, 2016**

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# JOURNAL OF THE SENATE

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FIFTY-SECOND CALENDAR DAY  
THIRTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 2, 2016

The Senate met in regular session at 9:09 a.m., Senator Courtney presiding.

Prayer was offered by the Honorable Chaz Allen, member of the Senate from Jasper County, Newton, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kira Le.

The Journal of Tuesday, March 1, 2016, 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 1, 2016, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2151](#), 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.

[Senate File 2257](#), a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

[Senate File 2288](#), a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

ALSO: That the House has on March 1, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2011](#), a bill for an act relating to the criminal offense of sexual exploitation by a school employee.

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

[House File 2321](#), a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

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

[House File 2324](#), a bill for an act providing for a computer science advisory council to be convened by the director of the department of education.

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

[House File 2336](#), a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

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

[House File 2341](#), a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

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

[House File 2345](#), a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

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

[House File 2365](#), a bill for an act waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans.

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

[House File 2370](#), a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission.

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

[House File 2377](#), a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

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

[House File 2387](#), a bill for an act requiring the dental board to offer an alternative examination for licensure.

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

[House File 2400](#), a bill for an act providing for voidable commercial transactions and including applicability provisions.

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

[House File 2415](#), a bill for an act concerning veterans preference information.

Read first time and attached to **similar** [Senate File 2169](#).

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:44 a.m., President Pro Tempore Soddors presiding.

UNFINISHED BUSINESS  
(Deferred March 1, 2016)

**Senate File 2213**

The Senate resumed consideration of **Senate File 2213**, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions, deferred March 1, 2016.

Senator Ragan offered amendment **S-5045**, filed by Senators Ragan, Mathis, and Bolkcom on March 1, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Ragan asked and received unanimous consent that action on amendment **S-5045** be deferred.

Senator Johnson offered amendment **S-5052**, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment **S-5052** be adopted?" (**S.F. 2213**), the vote was:

Yeas, 23:

Anderson	Costello	Kapucian	ShIPLEY
Behn	Dix	Kraayenbrink	SINCLAIR
Bertrand	Feenstra	Rozenboom	SMITH
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	

Nays, 27:

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

Absent, none.

Amendment **S-5052** lost.

The Senate resumed consideration of amendment [S-5045](#), previously deferred.

Senator Ragan moved the adoption of amendment [S-5045](#).

A record roll call was requested.

On the question “Shall amendment [S-5045](#) be adopted?” ([S.F. 2213](#)), the vote was:

Yeas, 31:

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

Nays, 19:

Anderson	Costello	Kapucian	Segebart
Behn	Dix	Kraayenbrink	Shipley
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schneider	Zumbach
Chelgren	Guth	Schultz	

Absent, none.

Amendment [S-5045](#) was adopted.

Senator Ragan 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. 2213](#)), the vote was:

Yeas, 32:

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

Nays, 18:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Whitver
Bertrand	Feenstra	Rozenboom	Zumbach
Breitbach	Garrett	Schneider	
Chelgren	Guth	Schultz	

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 File 2213](#) be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:17 p.m. until 3:00 p.m.

#### RECONVENED

The Senate reconvened at 3:15 p.m., President Jochum presiding.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2266, 2229, 2228, 2225, and 2252.

#### [Senate File 2266](#)

On motion of Senator Bisignano, [Senate File 2266](#), a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system, was taken up for consideration.

Senator Schneider offered amendment [S-5054](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment [S-5054](#) was not germane to the bill.

The Chair rules the point well-taken and amendment [S-5054](#) out of order.

Senator Chelgren asked and received unanimous consent that action on [Senate File 2266](#) be **deferred**.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Gronstal.

#### [Senate File 2229](#)

On motion of Senator Hart, [Senate File 2229](#), a bill for an act relating to the provision of financial assistance from the nuisance property remediation fund, was taken up for consideration.

Senator Hart offered amendment [S-5049](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5049](#) be adopted?" ([S.F. 2229](#)), the vote was:

Yeas, 25:

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

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, 1:

McCoy

Amendment [S-5049](#) was adopted.

Senator Hart 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. 2229](#)), the vote was:

Yeas, 48:

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

Nays, 2:

Johnson	Rozenboom
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Absent, none.

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

### [Senate File 2228](#)

On motion of Senator Bowman, [Senate File 2228](#), a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable, was taken up for consideration.

Senator Bowman offered amendment [S-5047](#), filed by him on March 1, 2016, to pages 2 and 3 of the bill, and moved its adoption.

Amendment [S-5047](#) was adopted by a voice vote.

