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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, APRIL 13, 2016**

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# JOURNAL OF THE SENATE

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NINETY-FOURTH CALENDAR DAY  
FIFTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 13, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Andrew Bardole of the Corning United Methodist Church in Corning, Iowa. He was the guest of Senator Shipley.

## PLEDGE OF ALLEGIANCE

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

The Journal of Tuesday, April 12, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:22 a.m. until 11:00 a.m.

## RECONVENED

The Senate reconvened at 11:10 a.m., President Jochum presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2309](#).

[Senate File 2309](#)

On motion of Senator Hogg, [Senate File 2309](#), a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions, 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. 2309](#)), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	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	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

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

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2413](#) and [Senate File 2299](#).

[House File 2413](#)

On motion of Senator Quirnbach, [House File 2413](#), a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach 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. 2413](#)), the vote was:

Yeas, 42:

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

Nays, 7:

Chapman	Hart	McCoy	Zaun
Dotzler	Johnson	Petersen	

Absent, 1:

Bertrand

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

### Senate File 2299

On motion of Senator Mathis, [Senate File 2299](#), a bill for an act relating to the early childhood Iowa initiative, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Gronstal offered amendment [S-5123](#), filed by him from the floor to pages 1–4 of the bill.

(Amendment [S-5123](#) and [Senate File 2299](#) were deferred.)

The Senate stood at ease at 11:54 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:11 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 2299](#) and amendment [S-5123](#), previously deferred.

Senator Gronstal moved the adoption of amendment [S-5123](#).

Amendment [S-5123](#) was adopted by a voice vote.

Senator Mathis 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. 2299](#)), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	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
Danielson	Johnson	Segebart

Nays, none.

Absent, 1:

Bertrand

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 2299 and 2309** and [House File 2413](#) be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:15 p.m. until 4:00 p.m.

#### APPENDIX—1

##### CERTIFICATE OF RECOGNITION

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

Alex Packard, Davenport—For achieving the rank of Eagle Scout, Troop #199. Senator Smith.

##### INTRODUCTION OF BILLS

[Senate File 2310](#), by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility.

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

[Senate File 2311](#), by committee on Appropriations, a bill for an act relating to the department of public defense by providing for the gold star military museum.

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

#### STUDY BILLS RECEIVED

##### [SSB 3183](#)      **Appropriations**

Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

##### [SSB 3184](#)      **Appropriations**

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

#### SUBCOMMITTEE ASSIGNMENTS

##### [SSB 3183](#)

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Schneider

##### [SSB 3184](#)

APPROPRIATIONS: Wilhelm, Chair; Dvorsky and Rozenboom

#### FINAL COMMITTEE REPORTS OF BILL ACTION

##### APPROPRIATIONS

**Bill Title:** \*[SENATE FILE 2311](#) (formerly [SF 2073](#)), a bill for an act relating to the department of public defense by providing for the gold star military museum.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, none. Absent, none.

**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 2311](#), and they were attached to the committee report.

#### WAYS AND MEANS

**Bill Title:** [SENATE FILE 2310 \(SSB 3178\)](#), a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, 2: Behn and Quirnbach. Absent, none.

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

#### RECONVENED

The Senate reconvened at 4:09 p.m., President Jochum presiding.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2304](#), a bill for an act relating to standards for and certification and inspection of children's residential facilities. ([S-5125](#))

#### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2414 and 2392.

#### [House File 2414](#)

On motion of Senator Bowman, [House File 2414](#), a bill for an act providing for the regulation of transportation network companies, and including applicability provisions, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Bowman offered amendment [S-5122](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Taylor offered amendment [S-5124](#), filed by him from the floor to page 1 and amending the title provisions of amendment [S-5122](#).

Senator Breitbach raised the point of order that amendment [S-5124](#) to amendment [S-5122](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5124](#) out of order.

Senator Bowman moved the adoption of amendment [S-5122](#).

Amendment [S-5122](#) was adopted by a voice vote.

With the adoption of amendment [S-5122](#), the Chair ruled amendment [S-5120](#), filed by Senator Taylor on April 12, 2016, to pages 1 and 10 and amending the title page of the bill; and amendment [S-5121](#), filed by Senator Bowman on April 12, 2016, to pages 1–5, 8, and 9, and amending the title page of the bill, out of order.

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?” ([H.F. 2414](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
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, as amended, was agreed to.