Senator Sinclair offered amendment [S-5053](#), filed by her from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5053](#) was adopted by a voice vote.

Senator Bowman 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. 2228](#)), 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 2225](#)

On motion of Senator Bowman, [Senate File 2225](#), a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests, was taken up for consideration.

Senator Bowman offered amendment [S-5051](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-5051](#) was adopted by a voice vote.

Senator Bowman 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. 2225](#)), the vote was:

Yeas, 35:

Allen	Dearden	Kapucian	Seng
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Mathis	Smith
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Breitbach	Hogg	Quirnbach	Whitver
Chelgren	Horn	Ragan	Wilhelm
Courtney	Jochum	Schoenjahn	Zumbach
Danielson	Johnson	Segebart	

Nays, 15:

Anderson	Costello	Guth	Schultz
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Zaun
Chapman	Garrett	Schneider	

Absent, none.

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

### [Senate File 2252](#)

On motion of Senator Brase, [Senate File 2252](#), a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable, was taken up for consideration.

([Senate File 2252](#) was deferred.)

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:34 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 2252](#), previously deferred.

Senator Brase 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. 2252](#)), the vote was:

Yeas, 28:

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

Nays, 22:

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

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 2225, 2228, 2229, and 2252** be **immediately messaged** to the House.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2235](#).

**Senate File 2235**

On motion of Senator Quirnbach, **Senate File 2235**, a bill for an act relating to standards and licensure for certain children’s centers, was taken up for consideration.

Senator Quirnbach offered amendment **S-5056**, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment **S-5056** was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 2235** be **deferred**.

BUSINESS PENDING

**Senate File 2266**

The Senate resumed consideration of **Senate File 2266**, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system, previously deferred.

Senator Chelgren offered amendment **S-5057**, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment **S-5057** was not germane to the bill.

The Chair ruled the point well-taken and amendment **S-5057** out of order.

Senator Bisignano 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. 2266**), 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.

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 File 2266](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:07 p.m. until 9:00 a.m., Thursday, March 3, 2016.

#### APPENDIX

##### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

##### COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on March 2, 2016.

##### DEPARTMENT OF TRANSPORTATION

Soil and Water Conservation Project Disagreements Annual Report, pursuant to Iowa Code section 306.54. Report received on March 1, 2016.

## CERTIFICATES OF RECOGNITION

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

Wayne and Rosemary Dunn, Algona—For celebrating their 60<sup>th</sup> wedding anniversary. Senator Guth.

Bill and Erma Jeanne McCabe, New London—For celebrating their 70<sup>th</sup> wedding anniversary. Senator Courtney.

Ruth Stephens, Algona—For celebrating her 100<sup>th</sup> birthday. Senator Guth.

Merlin and Minnie Walker, Algona—For celebrating their 65<sup>th</sup> wedding anniversary. Senator Guth.

## REPORT OF COMMITTEE MEETING

### JUDICIARY

**Convened:** Wednesday, March 2, 2016, 1:05 p.m.

**Recessed:** 1:10 p.m.

**Reconvened:** 1:45 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed [HF 2279](#), as amended.

**Adjourned:** 1:55 p.m.

## SUBCOMMITTEE ASSIGNMENT

### [House File 2342](#)

NATURAL RESOURCES AND ENVIRONMENT: Kinney, Chair; Brase and Rozenboom

## FINAL COMMITTEE REPORT OF BILL ACTION

### JUDICIARY

**Bill Title:** [HOUSE FILE 2279](#), a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5055](#).

**Final Vote:** Ayes, 11: Soddors, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Shipley, Taylor, Whitver, and Zaun. Nays, 2: Hogg and Quirmbach. Absent, none.

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

#### AMENDMENTS FILED

<a href="#">S-5049</a>	<a href="#">S.F. 2229</a>	Rita Hart
<a href="#">S-5050</a>	<a href="#">S.F. 2169</a>	Jeff Danielson
<a href="#">S-5051</a>	<a href="#">S.F. 2225</a>	Tod R. Bowman
<a href="#">S-5052</a>	<a href="#">S.F. 2213</a>	David Johnson
<a href="#">S-5053</a>	<a href="#">S.F. 2228</a>	Amy Sinclair
<a href="#">S-5054</a>	<a href="#">S.F. 2266</a>	Charles Schneider
<a href="#">S-5055</a>	<a href="#">H.F. 2279</a>	Judiciary
<a href="#">S-5056</a>	<a href="#">S.F. 2235</a>	Herman C. Quirmbach
<a href="#">S-5057</a>	<a href="#">S.F. 2266</a>	Mark Chelgren