### [House File 2392](#)

On motion of Senator Schoenjahn, [House File 2392](#), a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee without recommendation, was taken up for consideration.

Senator Quirmbach offered amendment [S-5126](#), filed by him from the floor to pages 4, 10, 12, 19, 21, 27, and 39 of the bill, and moved its adoption.

Amendment [S-5126](#) was adopted by a voice vote.

Senator Quirmbach 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. 2392](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	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.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2392** and **2414** be **immediately messaged** to the House.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ken Sagar as a member of the a member of the Iowa Workforce Development Board, placed on the Individual Confirmation Calendar on March 30, 2016, found on page 611 of the Senate Journal, previously deferred on April 12, 2016.

Senator Bisignano moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 42:

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

Nays, 8:

Behn	Chelgren	Garrett	Whitver
Chapman	Costello	Schultz	Zaun

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of San Wong as Director of the Department of Human Rights, placed on the Individual Confirmation Calendar on March 25, 2016, found on page 606 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

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

Nays, 4:

Bowman	Danielson	Johnson	Petersen
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Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Miranda Mathis, Commission on the Status of African Americans

Dr. Matthew O'Brien, Iowa Autism Council

Karyn Finn, Credit Union Review Board

Michael B. Ballard, Deaf Services Commission

Judy Janning-Reicks, Early Childhood Iowa State Board

Bettie Bolar, State Board of Education

Dr. Jay Prescott, Board of Educational Examiners  
Dr. Anne Sullivan, Board of Educational Examiners

Jeannette Martinez, Commission of Latino Affairs

KellyAnn Light-McGroary, Board of Medicine

Carl Linge, Board of Mortuary Science

Leland Tack, School Budget Review Committee

Michael B. Ballard, Board of Sign Language Interpreters and Transliterators

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:53 p.m. until 9:00 a.m., Thursday, April 14, 2016.

**APPENDIX—2****REPORTS OF COMMITTEE MEETING****HUMAN RESOURCES**

**Convened:** Wednesday, April 13, 2016, 3:00 p.m.

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

**Members Absent:** Chelgren and Taylor (both excused).

**Committee Business:** Medicaid discussion and presentation.

**Adjourned:** 4:00 p.m.

**INTRODUCTION OF RESOLUTION**

[Senate Resolution 112](#), by Dotzler, a resolution commending the results of Taiwan's 2016 presidential election reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Iowa and Taiwan.

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

**INTRODUCTION OF BILL**

[Senate File 2312](#), by committee on Ways and Means, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

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

**SUBCOMMITTEE ASSIGNMENTS**

[Senate File 504](#)  
(Reassigned)

WAYS AND MEANS: Hogg, Chair; Behn and Petersen

[House File 2443](#)

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

[House File 2446](#)

WAYS AND MEANS: Allen, Chair; Petersen and Schultz

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 2312](#) (formerly [SF 2212](#)), a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Bolkcom, Allen, Feenstra, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, and Seng. Nays, 5: Anderson, Behn, Quirnbach, Schultz, and Smith. Absent, none.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 2312](#), and they were attached to the committee report.

RESOLUTIONS ENROLLED, SIGNED, AND SENT TO THE  
SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following resolutions have been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State for deposit on this 13th day of April, 2016.

Senate Joint Resolutions 2006 and 2007.

MICHAEL E. MARSHALL  
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 13, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 503](#) – Relating to certain fees collected by the county sheriff.

[Senate File 2116](#) – Adding substances to schedule I of the controlled substance schedules, and providing penalties.

[Senate File 2185](#) – Relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

[Senate File 2228](#) – 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.

[Senate File 2233](#) – Creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

[Senate File 2260](#) – Relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

[Senate File 2273](#) – Relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

#### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Wednesday, April 13, 2016, when the vote was taken on [Senate File 2299](#), [Senate File 2309](#), and [House File 2413](#). Had I been present, I would have voted AYE on each of these bills.

RICK BERTRAND

#### AMENDMENTS FILED

<a href="#">S-5122</a>	<a href="#">H.F. 2414</a>	Tod R. Bowman
<a href="#">S-5123</a>	<a href="#">S.F. 2299</a>	Michael E. Gronstal
<a href="#">S-5124</a>	<a href="#">H.F. 2414</a>	Rich Taylor
<a href="#">S-5125</a>	<a href="#">S.F. 2304</a>	House
<a href="#">S-5126</a>	<a href="#">H.F. 2392</a>	Herman C. Quirnbach